

MIGRANT SETTLEMENT AGREEMENT.

No. 32 of 1933.

An Act to approve an Agreement made between the Commonwealth of Australia and the State of Victoria, and for other purposes.

[Assented to 8th December, 1933.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Migrant Settlement Agreement Act* 1933. Short title.
2. The Agreement made between the Commonwealth of Australia and the State of Victoria (a copy of which Agreement, excepting Annexures "A" and "J" thereto, is set forth in the Schedule to this Act) is approved. Approval of Agreement.
3. The Treasurer on behalf of the Commonwealth may, in accordance with the scheme set forth in Annexure "K" to the said Agreement, make payments, not exceeding in the whole the sum of One hundred thousand pounds, under and subject to the terms and conditions of that scheme. Payments to settlers.
4. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, for the purpose of enabling the Treasurer to make the payments referred to in the last preceding section the sum of One hundred thousand pounds. Appropriation.

THE SCHEDULE.

MEMORANDUM OF AGREEMENT made this sixteenth day of October One thousand nine hundred and thirty-three BETWEEN THE COMMONWEALTH OF AUSTRALIA (hereinafter called "the Commonwealth") of the one part and THE STATE OF VICTORIA (hereinafter called "the State") of the other part

WHEREAS on the thirty-first day of May One thousand nine hundred and twenty-two the Parliament of the United Kingdom of Great Britain and Ireland passed an Act to make better provision for furthering British Settlement in His Majesty's Oversea Dominions shortly intitled the Empire Settlement Act 1922 a copy of which Act is contained in Appendix No. II. of the annexure hereto marked with the letter "A" and which copy forms part of this submission AND WHEREAS it is hereby enacted that it shall be lawful for the Secretary of State in association with the Government of any part of His Majesty's Dominions or with public authorities or public or private organizations either in the United Kingdom or in any part of such Dominions to formulate and co-operate in carrying out agreed schemes for affording joint assistance to suitable persons in the United Kingdom who intend to settle in

THE SCHEDULE—*continued.*

any part of His Majesty's Oversea Dominions; AND WHEREAS on the 21st day of September 1922 an Agreement a copy whereof is hereunto annexed and marked with the letter "B" and forms part of this submission was made between the Commonwealth and the State with the object of encouraging and facilitating the migration from Great Britain and settlement in the State of Victoria of persons suitable for and desirous of permanently settling upon the land AND WHEREAS the said last-mentioned Agreement was agreed to be treated as an agreed scheme within the meaning of the Empire Settlement Act 1922 and an Agreement to give effect thereto dated the 12th day of April One thousand nine hundred and twenty-three was entered into between the Commonwealth and the said Secretary of State a copy of which Agreement is hereunto annexed and marked with the letter "C" and forms part of this submission AND WHEREAS the last-mentioned Agreement was not given effect to but was cancelled by an Agreement between the same parties dated the 29th day of November One thousand nine hundred and twenty-three a copy whereof is hereunto annexed marked with the letter "D" and forms part of this submission AND WHEREAS the said last-mentioned Agreement was expressly agreed to be in substitution for the said Agreement dated the 12th day of April One thousand nine hundred and twenty-three AND WHEREAS in pursuance of the said Agreements certain persons were from time to time selected in the British Isles and conveyed to Australia and settled upon the land in the State of Victoria AND WHEREAS on the 8th day of April One thousand nine hundred and twenty-five in pursuance of the provisions of the Empire Settlement Act 1922 a further Agreement was made between the British Government and the Commonwealth for the purpose of facilitating further the settlement of suitable persons in the Commonwealth a copy of which Agreement is contained in Appendix No. III. of the annexure hereto marked with the letter "A" and forms part of this submission AND WHEREAS the State on the 11th day of September One thousand nine hundred and twenty-five entered into an Agreement with the Commonwealth a copy of which Agreement is contained in Appendix No. IV. of the annexure hereto marked with the letter "A" and forms part of this submission AND WHEREAS in pursuance of the said two last-mentioned Agreements certain schemes were certified as "agreed undertakings" under the said Agreement dated the 8th day of April One thousand nine hundred and twenty-five in the manner set forth in the annexure hereto marked respectively with the letters "E" and "F" which certificates form part of this submission AND WHEREAS in pursuance of the said Agreements certain persons were from time to time selected in the British Isles and conveyed to Australia and settled upon the land in the State of Victoria AND WHEREAS on the 26th day of March 1926 the Commonwealth and the State entered into an Agreement (a copy whereof is hereunto annexed and marked with the letter "G" and forms part of this submission) cancelling the aforesaid Agreement dated 21st September 1922 so that the schemes arranged thereunder could if the State so desired become undertakings under the aforesaid Agreement dated 11th September 1925: AND WHEREAS by certificates dated the 21st day of January 1929 a copy whereof is hereunto annexed and marked with the letter "H" and forms part of this submission the settlement of migrants in pursuance of the said Agreement dated the 21st September 1922 was certified as an agreed undertaking to which the provisions of the said Agreements of the 8th day of April 1925 and the 11th day of September 1925 should apply retrospectively to the said 21st day of September 1922 AND WHEREAS the said Agreements dated the 8th day of April 1925 and the 11th day of September 1925 were respectively amended by Agreements between the respective parties thereto dated the 27th day of March 1928 and the 5th day of November 1928 copies of which Agreements are hereunto annexed and marked with the letter "I" and form part of this submission AND WHEREAS certain of the migrants settled upon the land in Victoria in pursuance of the several Agreements hereinbefore referred to becoming dissatisfied with the land allotted to them and other matters concerning their settlement complained to the State in general that they had been misled as to their prospects in the said State and that the said State had not fulfilled the obligations which it undertook in the several Agreements hereinbefore referred to AND WHEREAS in consequence of such dissatisfaction such settlers were invited by the State to specify in writing the subject-matter of such complaints AND WHEREAS in response to that invitation certain complaints in regard to specific matters were accordingly submitted AND WHEREAS for the purpose of investigating such complaints and reporting thereon as to the truth or otherwise thereof the Lieutenant-Governor of the State of Victoria by Royal Letters Patent dated respectively the 9th day of December 1930 and 23rd day of October 1931 appointed the Honourable George James Dethridge Chief Judge of the Commonwealth Court of Conciliation and Arbitration Clive McPherson Esquire

THE SCHEDULE—continued.

and William Edward Brock Macleod Esquire to be a Royal Commission copies of which Royal Letters Patent are contained in the annexure hereto marked with the letter "J" which forms part of this submission AND WHEREAS the said Royal Commission having heard evidence for and on behalf of the said migrants and of the said State and Counsel for the contending parties reported to His Excellency the Lieutenant-Governor on the 21st day of March 1933 a copy of which report is contained in the annexure marked with the letter "J" AND WHEREAS the State upon receipt of the said report considered what practical means were available for adjusting the grievances to which the said report relates and for that purpose convened conferences between representatives of the State the Commonwealth and the British Government AND WHEREAS as a result of such consultations a scheme of adjustment was tentatively agreed upon the particulars of which are set forth in the annexure hereto marked with the letter "K" which forms part of this submission AND WHEREAS for the purpose of giving effect to the said tentative Agreement the Commonwealth proposes to provide for payment to such settlers the sum of One hundred thousand pounds AND WHEREAS a difference has arisen between the Commonwealth and the State as to whether there is any duty upon the Commonwealth to contribute any portion and if any portion what portion of the amount tentatively agreed to be expended by way of monetary grants to such settlers AND WHEREAS such difference is still subsisting IT IS HEREBY AGREED by and between the Commonwealth and the State to refer the said difference to Langer Owen Esquire formerly a Justice of the Supreme Court of New South Wales to determine whether notwithstanding the fact that the hereinbefore recited Agreements relating to the settlement on the land in Victoria of British migrants may not confer rights of action upon any person so settled but having regard to the terms of the said Agreements which are hereby admitted for the purposes hereof to be binding upon the parties hereto and to the acts in Great Britain or Australia of the Governments of the Commonwealth and the State and of their officers and to the findings of the aforesaid Royal Commission in the case of the individual settlers therein referred to which are hereby accepted as the basis of this reference to arbitration and to any action taken or agreed to be taken by the Commonwealth and/or the State in accordance with the aforesaid scheme of adjustment as a consequence of such findings and to any facts appearing herein or from the records of such Royal Commission to which the arbitrator is hereby granted liberty to refer and to any further evidence or material which may be required by the arbitrator and/or adduced by any party hereto it is fair and just that the Commonwealth should bear any portion and if any portion what portion of the cost of any such monetary grant made to the said migrants by way of compensation in accordance with the aforesaid scheme set forth in the said annexure hereto marked with the letter "K" AND ALSO to determine what amount the State should pay to the Commonwealth in or towards reimbursement of any amount which may be provided in pursuance of the proposal of the Commonwealth hereinbefore recited AND IT IS FURTHER AGREED that the determination of the said Langer Owen Esquire shall be binding on the Commonwealth and the State PROVIDED THAT this Agreement shall not be binding upon either party unless and until the Parliament of the Commonwealth has duly appropriated for the purposes of the said tentative Agreement the said sum of One hundred thousand pounds and the Parliament of the State has passed an Act approving this Agreement and authorizing the payment by the State to the Commonwealth of such amount as the said Langer Owen Esquire may determine should be paid by the State to the Commonwealth AND IT IS FURTHER AGREED that each party hereto shall bear its own costs of this reference.

IN WITNESS WHEREOF the Prime Minister of the Commonwealth and the Premier of the State have hereunto set their hands the day and year first above written.

SIGNED by the Right Honorable Joseph Aloysius Lyons
the Prime Minister of the Commonwealth for and on
behalf of the Commonwealth in the presence of—
F. F. CLAUSEN,
Deputy Crown Solicitor Melbourne.

J. A. LYONS

SIGNED by the Honorable Sir Stanley Seymour Argyle
the Premier of the State for and on behalf of the State
in the presence of—
ROBERT G. MENZIES
Attorney-General.

STANLEY S ARGYLE

THE SCHEDULE—continued.

ANNEXURES HEREINBEFORE REFERRED TO.

	Marked.	
Empire Settlement Act 1922	" A "	Appendix II.
Agreement between the Commonwealth and the State dated 21st September 1922	" B "	
Agreement between the Secretary of State for the Colonies and the Commonwealth dated 12th April 1923	" C "	
Agreement between the Secretary of State for the Colonies and the Commonwealth dated 29th November 1923	" D "	
Agreement between the Secretary of State for the Colonies and the Commonwealth dated 8th April 1925	" A "	Appendix III.
Agreement between the Commonwealth and State dated 11th September 1925	" A "	Appendix IV.
Certificate dated 30th October 1926 re Katandra Irrigation Settlement	" E "	
Certificate (undated) re Maffra-Sale Irrigation Settlement	" F "	
Agreement between the Commonwealth and the State dated 26th March 1926	" G "	
Certificates dated 4th February 1927 and 21st January 1929 re settlement between 1st July 1922 and 31st December 1926	" H "	
Agreement between the Commonwealth and the State dated 5th November 1928—and—		
Agreement between the Secretary of State for Dominion Affairs and the Commonwealth dated 27th March 1928	" I "	
Royal Letters Patent dated 9th December 1930 and 23rd October 1931 and Report of Royal Commission dated 21st March 1933	" J "	
Tentative scheme regarding adjustments proposed to be made with regard to migrant settlers	" K "	

ANNEXURE " A. "

[Annexure " A " (which is not included in this Schedule) is a copy of the First Annual Report of the Development and Migration Commission for the period ending 30th June, 1927, presented to the Parliament of the Commonwealth pursuant to Statute, and ordered to be printed 23rd November, 1927. This Report has the following Appendices which are referred to in the said Agreement, namely:—

- (a) APPENDIX No. II. which contains a copy of the Empire Settlement Act 1922 of the United Kingdom ;
- (b) APPENDIX No. III. which contains a copy of an Agreement between the Secretary of State for the Colonies and the Commonwealth dated 8th April, 1925 ; and
- (c) APPENDIX No. IV. which contains a copy of an Agreement between the Commonwealth and the State dated 11th September, 1925.]

ANNEXURE " B. "

AGREEMENT made the twenty-first day of September One thousand nine hundred and twenty-two between THE COMMONWEALTH OF AUSTRALIA (hereinafter called the " Commonwealth ") of the one part and THE STATE OF VICTORIA (hereinafter called the " State ") of the other part

WHEREAS it is desired by the British Government the Commonwealth and the State to encourage and facilitate the migration from Great Britain and settlement in Victoria of persons suitable for and desirous of permanently settling upon the land AND WHEREAS the British Government has agreed to co-operate with the Commonwealth and State in encouraging such migration by granting in accordance with the Empire Settlement Act 1922 a loan of Three hundred pounds to each person so

THE SCHEDULE—*continued.*

migrating and settling upon the land AND WHEREAS the State has undertaken in pursuance of the said purpose to provide at as early date as practicable two thousand farms for such migrants in accordance with the scheme of settlement set forth in the Schedule hereto (hereinafter called "the said scheme") as a first instalment of a scheme which is intended to provide ten thousand farms NOW IT IS MUTUALLY AGREED as follows :—

1. THE COMMONWEALTH AGREES :

- (a) to borrow on behalf of the State such amount (not exceeding Three million pounds in all) as may be necessary to provide for migrants from Great Britain two thousand farms in Victoria in accordance with the said scheme and to settle such migrants thereon and to carry out public works incidental to such purposes the terms and period of such loan to be arranged after consultation with the State.
- (b) to arrange with the British Government for a loan of Three hundred pounds to be made by the British Government to each migrant for whom a farm is provided in Victoria pursuant to this Agreement such advance to be repayable pro rata as hereinafter provided.
- (c) to arrange for the selection and conveyance of the said migrants from Great Britain to Victoria from time to time as may be required by the State.
- (d) as a contribution towards the said purpose to provide at its own expense for a period of five years from the date upon which the money is borrowed one-third of the interest from time to time payable upon Two million pounds of the moneys borrowed on behalf of the State pursuant to this Agreement and expended by the State in accordance with this Agreement for the purposes of the said scheme.

2. THE STATE AGREES (subject to the approval of the Parliament of Victoria) :—

- (a) to provide in accordance with the said scheme two thousand farms for and settle thereon migrants conveyed to Victoria pursuant to this Agreement.
- (b) to pay as it becomes due as interest the cost to the Commonwealth payable upon the moneys borrowed on behalf of the State pursuant to this Agreement less the interest which the Commonwealth has by this Agreement specifically agreed to pay.
- (c) to repay as they become due all moneys borrowed on behalf of the State pursuant to this Agreement.
- (d) to use every endeavour to collect the moneys lent as aforesaid by the British Government to settlers and all interest thereon.
- (e) to pay to the Commonwealth Government for the British Government from time to time out of moneys so collected in respect to each settler an amount bearing the same ratio to the total amount collected from such settler as the advance made by the British Government bears to the total advance received by such settler.
- (f) to furnish the Commonwealth with—
 - (a) half-yearly statements as to the thirtieth June and the thirty-first December respectively in each year showing—
 - (i) the total money borrowed for the purpose of this Agreement
 - (ii) the total expenditure defrayed therefrom classified under appropriate headings
 - (iii) the amount of interest paid during the half-year
 - (iv) the number of new migrants provided for and of additional farmers established
 - (b) an annual report on the general progress of the said scheme
 - (c) such other particulars as the Commonwealth may from time to time request of the matters included in the said scheme.

THE SCHEDULE ABOVE REFERRED TO.

(1) The migrants shall be received on arrival by officers of or other persons designated by the State Government.

(2) The State undertakes to see that all migrants are either offered employment in country districts or are allotted land subject in the latter case to the production of satisfactory evidence of knowledge and experience.

(3) Blocks of land in an irrigation district may vary from fifteen acres to one hundred and twenty acres and in a dry district may range up to six hundred and forty

THE SCHEDULE—*continued.*

acres. In the irrigation districts such products as fruits (including grapes for raisins and currants) lucerne fodders or cereals can be grown on the land and farms will vary in use so as to include orchards or dairy farms. In the dry districts lands will be available for growing all varieties of cereals fodder crops root crops and tobacco and for dairying and mixed farming.

(4) Provision will be made for instruction and supervision by competent supervisors of all new settlers after the allocation of blocks.

(5) Advances will be made for equipment and stock and also against improvements including housing the total advance being up to five hundred pounds in each case inclusive of any advance made by the British Government.

(6) The total debt of a settler for land and advances will not in the average exceed One thousand five hundred pounds. The land will be sold to him on thirty-six and a half years terms repayable half-yearly at the rate of six pounds per centum per annum which includes both redemption and interest.

(7) Advances (including any advances made by the British Government) will be repayable over varying periods up to twenty years. Instalments will include interest at the rate of Five pounds per centum per annum and amounts sufficient to repay the principal within such periods.

(8) In all respects operations will be subject to the provisions of the Land Acts or the Closer Settlement Acts of Victoria.

IN WITNESS whereof the Prime Minister of the Commonwealth for and on behalf of the Commonwealth and the Premier of the State for and on behalf of the State have hereunto set their respective hands the day and year first above written.

SIGNED by the RIGHT HONORABLE WILLIAM MORRIS HUGHES Prime Minister of the Commonwealth of Australia for and on behalf of the Commonwealth in the presence of
P. E. DEANE

W. M. HUGHES.

SIGNED by the HONORABLE HARRY SUTHERLAND WIGHTMAN LAWSON Premier of the State of Victoria for and on behalf of the State in the presence of
G. S. MACLEAN

H. S. W. LAWSON.

This and the preceding three pages form the Annexure referred to in the attached submission.

STANLEY S ARGYLE
J A LYONS

ANNEXURE "C"

AN AGREEMENT made the 12th day of April 1923 between HIS MAJESTY'S SECRETARY OF STATE FOR THE COLONIES (hereinafter called the "Secretary of State") of the one part and the GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA (hereinafter called the "Commonwealth Government") of the other part.

WHEREAS under the Empire Settlement Act 1922 the Secretary of State may co-operate with the Government of any part of His Majesty's Dominions in formulating and carrying out schemes for affording joint assistance to suitable persons in the United Kingdom who intend to settle in any part of His Majesty's Oversea Dominions.

AND WHEREAS the Commonwealth Government has entered into an Agreement with the Secretary of State under the said Act for providing joint assistance in respect of passages to suitable persons from the United Kingdom who wish to proceed to Australia for the purpose of permanent settlement.

AND WHEREAS the Secretary of State and the Commonwealth Government are anxious to facilitate further settlement of such persons in Australia.

AND WHEREAS the Government of Victoria (hereinafter called the "State Government") is desirous of making arrangements for the settlement of ten thousand new migrants from the United Kingdom and their dependants on ten thousand farms to be provided within the State of Victoria on Crown lands or on land resumed for sub-division.

AND WHEREAS as part of the foregoing larger scheme the State Government has made arrangements to proceed forthwith with the settlement of two thousand approved migrants from the United Kingdom and their dependants on two thousand farms at an estimated cost, excluding passages, of Three million pounds.

THE SCHEDULE—*continued.*

AND WHEREAS the Commonwealth Government has concurred in the proposals of the State Government and has concluded the Agreement with the State Government set out in Schedule "A" hereto (hereinafter called the "said scheme") undertaking to borrow Three million pounds on behalf of the State Government and to contribute for a period of five years one-third of the interest on Two million pounds of this amount.

AND WHEREAS the Commonwealth Government has ascertained that the State Government concurs in the terms of this Agreement in so far as it amends or supplements the obligations of the State Government under the Agreement set out in the said scheme.

AND WHEREAS it is a condition of the said scheme that the Secretary of State should advance a sum not exceeding Three hundred pounds to each approved individual migrant for whom a farm is provided in accordance with the said scheme.

AND WHEREAS the Treasury have agreed to the said scheme and to the terms of this Agreement. It is therefore agreed as follows:—

1. The Commonwealth Government undertakes to arrange with the State Government to provide each migrant accepted by the latter Government as suitable under this Agreement and the said scheme with a farm within the State of Victoria which will be of an average value (allowing for improvements, stock, housing, fencing, &c.) of from £900 to £1,500.

2. The Secretary of State shall lend as a contribution towards the cost of the said scheme a sum of Three hundred pounds in respect of each farm with which a migrant is provided in accordance with the terms of this Agreement and of the said scheme provided that:

- (a) in cases where a farm is allotted to two or more successive migrants under this Agreement any further contribution by the Secretary of State shall not exceed the further contribution by the State Government;
- (b) the value of the land (excluding advances for improvements, stock, housing, fencing &c.) shall not in respect of any one farm be less than £300 or if the value be less than this amount the contribution by the Secretary of State shall not exceed the amount of the contribution by the State Government plus any amount by which the said value exceeds £100;
- (c) the contribution of the Secretary of State shall be paid in two successive half-yearly instalments of approximately One-hundred-and-fifty pounds each, the first instalment being payable on the certificate of the Commonwealth Government that the State Government has supplied the land and that the money is required to enable the migrant to settle on the farm;
- (d) no payment shall be made by the Secretary of State under this Agreement in respect of any migrant who sailed for Australia before the 1st June One thousand nine hundred and twenty-two, and who has not been jointly approved by the Secretary of State and the Commonwealth Government as suitable for the financial assistance to be provided under this Agreement, provided that nothing in this sub-section shall bind the State Government to settle a migrant upon a farm unless that Government is satisfied as to his suitability;
- (e) no payment shall be made under this Agreement by the Secretary of State in respect of any migrant who sails for Australia on a date which is more than eighteen months after the date of signature of this Agreement or who is provided with a farm at a date which is later than four years after his arrival in Victoria provided that this sub-paragraph shall not apply to a migrant who succeeds to a farm which a migrant under this Agreement has vacated;
- (f) payments shall not be made under this Agreement in respect of more than a total of two thousand farms.

3. If on receipt of the certificate referred to in clause 2 (c) hereof and of such further particulars as he may require under clause 6 hereof the Secretary of State is satisfied that the said scheme is being carried out in accordance with the terms of this Agreement he shall then pay to or to the account of the Commonwealth Government the instalments as specified in clause 2 hereof and within the limits therein set out.

4. The Commonwealth Government shall make arrangements with the State Government to ensure that adequate facilities are provided for the reception and absorption of the migrants on arrival, that the migrants are treated fairly in all respects and that where necessary they are given before as well as after a farm has been provided direction and supervision by experienced superintendents.

THE SCHEDULE—*continued.*

5. The Commonwealth Government shall make arrangements with the State Government to ensure that the debt charged to the migrant in respect of land purchased shall not exceed the fair value of such land.

6. The Commonwealth Government shall make arrangements with the State Government to furnish the Secretary of State with particulars in regard to the migrants or their farms in such forms and at such times as he may reasonably require and to furnish the Secretary of State with copies of the half-yearly statements and the annual report required by clause (f) of the said scheme.

7. No freehold title to the land or other property provided for a migrant (herein-after called "a settler") under this Agreement shall be given to the settler until he has completely paid the debt with interest in respect of that land or other property and has also paid any loan made in respect of the cost of his passage.

8. Where a settler in respect of whom the Secretary of State has made advances under this Agreement dies or for any reason is dispossessed of his farm the Commonwealth Government shall make arrangements with the State Government to ensure that;

- (a) the said farm shall if possible be transferred to another settler eligible for assistance under this Agreement; and
- (b) satisfactory arrangements are made by the State Government in regard to the transfer of the farm;
- (c) the new occupier will be provided with such advances as he may reasonably require.

Provided that in the event of a suitable settler under this Agreement not being available the said farm may be transferred to some other suitable person on the understanding that:

- (i) reasonable care will be taken to conserve the interests of the Secretary of State;
- (ii) the Secretary of State will be informed by cable of the transfer of the said farm and that a full report will subsequently be despatched by mail of the steps which have been taken to conserve his interests;
- (iii) the numbers of approved migrants from the United Kingdom settled on the farms shall not be affected.

9. The first instalment of a payment by a settler in respect of both land debt and advances shall be due at the earliest possible date and in any case not more than twelve months after the first advance has been made provided that the Commonwealth Government shall where they are satisfied that it is necessary arrange for the payment date or dates to be modified in any particular case where the State Government recommends that course.

10. The Commonwealth Government shall make arrangements with the State Government to keep a separate account of payments of advances (excluding the amount of the debt charged to the settler for land) (hereinafter called the "said advances") and shall render to the Secretary of State at the end of each half-year or at such other interval as may be jointly arranged an officially certified account in the following form or such other form as may be jointly agreed showing the sums received in that period. The Commonwealth Government shall simultaneously with the rendering of this account pay to or to the account of the Secretary of State an amount bearing the same ratio to the total amount of payments made by the migrants in respect of the said advances as the total amount of the Secretary of State's advances bears to the total amount of the said advances made to the settlers provided that:

- (a) no change of occupation of any particular farm shall affect the amounts shown in columns 3 and 4 of the account, i.e., those amounts shall be the total advances and payments respectively (excluding debt for land) made in respect of that particular farm;
- (b) whenever a settler fails to pay the full instalments due from time to time in respect of his total debt for land and advances the payment actually made by him shall be applied pro rata towards the instalments actually due on account of land and advances respectively.

THE SCHEDULE—*continued.*

FORM OF ACCOUNT.

1.	2.	3.	4.	5.	6.	7.
Name	Amount of Secretary of State's Advance	Total Amt of Advances (ex. Debt for Land) Made in Respect of the Farm	Total Amt of Payments of Advances (exc. Debt for Land)	Proportion of Payments Due to State Government	Proportion of Payments Due to Secretary of State	Interest due to Secretary of State

11. The Commonwealth Government shall make arrangements with the State Government to cause the statements and accounts referred to in this Agreement to be audited once in each year by the State Auditor-General and shall furnish the Secretary of State with copies of his certificate and report.

12. The Commonwealth Government shall make arrangements with the State Government to furnish on the request of the Secretary of State such information or explanations if any as may be required by His Majesty's Comptroller and Auditor-General for the purpose of his audit of the Imperial accounts.

13. The Secretary of State and the Commonwealth Government shall each bear their own expenses of administering this Agreement.

14. The parties to this Agreement declare their intention to enter into a fresh Agreement in due course if they are satisfied that by continuing co-operation in the assistance of suitable persons who wish to settle on the land in the State of Victoria they will promote the development of Empire Settlement.

Signed by the Secretary of State for the Colonies

DEVONSHIRE.

Signed for and on behalf of the Commonwealth Government

JOSEPH COOK.

SCHEDULE "A."

Agreement made 21st September, 1922

Between

The Commonwealth of Australia

and

The State of Victoria

(Set out at length)

See Annexure "B".

This and the preceding six pages form the annexure referred to in the attached Submission.

STANLEY S ARGYLE
J. A. LYONS

ANNEXURE "D."

AN AGREEMENT made the twenty-ninth day of November 1923 between His Majesty's Secretary of State for the Colonies (hereinafter called the "Secretary of State") of the one part and The Government of the Commonwealth of Australia (hereinafter called the "Commonwealth Government") of the other part.

WHEREAS under the Empire Settlement Act 1922 the Secretary of State may co-operate with the Government of any part of His Majesty's Dominions in formulating and carrying out schemes for affording joint assistance to suitable persons in the United Kingdom who intend to settle in any parts of His Majesty's Oversea Dominions.

THE SCHEDULE—*continued.*

AND WHEREAS the Commonwealth Government has entered into an Agreement with the Secretary of State under the said Act for providing joint assistance in respect of passages to suitable persons from the United Kingdom who wish to proceed to Australia for the purpose of permanent settlement.

AND WHEREAS the Secretary of State and the Commonwealth Government are anxious to facilitate further the settlement of such persons in Australia.

AND WHEREAS the Government of Victoria (hereinafter called the "State Government") is desirous of making arrangements for the settlement of ten thousand new migrants from the United Kingdom and their dependants on ten thousand farms to be provided within the State of Victoria on Crown lands or on land resumed for subdivision.

AND WHEREAS as part of the foregoing larger scheme the State Government has made arrangements to proceed forthwith with the settlement of two thousand approved migrants from the United Kingdom and their dependants on two thousand farms at an estimated cost, excluding passages, of Three million pounds :

AND WHEREAS the Commonwealth Government has concurred in the proposals of the State Government and has concluded the Agreement with the State Government set out in Schedule A. hereto undertaking to raise on behalf of the State Government loans up to an amount of Three million pounds and to contribute for a period of five years one-third of the interest on Two million pounds of this amount.

AND WHEREAS the Commonwealth Government concurs, and has ascertained that the State Government also concurs in the terms of this Agreement in so far as it amends or supplements the obligations of the State Government under the Agreement set out in Schedule A. (hereinafter, as amended or supplemented by this Agreement called the "said scheme").

AND WHEREAS the Treasury have agreed to the said scheme and to the terms of this Agreement. It is therefore agreed as follows :—

PAYMENT OF INTEREST ON LOANS.

1. The Secretary of State shall as a contribution towards the cost of the said scheme pay for five years from the date of the raising of the loans indicated in the said scheme, a sum equivalent to one-third of the interest on such loans in so far as the same shall have been expended by the State Government in accordance with the terms of the said scheme in settling approved new migrants from the United Kingdom under this Agreement, such contribution being paid through the Commonwealth Government.

Provided that the Secretary of State will not make the said contribution in respect of interest upon any sum exceeding Two million pounds.

2. If at the end of five years from the date of this Agreement it shall be ascertained that the State Government shall have established less than 2,000 approved new migrants from the United Kingdom on farms under the said scheme, the contribution of the Secretary of State as defined in clause 1 hereof shall be abated by the deduction of a percentage thereof equivalent to the percentage reduction in the number of such migrants established on farms below 2,000.

3. If the Secretary of State is satisfied that the said scheme is being carried out in accordance with the terms of this Agreement he shall make in accordance with clause 1 hereof provisional half-yearly payments to or to the account of the Commonwealth Government on account of the said contribution until the whole of this contribution as limited by clause 2 hereof has been paid.

Provided always that if at any time after the expiration of three years from the date of this Agreement, the Secretary of State has reasonable cause to believe that the limitations in clause 2 above may become operative, he shall be entitled to abate his subsequent provisional payments to such extent as may appear to him to be necessary to ensure so far as may be practicable that the total of the provisional payments will not exceed the total contribution due.

COST IN RESPECT OF WAGES.

4. The Commonwealth Government shall make arrangements with the State Government to ensure that a large proportion of the men settled upon farms under the said scheme shall be men with families and that such men shall be paid wages at

THE SCHEDULE—*continued.*

current rates for a reasonable period up to two years, if necessary, while engaged in working on such farms either before or after they have been definitely allotted to the settlers; and the Secretary of State shall, as a further contribution towards the cost of the said scheme, lend one-half of the cost of such wages, provided that,

- (i) the contribution of the Secretary of State for each of two years, if necessary, shall not in respect of any one family exceed in the case of
 - (a) the head of the family £50
 - (b) sons of 18 years or over, £50
 - (c) sons who are less than 18 years of age, £25.
- (ii) no payment shall be made by the Secretary of State in respect of any migrant who sailed for Australia before the 1st June, 1922, and who has not been jointly approved by the Secretary of State and the Commonwealth Government as suitable for the financial assistance to be provided under this Agreement;
- (iii) payment shall not be made under this clause in respect of more than a total of 2,000 migrants who, after training, are provided with farms.

5. The Commonwealth Government shall make arrangements with the State Government to furnish the Secretary of State at the end of each half-year or at such other intervals as may be jointly arranged, an officially certified account of the sums expended during that half-year or other period under clause 4 hereof. If the Secretary of State is satisfied that the sums have been expended in accordance with the terms of this Agreement and of the said scheme he shall pay to or to the account of the Commonwealth Government one-half of the amount of the expenditure as specified in clause 4 hereof and within the limits therein set out.

6. The total amount paid under clause 4 hereof to a settler shall be added to the value of the land sold to that settler and shall be repayable over a period of 36½ years at the rate of six pounds per centum per annum in accordance with clause 6 of the said scheme.

7. The Commonwealth Government shall make arrangements with the State Government to furnish at the end of each year an officially certified account showing in respect of settlers to whom payments have been made under clause 4 hereof the total amount of instalments paid under clause 6 hereof by such settlers during that period. The Commonwealth Government shall simultaneously with the rendering of this account pay to or to the account of the Secretary of State an amount bearing the same ratio to the total amount of such instalments as the total amount of the Secretary of State's payments under clause 5 hereof bear to the sum of the totals of the amount of the value of land sold to such settlers and of the amount paid for wages under clause 4 hereof.

GUARANTEE IN RESPECT OF ADVANCES TO MIGRANTS.

8. The Commonwealth Government shall make arrangements with the State Government to provide that all necessary advances (for improvements, stock, housing, fencing, &c.) to approved settlers placed upon farms in accordance with the terms of the said scheme shall be made by the State Government and the Secretary of State hereby gives a guarantee to the State Government indemnifying that Government for a period not exceeding 14 years from the 1st April, 1923, against any losses incurred in connexion with the said advances provided that:

- (1) the Secretary of State's guarantee shall operate in respect of any losses incurred in the case of any one settler (a) where the advances made by the State Government do not exceed £600, one-half of any such losses and (b) where such advances exceed £600, in the proportion which £300 bears to the actual amount of the advances, less £300.
- (2) the maximum amount of the Secretary of State's liability under the said guarantee in respect of losses incurred on any one of the said settlers shall, during the first seven years after the settler had been placed on a farm, be £300; and that the maximum amount of the said liability shall be reduced by £50 during the eighth and each subsequent year.

9. The Commonwealth Government shall make arrangements with the State Government to furnish the Secretary of State at such intervals as may be jointly arranged an officially certified account showing the amount of the losses actually incurred by the State Government under clause 8 hereof. If the Secretary of State

THE SCHEDULE—*continued.*

is satisfied that the liability is in accordance with the terms of this Agreement and of the said scheme he shall pay to or to the account of the Commonwealth Government one-half of the amounts shown in the said account within the limits set out in clause 8 hereof.

GENERAL.

10. The Commonwealth Government shall make arrangements with the State Government to ensure that adequate facilities are provided for the reception and absorption of the intending settlers on arrival, that they are treated fairly in all respects, and that they are given direction and supervision by experienced superintendents after a farm has been provided.

11. The Commonwealth Government shall make arrangements with the State Government to ensure that the debt charged to the settlers in respect of land purchased shall not exceed the fair value of such land.

12. No freehold title to the land or other property provided for a settler under this Agreement shall be given to the settler until he has completely paid the debt with interest in respect of that land or other property (including all advances) and has also paid any loan made in respect of the cost of his passage.

13. Where a settler in respect of whom the Secretary of State has made, under this Agreement, an advance for wages or has indemnified the State Government against any losses incurred by them, dies or for any reason is dispossessed of his farm, the Commonwealth Government shall make arrangements with the State Government to ensure that—

- (a) every care is taken to conserve the interests of the Secretary of State against loss arising under his guarantee to the State Government under clause 8 hereof.
- (b) the said farm shall if possible be transferred to another migrant eligible for assistance under this Agreement so that the total number of farmers established under this Agreement shall not be affected.

Provided that in the event of a suitable migrant under this Agreement not being available the said farm may be transferred to some other suitable person on the understanding that:—

- (i) the Secretary of State will be informed by cable of the transfer of the said farm and that a full report will subsequently be despatched by mail of the steps which have been taken to conserve his interests;
- (ii) the Secretary of State may abate his contribution under clause 1 hereof as provided by clause 2 hereof.

14. The Commonwealth Government agrees to make arrangements with the State Government to ensure that reasonable latitude will be shown at all times to settlers who are temporarily unable to meet instalments as they become due; and that whenever a settler fails to pay his full instalments due from time to time in respect of his total debt for land and advances the payments actually made by him shall be applied pro rata towards the instalments actually due from him on that date.

- (a) on account of land (including payments for wages),
- (b) on account of advances for improvements etc.

15. The Commonwealth Government shall make arrangements with the State Government that in consideration of the Secretary of State's contributions under this Agreement, any necessary advances may be made to the settlers for seeds, manure, for implements of all descriptions, or for any other purposes which the State Government consider to be advisable in regard to the particular circumstances of each settler.

16. The Commonwealth Government shall make arrangements with the State Government to furnish the Secretary of State with particulars in regard to the settlers or their farms in such forms and at such times as he may reasonably require and to furnish the Secretary of State with copies of the statements and reports required by clause 2 (f) of the said scheme.

17. The Commonwealth Government shall make arrangements with the State Government to cause the statements and accounts referred to in this Agreement to be audited once in each year by the State Auditor-General and shall furnish the Secretary of State with copies of his certificate and report.

THE SCHEDULE—*continued.*

18. The Commonwealth Government shall make arrangements with the State Government to furnish on the request of the Secretary of State such information or explanations, if any, as may be required by His Majesty's Comptroller and Auditor-General for the purpose of his audit of the Imperial accounts.

19. The Secretary of State and the Commonwealth Government shall each bear their own expenses of administering this Agreement.

20. This Agreement is in substitution for the Agreement between the same parties dated 12th day of April 1923 which is hereby cancelled in all respects.

SIGNED by the Secretary of State for the Colonies	}	DEVONSHIRE.
Signed for and on behalf of the Commonwealth Government		JOSEPH COOK. (High Commissioner).

Certified true copy.

(Sgd.) R. BLAKE,
Migration and Settlement Office.

(Sgd.) H. A. DENT, Accountant,
Oversea Settlement Office.

SCHEDULE "A."

Agreement made 21st September, 1922

Between

The Commonwealth of Australia

and

The State of Victoria

(Set out at length)

See Annexure "B".

This and the preceding eight pages form the annexure referred to in the attached Submission.

STANLEY S. ARGYLE
J. A. LYONS

ANNEXURE "E."

[COPY.]

Migration Agreement

Scheme Submitted by State of Victoria

KATANDRA SETTLEMENT SCHEME.

Total estimated cost £403,000 now required as Loan Money.

This scheme is approved by the Commonwealth Government under clauses 16 and 18 of the Agreement with the Government of Victoria dated 11th September 1925. The scheme (which becomes an agreed undertaking) involves under clause 16 the expenditure of £269,250 and the absorption by Victoria of 3,590 assisted migrants direct from the United Kingdom within a period of ten (10) years from 8th April 1925, amongst whom shall be such a number of assisted families without capital as consists in the aggregate of 1,346 persons, and under clause 18 involves the expenditure of £133,750 for the creation of 134 new farms and the absorption within twelve (12) months after the issue of the principal sum of £133,750, of 670 assisted migrants without capital, who shall be members of families as provided under the clause referred to.

The total number of assisted migrants to be absorbed under these clauses will be 4,280, amongst whom shall be 2,016 migrants without capital who shall be members of families.

DEVELOPMENT AND MIGRATION COMMISSION

(SGD.) C. S. NATHAN, Vice Chairman,
for the Commonwealth Government.

On behalf of the Secretary of State for Dominion Affairs, I hereby approve this scheme submitted by the Victorian Government as an agreed undertaking under paragraph 2 of the Agreement with the Commonwealth Government dated 8th April

THE SCHEDULE—*continued.*

1925, subject to the terms of that Agreement being fully complied with and to the assisted migrants from the United Kingdom being absorbed in Victoria on the scale laid down in the above-mentioned certificate of the Commonwealth Government.

The Secretary of State reserves the discretion to make representations at a later date in regard to the rate of interest, and to the capital charges, which are to be borne by settlers from the United Kingdom to whom farms are allotted under this scheme.

A reception depot has been established by the Government of Victoria in a country district at which certain migrants are received and at which such migrants are given a brief period of training.

(Sgd.) W. BANKES AMERY
British Government Representative.

30th October 1926.

This page forms the annexure referred to in the attached Submission.

STANLEY S. ARGYLE.
J. A. LYONS.

ANNEXURE "F."

[COPY.]

[VIC. 1.]

Migration Agreement
Scheme Submitted
by
State of Victoria.

MAFFRA SALE—SETTLEMENT SCHEME.

Total estimated cost £541,000 now required as Loan Money.

This scheme is approved by the Commonwealth Government, under clauses 16 and 18 of the Agreement with the Government of Victoria, dated 11th September, 1925. The scheme (which becomes an agreed undertaking) involves under clause 16 the expenditure of £351,000, and the absorption by Victoria of 4,680 assisted migrants direct from the United Kingdom within a period of ten (10) years from 8th April, 1925, amongst whom shall be such a number of assisted families without capital as consists in the aggregate of 1,755 persons, and under clause 18 involves the expenditure of £190,000 for the creation of 190 new farms, and the absorption within twelve (12) months after the issue of the principal sum of £190,000 of 950 assisted migrants without capital who shall be members of families as provided under the clause referred to.

The total number of assisted migrants to be absorbed under these clauses will be 5,630, amongst whom shall be 2,705 migrants without capital who shall be members of families.

(Sgd.) L. J. HURLEY, Deputy Director,
for the Commonwealth Government.

On behalf of the Secretary of State for Dominion Affairs, I hereby approve this scheme submitted by the Victorian Government as an agreed undertaking under paragraph 2 of the Agreement with the Commonwealth Government dated 8th April, 1925, subject to the terms of that Agreement being fully complied with, and to the assisted migrants from the United Kingdom being absorbed in Victoria on the scale laid down in the above-mentioned certificate of the Commonwealth Government.

The Secretary of State reserves the discretion to make representations at a later date in regard to the rate of interest, and to the capital charges, which are to be borne by settlers from the United Kingdom to whom farms are allotted under this scheme.

A reception depot has been established by the Government of Victoria in a country district at which certain migrants are received and at which such migrants are given a brief period of training.

(Sgd.) W. BANKES AMERY
British Government Representative

This and the preceding one page form the annexure referred to in the attached Submission.

STANLEY S ARGYLE
J A LYONS

THE SCHEDULE—continued.
ANNEXURE "G."

[COPY.]

MIGRATION AGREEMENT.

SUBSIDIARY AGREEMENT CANCELLING EARLIER AGREEMENT AND BRINGING LAND SETTLEMENT SCHEMES ARRANGED UNDER THE FIRST AGREEMENT AS "AGREED UNDERTAKINGS" UNDER THE NEW AGREEMENT.

AN AGREEMENT made the twenty-sixth day of March One thousand nine hundred and twenty-six between the Government of the Commonwealth of Australia (hereinafter called "the Commonwealth Government") of the one part, and the Government of Victoria (hereinafter called "the State Government") of the other part:

WHEREAS on the twenty-first day of September One thousand nine hundred and twenty-two the Commonwealth Government and the State Government concluded an Agreement (hereinafter called "the First Agreement") providing for the settlement of migrants on 2,000 farms:

AND WHEREAS on the 11th day of September One thousand nine hundred and twenty-five the Commonwealth Government and the State Government concluded an Agreement (hereinafter called "the State Agreement") under which the Commonwealth has undertaken to make moneys available to the State Government at a low rate of interest for the purpose of carrying out undertakings approved in pursuance of such State Agreement:

AND WHEREAS the Commonwealth Government has agreed to modify or cancel the First Agreement should the State Government so desire so that schemes arranged under that Agreement may become agreed undertakings under the State Agreement:

AND WHEREAS the State Government is desirous that the First Agreement be cancelled and that all schemes arranged under that Agreement should become undertakings under the State Agreement.

NOW THEREFORE it is mutually agreed that the First Agreement is hereby cancelled. The Commonwealth Government agrees that all such steps as are necessary shall be taken to have the schemes of land settlement already arranged under the First Agreement certified as "agreed undertakings" under and subject to the terms of the State Agreement and thereupon such schemes shall become undertakings under the State Agreement, and the provisions of the State Agreement shall apply in all respects to the said schemes of land settlement with effect retrospectively, as from the twenty-first day of September One thousand nine hundred and twenty-two.

IN WITNESS WHEREOF the Prime Minister of the Commonwealth of Australia, for and on behalf of the Government of the Commonwealth of Australia, and the Premier of the State of Victoria for and on behalf of the Government of the said State have hereunto set their respective hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the Right Honorable Stanley Melbourne Bruce the Prime Minister of the Commonwealth of Australia for and on behalf of the Government of the Commonwealth of Australia in the presence of
P. E. DEANE.

S. M. BRUCE.

SIGNED SEALED AND DELIVERED by the Honorable Alexander James Peacock for the Premier of the State of Victoria for and on behalf of the Government of the said State in the presence of
H. T. VICKERS

A. J. PEACOCK.

This and the preceding one page form the annexure referred to in the attached Submission.

STANLEY S ARGYLE
J A LYONS

ANNEXURE "H."
PART.

Migration Agreement
Scheme Submitted
by
State of Victoria.

The scheme under which certain new farms have already been created by the Victorian Government between 1st December, 1923 and 11th September, 1925, under the settlement scheme established by the Agreement dated 21st December,

THE SCHEDULE—*continued.*

1922, between the Commonwealth and Victorian Governments, is hereby certified by the Commonwealth Government as an "agreed undertaking" under clause 18 of the Agreement between the same two Governments dated 11th September 1925.

This scheme involves the satisfactory settlement in Victoria, within 12 months of the date of issue of the relative loan moneys by the Commonwealth Government, of one assisted migrant family for every new farm created under this scheme. The migrant families should consist on the average of five persons each without capital. It is understood that at least one-half of the new farms have been, or will be, allocated to assisted migrants who sailed from the United Kingdom since 1st June 1922.

(Sgd.)

C. S. NATHAN

Vice-Chairman.

Development and Migration Commission.

For the Commonwealth Government.

Dated 4th February 1927.

On behalf of the Secretary of State for Dominion Affairs I hereby approve the above-mentioned scheme as an "agreed undertaking" under paragraph 2 of the Agreement with the Commonwealth Government dated 8th April 1925, subject to the terms of that Agreement being fully complied with, and to assisted migrant families from the United Kingdom being absorbed in Victoria on the scale laid down in the above-mentioned certificate of the Commonwealth Government.

The Secretary of State reserves the discretion to make representations at a later date in regard to the rate of interest which should be charged to migrants from the United Kingdom to whom farms are allotted under this scheme, and also in regard to the maximum debt which should be repayable to such settlers.

W. BANKES AMERY

British Government Representative.

Dated 8th February 1927.

ANNEXURE "H."

PART.

[COPY.]

Prime Minister's Department,
Federal Ministers' Room,
Adelaide, S.A.

10th March, 1930.

The Hon. the Premier of Victoria,
Melbourne, Vic.

Dear Sir,

Migration Land Settlement.

With reference to the scheme of land settlement in Victoria, under the Migration Land Settlement Agreement of the 21st September 1922, between the Victorian Government and the Commonwealth Government; and the 29th November 1923, between the Commonwealth Government and the British Government: I desire to inform you that, at a conference between representatives of the British Government, Development and Migration Commission, and your Government, held on the 21st January 1929, it was decided (subject to ratification by the British Government) that the following should constitute the "scheme" (placements made between the 1st July 1922 and the 31st December 1926)—

(1) Approved oversea settlers still on their blocks at date the 21st January 1929	233
(2) Oversea settlers in possession of blocks vacated by approved migrants at date the 21st January 1929	7
(3) Blocks vacated by approved oversea settlers after six months' occupancy. (Advances for stock and equipment only.)	95
	335

The British Government having now intimated its ratification of the agreement of the 21st January 1929, and my Government having also accorded its approval, I shall be glad to have your formal confirmation of the arrangement.

Yours faithfully,

(Sgd.)

JNO. J. DALY,

For Prime Minister.

THE SCHEDULE—continued.

ANNEXURE "H."

PART.

DEVELOPMENT AND MIGRATION COMMISSION.

[Copy.]

Commonwealth Offices,
Treasury Gardens,
4th February, 1930.

W. McIver, Esq.,
Director of Land Settlement,
Lands Department,
Melbourne.

Dear Sir,

I desire to acknowledge receipt of your letter of 22nd ultimo forwarding certificate of expenditure in connexion with the Victorian "old" land settlement scheme.

I desire to inform you that the British Government has finally ratified the agreement of 21st January 1929, whereby placements of approved oversea men as set out in Statements "A" "B" and "C" already furnished by you, are taken to comprise the "scheme".

The Prime Minister is being moved to inform the Premier of Victoria accordingly.

I am sending you this notification direct, as you may desire to apprise the Victorian Crown Solicitor for his guidance in conferring with the legal representatives of the British and Commonwealth Governments as arranged by Senator Daly with the Minister for Lands.

The Deputy Commonwealth Crown Solicitor has been informed of the ratification as above intimated.

Yours faithfully,
(Sgd.) H. FARRANDS Secretary.

Accountant to note and return. (Sgd.) W. M. 5.2.30.
Noted. (Sgd.) W. D. 5.2.30.

ANNEXURE "H."

PART.

VICTORIAN MIGRANT LAND SETTLEMENT SCHEME.

"CERTIFICATE" UNDER THE £34,000,000 MIGRATION AGREEMENT.

(1) WHEREAS by agreement made 26th March 1926 between the Commonwealth Government and the Victorian Government the agreement made between such Governments on 21st September, 1922 was cancelled.

(2) AND WHEREAS by "certificate" signed by representatives of the Development and Migration Commission and the British Government dated 4th February 1927 and 8th February 1927 respectively "the scheme under which certain new farms" created by the Victorian Government between 1st December 1923 and 11th September 1925 in terms of the agreement abovementioned, was certified as an "agreed undertaking" under clause 18 of the agreement made between the Commonwealth and Victorian Governments dated 11th September 1925.

(3) AND WHEREAS it has been ascertained that the Victorian Government has placed migrants jointly approved by the British and Commonwealth Governments on blocks of land prior to 1st December 1923 and subsequent to 11th September 1925 and it is therefore necessary that the certificates of 4th February 1927 and 8th February 1927 should be cancelled.

(4) The certificate of 4th February 1927 is hereby cancelled:

(5) It is certified that all placements upon the land by the Victorian Government of jointly approved migrants who were so placed between the 1st July 1922 and 31st December 1926 shall in the aggregate be deemed to be an "agreed undertaking" under clause 18 of the Agreement between the Commonwealth Government and the

THE SCHEDULE—*continued.*

Victorian Government dated 11th September 1925, subject to the following formula being applied in respect of each unit of settlement within that period in respect of financial contributions :—

- (1) That each migrant placed shall have been approved by the Oversea Settlement Committee on behalf of the British Government before departure from Great Britain, or if not so approved shall on review have been accepted by the British Government Representative for migration in Australia.
- (2) That the British and Commonwealth Governments shall contribute towards interest payments on a capital sum of £1,000 per farm loan moneys advanced, in the following cases—
 - (a) Where the approved migrant settler is at date 21st January 1929 still on the block,
 - (b) Where the approved migrant settler has vacated his holding and the block has been re-allotted to another migrant settler.

Provided that in both cases the average capital indebtedness to the Victorian Government of approved migrants so settled was not less than £1,000.
- (3) That in all other cases the British and Commonwealth Governments shall contribute towards the interest on loan moneys actually advanced to approved migrant settlers for the purchase of stock and equipment. Provided that
 - (a) the total amount of loan by way of such advances for the purposes of the interest contributions shall not on the average exceed £300 per migrant ;
 - (b) such migrant has remained on the block for a period of not less than six months.
- (4) The scheme shall in all other respects devolve according to the terms and conditions of the principal migration agreement dated 8th April 1925 between the British and Commonwealth Governments and the subsidiary agreement dated 11th September 1925 between the Commonwealth and Victorian Governments by virtue thereof; or any amendments of same.
- (5) Negotiations pending or administrative arrangements subsisting between the Commonwealth Government and the Victorian Government in respect of things done or to be done (other than of the nature dealt with in paragraphs 1, 2 and 3 herein) under or by virtue of prior subsisting agreements shall not be prejudiced or detracted from by the specific terms of this certificate.

21.1.1929.

This and the preceding six pages form the annexure referred to in the attached Submission.

STANLEY S. ARGYLE.
J. A. LYONS.

ANNEXURE " I. "

(PART.)

AN AGREEMENT made the twenty-seventh day of March One thousand nine hundred and twenty-eight Between HIS MAJESTY'S SECRETARY OF STATE FOR DOMINION AFFAIRS (hereinafter called the " Secretary of State ") of the one part and THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA (hereinafter called the " Commonwealth Government ") of the other part supplementary to an Agreement of the eighth day of April One thousand nine hundred and twenty-five between the same parties (hereinafter called the " Principal Agreement "):

WHEREAS it has been found desirable to amend the Principal Agreement :
AND WHEREAS the Treasury have agreed to the terms of this Agreement :
NOW THEREFORE IT IS AGREED as follows—

1. Clause 4 of the Principal Agreement is amended by deletion of all the words from " for the first five years " in line six to the end of the clause and the substitution of the words " for the first ten years. "

THE SCHEDULE—*continued.*

2. Clause 5 of the Principal Agreement is amended by substituting in line four of "£150,000" for "£130,000."

3. Sub-Clause (i) to Clause 5 of the Principal Agreement is amended by the substitution of the words "five pounds ten shillings per centum per annum" for the words "six pounds per centum per annum" in line eight.

4. Sub-Clause (ii) to Clause 5 of the Principal Agreement is amended by the substitution in line thirteen of "3,000 persons" for "3,750 persons".

5. Sub-Clause (iii) to Clause 5 is amended by the addition of the words "from date of this Agreement" at the end of the sub-clause.

6. Clause 6 (a) of the Principal Agreement is amended by the substitution in line one of "£1,500" for "£1,000".

7. Clause 6 (b) is amended by the substitution in lines three and four of "four persons" for "five persons".

8. Clause 6 (c) is amended by the addition after the words "date of allocation" in line six of the following :—

"(i) Non-assisted migrants who sailed for Australia after the first day of June One thousand nine hundred and twenty-two shall however be eligible for consideration under schemes arranged under this clause and for the facilities for training under Clause 5 (iv) hereof provided that they comply in all respects with the conditions laid down in respect of assisted migrants under the Passage Agreement for the time being in force.

(ii) Non-assisted migrants admitted to schemes in pursuance of this clause shall be included for the purpose of calculating the numbers of persons settled under the Principal Agreement only if they sailed for Australia subsequent to the date of the Principal Agreement".

9. Clause 6 (e) is amended by the addition of the words "from the date of this Agreement" after the words "tenth year" in line fifteen and by the deletion of all words of the clause that follow thereafter from the words "in addition to his contribution" to the end of the clause.

10. Clause 11 of the Principal Agreement is hereby deleted.

11. The following new clause is hereby added after Clause 15 of the Principal Agreement :—

"16. This Agreement shall apply so far as it is applicable—

(a) in relation to the settlement of migrants in any Territory under the authority of the Commonwealth; and

(b) in relation to the provision otherwise than by or through the agency of a State for the housing or settlement of migrants within the State;

and for the purposes of such application references to arrangements rights and obligations as between the Secretary of State and a State Government or a State shall be read as references to arrangements rights and obligations as between the Secretary of State and the Commonwealth Government or the Commonwealth."

12. The above amendments shall take effect as from the date of the Principal Agreement with the exception of the amendment to Clause 6 (a) of the Principal Agreement defined in paragraph 6 of this Agreement which shall take effect in respect of "agreed undertakings" approved after the first day of January One thousand nine hundred and twenty-seven and in respect of such other "agreed undertakings" as are mutually acceptable to the parties hereto.

Signed for and on behalf of the Secretary of State for Dominion Affairs.

(Sgd.) W. BANKES AMERY
British Government Representative
for Migration in Australia.

Witness—(Sgd.) W. P. DEVEREUX

Signed for and on behalf of the Government of the Commonwealth of Australia.

(Sgd.) HERBERT W. GEPP, Chairman,
Development and Migration Commission.

Witness—(Sgd.) E. L. COOK.

THE SCHEDULE—*continued.*

ANNEXURE "I."

PART.

AGREEMENT made the fifth day of November One thousand nine hundred and twenty-eight between THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA (hereinafter called "the Commonwealth Government") of the one part and THE GOVERNMENT OF THE STATE OF VICTORIA (hereinafter called "the State Government") of the other part :

WHEREAS the Agreement made on the eighth day of April One thousand nine hundred and twenty-five between His Majesty's Secretary of State for the Colonies and the Commonwealth Government (hereinafter referred to as "the Principal Agreement") has been amended by an Agreement made on the twenty-seventh day of March One thousand nine hundred and twenty-eight between His Majesty's Secretary of State for Dominion Affairs (hereinafter referred to as "the Secretary of State") and the Commonwealth Government :

AND WHEREAS the Secretary of State has undertaken to make payment to the Commonwealth Government during the currency of the Principal Agreement of additional contribution in the proportion of £20,000 for every principal sum of £750,000 certified in a manner to be agreed to have been expended from time to time in Australia on agreed undertakings under the Principal Agreement :

AND WHEREAS it has therefore been found desirable to amend the Agreement made on the eleventh day of September One thousand nine hundred and twenty-five between the Commonwealth Government and the State Government (hereinafter referred to as "the State Agreement") ;

NOW THEREFORE it is agreed as follows :—

1. Clause 9 of the State Agreement is amended by adding at the end thereof the following sub-clause :—

"(10) Nothing in the last four preceding sub-clauses shall apply or be deemed to have applied during or in respect of any period during or in respect of which the provisions relating to sinking funds contained in Part II. or Part III. of the Agreement made on the twelfth day of December One thousand nine hundred and twenty-seven between the Commonwealth of Australia and the several States and set out in the Schedule to the Financial Agreement Act 1928 are in force and those provisions shall, during and in respect of that period, apply in respect of moneys issued to the State Government by the Commonwealth Government in pursuance of this Agreement."

2. Clause 17 of the State Agreement is amended by deleting the number "3,750" and inserting in its stead the number "3,000".

3. Clause 18 of the State Agreement is amended—

(a) by deleting the amount "£1,000" and inserting in its stead the amount "£1,500"; and

(b) by deleting from paragraph (b) the word "five" and inserting in its stead the word "four".

4. Clause 19 of the State Agreement is deleted and the following clauses inserted in its stead :—

"19.—(1) In addition to issuing moneys on loan to the State Government the Commonwealth Government will make payment to the State Government in accordance with the provisions of the Schedule to this Agreement in respect of farms provided and allocated to assisted migrants in accordance with the last preceding clause (hereinafter called 'migrant farms').

"(2) The provision of clause 20 of this Agreement shall apply as well in respect of moneys paid in pursuance of this clause as in respect of moneys issued on loan in pursuance of this Agreement.

THE SCHEDULE—*continued.*

"19A. For the purposes of the last two preceding clauses 'assisted migrant' includes a non-assisted migrant who sailed for Australia after the first day of June One thousand nine hundred and twenty-two provided he has complied in all respects with the conditions laid down in respect of assisted migrants under the Passage Agreement for the time being in force: Provided that for the purpose of calculating the number of persons settled under Clause 18 'assisted migrant' shall not include any such non-assisted migrant unless he sailed for Australia subsequent to the Eighth day of April One thousand nine hundred and twenty-five."

5. At the end of the State Agreement the following Schedule is added :—

"THE SCHEDULE.

1. It is calculated that the sum which will accrue to the Commonwealth Government by the acceptance of the offer of the Secretary of State of an additional contribution of £20,000 for every principal sum of £750,000 certified in a manner to be agreed to have been expended from time to time in Australia on agreed undertakings under the Agreement of 8th April, 1925, between the Secretary of State and the Commonwealth Government, will be approximately £906,666, subject to the absorption by the State Governments of the full amount of £34,000,000 contemplated under that Agreement. It is anticipated that this will permit of the distribution to the State Governments of at least £125 per migrant farm established (this calculation being based on an estimated maximum of 7,250 migrant farms), but the final sum per migrant farm to be paid by the Commonwealth Government to the State Governments will depend on the number of migrant farms actually established and settled in Australia as a whole, pursuant to land settlement schemes arranged under clause 18 of this Agreement, and the corresponding clauses in similar Agreements made between the Commonwealth Government and other State Governments.

2. The amount of £125 per migrant farm will be paid to each State Government after the close of each Commonwealth financial year, subject to satisfactory evidence being submitted to the Commonwealth Government as to the number of migrant farms established and settled under clause 18 of this Agreement or the said corresponding clauses during that year.

3. Any such payment will, however, be based on the total amount borrowed by the State Government concerned under the Agreement between the Commonwealth Government and the State Government and the aggregate of such payments will not be in a greater proportion than that represented by £20,000 on every £750,000 of the amount borrowed by that State Government.

4. Should the amount to which a State Government is entitled under paragraph 2 of this Schedule during any Commonwealth financial year be greater than the amount available under the last preceding paragraph, credit may be given to such State Government for any such excess sum in a subsequent Commonwealth financial year to the extent of the amount available under the last preceding paragraph.

5. All moneys received by a State Government under this arrangement shall be held in trust and applied towards the reduction of any losses which the State Government may incur in respect of migrant farms established and settled under land settlement activities undertaken pursuant to the Agreement between the Commonwealth Government and the State Government.

6. In the event of the amount received by the Commonwealth Government in respect of the Secretary of State's additional contribution described in paragraph 1 hereof being greater than that which the State Governments are entitled to claim under the arrangement set out herein, the Commonwealth Government will hold the balance in trust until the expiration of the said agreement of the 8th April, 1925. As soon as convenient thereafter, the Commonwealth Government will, after the discharge of all liabilities under paragraph 4 hereof, divide such balance amongst the State Governments in proportion to the number of migrant farms which have been certified as having been established and settled under land settlement schemes arranged under clause 18 of this Agreement or the said corresponding clauses.

THE SCHEDULE—*continued.*

7. In the event of the aggregate number of migrant farms in respect of which the amount of £125 is payable under paragraph 2 of this Schedule bearing a greater proportion to the aggregate amount in pounds sterling borrowed by the State Governments than 7,250 bears to \$4,000,000, such amount of £125 shall at the expiration of the said Agreement of the 8th April, 1925, be reduced to enable an equal amount to be paid in respect of each such farm and the necessary adjustments shall be made with regard to the amounts paid to the State Government in respect of such migrant farms”.

6.—(1) The amendments made to the State Agreement by this Agreement, except the amendment made by paragraph (a) of clause 3 of this Agreement shall take effect as from the date of the State Agreement.

(2) The amendment made to the State Agreement by paragraph (a) of clause 3 of this Agreement shall take effect in respect of undertakings approved by the Secretary of State and the Commonwealth Government after the first day of January, One thousand nine hundred and twenty-seven and in respect of other undertakings to which the Secretary of State and the Commonwealth Government agree that the amendments shall apply.

IN WITNESS WHEREOF the Honorable Charles William Clannan Marr, D.S.O., M.C., V.D., a Member of the Federal Executive Council for and on behalf of the Government of the Commonwealth of Australia and the Premier of the State of Victoria for and on behalf of the Government of the said State have hereunto set their respective hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the Honorable
Charles William Clannan Marr, D.S.O., M.C.,
V.D., a Member of the Federal Executive Council,
for and on behalf of the Government of the
Commonwealth of Australia in the presence of—
F. STRAHAN. } C. W. C. MARR.

SIGNED SEALED AND DELIVERED by the Premier of
the State of Victoria, for and on behalf of the
Government of the said State in the presence of—
H. A. PITT. } W. McPHERSON.

This and the preceding seven pages form the annexure referred to in the attached Submission.

STANLEY S. ARGYLE.
J. A. LYONS.

ANNEXURE “J.”

[Annexure “J” (which is not printed in this Schedule) contains the Report of the Royal Commission on Migrant Land Settlement dated 21st March, 1933, and presented to both Houses of the Parliament of Victoria in the Year 1933 by Command of His Excellency the Lieutenant-Governor, and includes a Copy of Royal Letters Patent dated 9th December, 1930, and 23rd October, 1931.]

ANNEXURE “K.”

Tentative Government Scheme
In relation to
Migrant Land Settlers.

A. The scheme relates to settlers whose complaints have been sustained by the Royal Commission on Migrant Land Settlement—

(1) Settlers no longer in occupation of their blocks to receive a monetary grant on the scale hereinafter set out and to be discharged from all personal liabilities to the Crown or to any Local Government Authority in respect of such blocks; State to resume such blocks.

(2) Settlers who are still in occupation of their blocks—

(a) To have the option of accepting such monetary grant, to vacate their blocks, and to be discharged from all personal liabilities as aforesaid.

THE SCHEDULE—*continued.*

- (b) The cases of those who do not exercise the above option and who consequently continue in occupation of their blocks will be considered by an assessor (not an officer of the Public Service) to be appointed by agreement between the United Kingdom Government representative, the Commonwealth Government, and the Victorian Government. The assessor to accept the findings of the Royal Commission on Migrant Land Settlement, to have access to all the records of the Commission, and to act in consultation with Mr. Clive McPherson, who was a member of the Royal Commission and is now Chairman of the Closer Settlement Commission.
- (c) Such assessor shall, having due regard to the information before the Royal Commission, review the suitability for settlement of those coming within sub-paragraph (b); should he decide that it is not in the interests of any settler that he should continue as a settler, such settler shall be treated as if he had exercised the option set out in sub-paragraph (a).
- (d) In the case of each settler then remaining, the assessor shall decide whether the settler has a living area and, where necessary, shall with the approval of Mr. Clive McPherson, decide whether such settler's existing area can be increased to a living area or dealt with under the Closer Settlement Amendment Act 1932 by transfer to another block. Should such decision be to the effect that no such adjustment is possible, the settler concerned shall be treated as if he had exercised the option set out in sub-paragraph (a). Should such decision be that such adjustment is practicable, it shall indicate how the settler's existing area is to be increased or how (in appropriate cases) a transfer is to be effected; such decisions shall be equivalent to decisions of the Closer Settlement Commission under the Closer Settlement Amendment Act 1932. In any adjustment under such decisions, continuing settlers shall be given preference in the re-allocation or apportionment of vacated migrant settlers' land to the extent that it is suitable.
- (e) As the settler may desire at this stage to reconsider his former decision, he shall within one calendar month from any decision under sub-paragraph (d) which he is not prepared to accept, again have the option referred to in sub-paragraph (a) above.
- (f) Each continuing settler shall—
- (i) receive all the benefits in respect of reduction of annual payments, and, at the end of four years, of capital adjustment and other benefits provided by the Closer Settlement Amendment Act 1932;
 - (ii) receive in addition a special compensatory writing-off of capital liability equivalent to the cash payment to which he would have been entitled had he exercised the option referred to in sub-paragraph (a) above, less £100 which he shall receive in cash at once.
- (3) The scale of cash payments referred to above shall be £200 for a single man or widower without children at the date of the report of the Royal Commission, £300 for a married man or widower with children at the said date with the addition of £50 for each son or unmarried daughter who is not self-supporting and who came to Australia with the settler or has been born since his arrival; provided that the widow of a deceased settler shall for the purposes of receiving payments under this scheme stand in the place of and represent the deceased settler, and provided further that the total payment shall in no case exceed £500.
- (4) Exchange shall be paid on amounts paid to settlers who have already left Australia.

THE SCHEDULE—*continued.*

(5) In the case of any individual settler, the assessor, in consultation with the president of the settler's association to which such settler belongs, may recommend that a sum be provided over and above any of the previous payments for the discharge of pressing personal debts, provided that the total of all amounts to be provided under this clause shall not exceed £8,000.

(6) Any compensation (but not sustenance and similar payments) already paid to any settler shall be taken into account in determining the amount of his monetary grant.

B. The complaints of all settlers (not falling within paragraph A above) in respect of whom Victoria has received or is entitled to receive loan moneys under the relevant agreements and who made application within the proper time for their cases to be heard by the Royal Commission, shall be investigated by the assessor, and if their complaint be sustained such settler shall be included in this scheme.

C. The Royal Commission having found against the existence of any legal obligation, the above terms are to be regarded as in full satisfaction of any moral responsibility.

This and the preceding two pages form the annexure referred to in the attached Submission.

STANLEY S. ARGYLE.
J. A. LYONS.

APPROPRIATION 1933-34.

No. 33 of 1933.

An Act to grant and apply out of the Consolidated Revenue Fund a sum for the service of the year ending the thirtieth day of June One thousand nine hundred and thirty-four and to appropriate the Supplies granted by the Parliament for such year.

[Assented to 8th December, 1933.]

Preamble.

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, for the purpose of appropriating the grant originated in the House of Representatives, as follows:—

Short title.

1. This Act may be cited as the *Appropriation Act 1933-34*.

Issue and application of
£11,603,510

2. The Treasurer may issue out of the Consolidated Revenue Fund and apply towards making good the supply hereby granted to His Majesty for the service of the year ending the thirtieth day of June One thousand nine hundred and thirty-four the sum of Eleven million six hundred and three thousand five hundred and ten pounds.

Appropriation
of supply
£21,230,070.

3. All sums granted by this Act and the other Acts mentioned in the First Schedule to this Act out of the Consolidated Revenue Fund towards making good the supply granted to His Majesty for the services of the year ending the thirtieth day of June One thousand nine hundred and thirty-four amounting as appears by the said Schedule in the aggregate to the sum of Twenty one million