

members of the Government to go little by little, to first of all take over small portions and irrigate them, and as these prove successful to then acquire more extensive portions. In the circumstances I have mentioned I have much pleasure in supporting the second reading.

On motion by Hon. J. F. Cullen debate adjourned.

House adjourned at 6.17 p.m.

Legislative Assembly,

Tuesday, 16th September, 1913.

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

PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): 1, Report of the Labour Bureau for the year ended 30th June, 1913. 2, Report of the Medical, Health, Factories, and Early Closing Department for the year ended 31st December, 1912. 3, Regulations for the Police Benefit Fund. 4, By-laws of the Beverley Road District Local Board of Health.

By the Premier: (1), Reports of the Zoological Gardens and Acclimatisation Committees, 1912-1913.

QUESTION—PEARLING LICENSES, SHARK BAY.

Mr. McDONALD asked the Premier: 1, What are the names of exclusive license-holders in the Shark Bay area? 2, The area held by each? 3, How many licenses are in possession of more than one bank? 4, Who are they?

The PREMIER replied: If the hon. member will move in the usual manner for a return containing the desired information, it will be supplied.

QUESTION—RAILWAY CONSTRUCTION, YILLIMINING-KONDININ.

Mr. E. B. JOHNSTON asked the Minister for Works: 1, Has his attention been drawn to a paragraph in a weekly paper reading as follows:—Recently a correspondent in the Yilliminning district wrote, asking for information as to when a start was to be made with the Yilliminning-Kondinin railway, and in order to reply to the query in the issue of the following Sunday we made a verbal inquiry of the under secretary. To this we received the somewhat unusual request to submit the thing in writing to the Minister for Public Works. This we did, only to receive a curt reply to the effect that "if your correspondent places himself in communication with the member for the district, who is in full possession of the particulars, doubtless he will supply all the information required"? 2, As I have no definite information as to the rate of progress to be made with the construction of this railway, beyond the reply given in Parliament to me on Tuesday last, namely, that "a good supply of material was ordered and construction work will be expedited by the engagement of additional men," will he be so good as to supply me with the further particulars of which I am alleged to be in full possession, in order that I may impart it to the numerous correspondents who are writing to me as a result of the publication of this paragraph? 3, The points on which information is particularly desired are as follows:—(a) When are the

rails expected to be laid as far as the rabbit-proof fence? and (b) When are the rails expected to be laid as far as Kondinin? Will he kindly answer these queries?

The MINISTER FOR WORKS replied: 1 and 2, I had not previously seen the paragraph mentioned. It should not be necessary for electors to have to apply to newspapers in regard to political matters, and if the honourable member was not in full possession of the particulars it was a simple matter to acquire them. 3, (a) About February, 1914. (b) About April, 1914.

Mr. E. B. JOHNSTON: I would just like to say—

Mr. SPEAKER: Order!

Mr. E. B. JOHNSTON: Cannot I make a statement?

Mr. SPEAKER: The hon. member cannot make a statement.

QUESTION — GOVERNMENT OFFICES, HYGIENIC CONDITION.

Mr. LANDER asked the Hon. W. C. Angwin (Honorary Minister): Will he cause an inspection to be made of the Post Office and the Government offices abutting on Barrack-street, St. George's Terrace, and Cathedral-avenue by the chief inspector of the Central Board of Health, and report to this House upon the hygienic conditions of such buildings?

The Hon. W. C. ANGWIN (Honorary Minister) replied: Inspection has been made by Dr. Atkinson. The report may be obtained in the usual manner if desired by the House.

QUESTION—LIGHT-WEIGHT BREAD.

Mr. LANDER asked the Premier: Is it the intention of the Government to amend the Bread Act, so that light-weight bread thieves can be dealt with in a more effective manner?

The PREMIER replied: Not during the present session of Parliament.

QUESTION—GOVERNMENT MARKETS, WEST PERTH.

Mr. ALLEN asked the Premier: When do the Government intend making a start with the markets on the land resumed in West Perth for that purpose?

The PREMIER replied: Instructions have been issued for the preparation of plans. No definite date has been fixed for beginning the work of erection.

BILL—TRAFFIC.

Recommittal.

On motion by the Minister for Works, Bill recommitted for the purpose of further considering certain clauses.

Mr. Holman in the Chair; the Minister for Works in charge of the Bill.

Clause 5—Licenses:

The MINISTER FOR WORKS moved an amendment—

That the following be added to stand as Subclause 3:—"It shall be a defence to a charge under this section in respect of any vehicle against any person other than the owner thereof if the defendant proves that he had no knowledge that the owner was not the holder of the requisite vehicle license."

When the clause was under discussion a number of hon. members pointed out that it might operate harshly on certain individuals who might hire or acquire a cart for the purpose of doing certain work for themselves. They might use the cart innocently and not knowing it was not licensed, and be penalised under this clause. He proposed to add a safeguard to the extent that if the user could prove he was not in possession of knowledge that it was not licensed then it would not be an offence under this clause.

Hon. J. MITCHELL: The Minister should be content to have the owner responsible and not the person who happened to be using the cart. There was nothing now that made it an obligation on the part of the inspector to prosecute the owner and not the driver. Where the owner was known it ought to be sufficient for the Minister to give power to the inspector to prosecute him and not prosecute the driver.

The Minister for Works: That is what the clause states now.

Hon. J. MITCHELL: No, a defence had to be set up.

Mr. S. STUBBS: The Minister was quite right in moving this addition. It was not easy to follow the hon. member for Northam. If he (Mr. Stubbs) had a number of vehicles and only one or two of them licensed to travel on the road, and someone in a hurry came along to his farm to borrow one of the vehicles and got one that was not licensed, was it a fair thing that he (Mr. Stubbs) should be liable to be fined, as the hon. member for Northam suggested? The Minister was endeavouring to protect the person who borrowed a vehicle from somebody and did not know it was not licensed.

The Minister for Works: That is the object of this subclause.

Mr. S. STUBBS: It was not the intention of the Bill to penalise innocent persons and rope everybody in who happened to have a lot of vehicles on a farm for farm purposes, and not for use on the roads. If they happened for once to go into a district where the inspector was likely to catch them, was it fair to fine the farmer or the user of the vehicle?

Mr. MUNSIE: On a previous occasion the Minister had said that he would see if he could have an amendment drafted which would compel the driver to take the responsibility in the event of the owner not being traceable. The amendment was not fulfilling that purpose. If the amendment had been on the lines suggested by the Minister himself on the previous occasion it would have met with general approval.

The MINISTER FOR WORKS: The person first liable was the owner, and in every case where the owner could be located he would be prosecuted. In the event of the owner not being discoverable, then the user of the vehicle would be liable, but only in that event. Even then the person in charge of the vehicle would not be penalised if he could prove that he had not known that the vehicle was not licensed. It would not be possible to take action against two persons for

the same offence. The owner would be prosecuted if he could be located, and alternatively the prosecution would lie against the person in charge of the vehicle, who as a defence could prove that he had not known the vehicle was not licensed. Sometimes it was impossible to arrive at the owner. For instance, the owner might be outside the given district in which the vehicle had been discovered in use. If the user of the vehicle could prove that he was innocent of the knowledge of its not having been licensed it would be sufficient.

Mr. UNDERWOOD: The amendment would scarcely get over the difficulty. After all, the owner was responsible, and it would be sufficient to insert a provision that if the driver of the vehicle refused to give the name of the owner then both of them would be penalised.

The Minister for Works: You cannot take action against two persons for the one offence.

Mr. UNDERWOOD: In his opinion we could. However, it was for the judges and the lawyers to say.

The Minister for Works: I have a lawyer behind me who says you cannot.

Mr. UNDERWOOD: It was a maxim in the profession that anything coming from the Crown Law Department was wrong. Its very coming from the Crown Law Department was *prima facie* evidence that it was wrong. If it was merely from the Crown Law Department that the Minister had advice, he (Mr. Underwood) would back his legal knowledge against that advice. The clause should be amended to provide that both persons could be fined, while if the user of the vehicle was prepared to give the name of the owner, then the user should not be held liable.

Mr. GEORGE: If the person driving the vehicle was prepared to give the name of the owner it should be sufficient and no charge should then lay against the driver. Of course if the driver refused to give the name of the owner, then the driver should be prosecuted.

The Minister for Works: Suppose he gives the name and we cannot find the owner?

Mr. GEORGE: Surely the owner could be found.

The Minister for Works: Suppose the driver say "Jack Jones" and we cannot find Jack Jones?

Mr. GEORGE: The driver would have to state where Jack Jones lived.

The Minister for Works: And the police will have to search the country for him.

Mr. GEORGE: It was the duty of the police to do so. It should be sufficient to provide that if the user of the vehicle refused to give the owner's name he should be prosecuted, while, on the other hand, if he gave the name of the owner and could satisfy the inspector that he was using the vehicle without knowledge of its being unlicensed, he should not be put to the trouble and expense of going to court.

Mr. DWYER: It was a pity the member for Pilbara (Mr. Underwood) had so unnecessarily and unjustly cast reflections on the Crown Law Department. The hon. member's opinion was not endorsed either by the House or the community. The Crown Law Department consisted of a body of very useful officers thoroughly acquainted with the duties of their profession, and who were not accustomed to giving wrong advice. The question under consideration was a very simple one. Under the original clause two or more persons could be prosecuted for the one offence. That was patent on the face of it, for the clause read, "The owner of the vehicle and every person using the same, etcetera." The thing was perfectly clear. Frequently two persons or even more were prosecuted in connection with the sale of milk not up to standard, as for instance the dairyman and also his driver. In the same way the owner of the vehicle and the person using the vehicle were both liable to prosecution. By the amendment the clause was not altered; the two persons could still be prosecuted for the same offence, while the onus was thrown on the user of the vehicle of proving that he had no knowledge that the owner thereof was not the holder of the requisite license. Personally he saw no great objection to

the clause as proposed to be amended, except that it might mean the putting of an innocent person to the trouble and expense of proving his innocence in court. In the event of the police bringing the prosecution even though the defendant proved his innocence, he would get no costs from the other side, because no costs were ever given against the police, so although the defendant might prove his innocence and have the case against him dismissed he would still have to pay his own expenses.

Mr. MUNSIE: Notwithstanding the Minister's contention that only one person could be prosecuted for the offence, the clause, as pointed out by the member for Perth, was quite clear on the point that two persons could be prosecuted. The amendment suggested by the Minister would not get over the difficulty.

The Minister for Works: There is only one way of meeting your objection, and that would be by exempting the user of the vehicle altogether.

Mr. MUNSIE: No, that was not his desire, but he did wish to exempt the user so long as the user was prepared to give information as to the identity of the owner of the vehicle. No one was likely to engage a vehicle if he knew that it was unlicensed. When the user of a vehicle was accosted by an inspector he would disclaim all knowledge of the vehicle not having been licensed, but it was safe to assume that the owner of the livery stables would declare on the other hand that he had told the user of the vehicle. Why should the hirer of a vehicle be put to the trouble of proving that he had not known that the vehicle was unlicensed if he was prepared to give information as to the identity of the owner? That should be sufficient.

Hon. Frank Wilson: Would you allow him to use the vehicle if he had known that it was unlicensed?

Mr. MUNSIE: If the driver refused to give the name of the owner the driver should be held liable for the offence, but if he was prepared to submit the name and address of the owner that should exonerate him from any blame. The Minister had declared that the amend-

ment would not put the driver to any unnecessary trouble. But the member for Perth (Mr. Dwyer) had clearly pointed out that in nine cases out of ten the prosecutions would be made by the police, who would take action, in the first place, against the driver of the vehicle even though the driver had submitted the name of the owner; it would then be for the driver to prove in court that he had not known the vehicle to be unlicensed, whereupon the liability would be transferred to the owner. But the driver would have had to go to court and prove that he had not known that the vehicle was not licensed. Surely that was unnecessary.

Mr. THOMAS: The objectors to the Minister's amendment were overlooking the fact that they were letting the hirer of the vehicle off, and he might be quite as guilty as the individual who owned the vehicle. In the case of a robbery, the lesser thief was just as much subject to punishment as the chief perpetrator of the crime. So it should be in a case of this kind. The individual hiring the vehicle might know that the vehicle was not licensed, yet when it came to a question of punishment the owner of the vehicle would have to stand the trouble.

Mr. B. J. STUBBS: The difficulty had arisen through the Minister stating that only one person should be prosecuted for one offence. Supposing a person wished to borrow a vehicle, and went to an owner and the owner told him that he could have the vehicle but it was not licensed, and the hirer took the risk, the user and the owner both should be prosecuted in such a case. The amendment would have a good effect, and there would be no hardship to anybody under the proposed new subclause.

Mr. DWYER: In connection with the prosecution of the person using the vehicle, could not the difficulty be overcome by saying that "unless he could prove to the satisfaction of the inspector that he was unaware that the vehicle was licensed." If the user could prove to the satisfaction of the inspector that he was innocent, the inspector should be obliged to proceed against the guilty party.

The MINISTER FOR WORKS: If a man was using a vehicle not licensed, and the inspector went to him and the user explained that he did not know the vehicle was not licensed, and gave the owner's name, the inspector would then take action against the owner. That was exactly how the provision would operate.

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

Clause 6—Licenses when required:

The MINISTER FOR WORKS: This clause dealt with the question of licensing cycles. A good deal of discussion took place on this matter when the Bill was previously before the Committee, and it was then explained that what the Government desired was to get registration in some districts, and licensing in others. He had gone into the matter with the Parliamentary Draftsman, and the best way to get over the difficulty was to fix the matter up by regulation, providing for registration in some districts and licensing fees in others. In the metropolitan district, it was the desire of everyone that cycles should be registered. But on the goldfields there had been a protest against the Bill because the Government had reduced the licensing fee. By fixing the matter up by regulation the matter could be met in all districts. As a preliminary to other amendments he moved an amendment—

That in line 3 the words "(a) cycle" be struck out.

Mr. WISDOM: What was to become of the licensing fee? The fee should go towards the purpose for which it was intended.

The MINISTER FOR WORKS: It was simply a matter of administration. If the money was taken and expended on main roads, other moneys would have to be expended on cycle tracks.

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

Clause 9—Trailers:

The MINISTER FOR WORKS: The amendment to this clause dealt with the licensing of trailers, principally those attached to motor wagons or traction engines. During the discussion in Committee on the clause the leader of the Op-

position brought forward the position of traction engines operating in the city of Perth. In some cases they used a trailer and the object of the clause was to reduce the amount of the license fee to be paid for the trailer attached to the traction engine. It was proposed to deal with traction engines under another clause. Inquiries had been made from those who used traction engines in Perth, and the users were satisfied that the amendment as proposed would meet their case, and that as far as the license fees were concerned, they were prepared to pay more, because the roads which they used got into such a bad state of repair that they had often to repair them themselves. He moved an amendment—

That in line 2 after "and" the words "(except as in the third schedule otherwise provided)" be inserted.

Amendment put and passed.

On motion by the MINISTER FOR WORKS the clause further amended by inserting after "and" in line 4 the words "(except as aforesaid)".

Clause as amended agreed to.

Clause 13—Application for licenses:

The MINISTER FOR WORKS: Certain alterations were made in the schedule to meet the difficulty as to traction engines. Those weighing five tons loaded had to pay a certain amount, and others other amounts. The amendment he intended to move was a preliminary to the alteration of the schedule. He moved an amendment—

That after "traction engine" in line 6, the words "for which a monthly license is requisite" be inserted.

Hon. FRANK WILSON: Was this to overcome the difficulty of steam traction waggons used in everyday business? Would the owners be responsible to give notice when passing through a town; a man preceding with a flag in front of the engine, or a light when travelling after sunset?

The MINISTER FOR WORKS: That matter was dealt with under Clauses 43 and 44. Clause 43 dealt with running between sunrise and sunset. The owners of these vehicles pointed out that they never used these traction engines during that

period, consequently Clause 43 would not operate harshly. Clause 44 dealt with giving notice. It was the practice to give notice now, and the traction engines to which the clause applied—in fact there was only one in the city of Perth, and that one ran regularly between the Swan Brewery and the railway station—only ran during the day time.

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

Clause 16—Apportionment of fees between districts:

The MINISTER FOR WORKS moved an amendment—

That Subclauses 2 and 3 be struck out.

The member for Murray-Wellington had pointed out that this clause was involved. It would be seen that Subclauses 2 and 3 were absolutely superfluous. It was with a desire to make the clause more clear that the amendment was moved.

Amendment passed; the clause as amended agreed to.

Clause 24—Regulations:

The MINISTER FOR WORKS moved an amendment:

That the following new paragraph be inserted in Subclause 1 after paragraph (e):—" (f.) provide for the annual registration of cycles and the payment of a registration fee not exceeding one shilling, and provide for the annual licensing of cycles and the payment of a licensing fee not exceeding five shillings, and prohibit the use of unregistered or unlicensed cycles.

It was desired to give the Minister power to make regulations in regard to the registration and license fees for cycles.

Mr. LEWIS: Would the Minister explain if the registration of cycles would apply to the metropolitan area only, or would every local governing body have power to charge the fee?

The MINISTER FOR WORKS: That was a matter for regulation, but the object was to give the Minister power to provide regulations that a registration fee should operate in certain districts and a license fee in other districts. Where the registration fee operated, the license fee would not operate. The amendment was

intended to overcome the difficulty arising from different fees being required in different parts of the State.

Mr. MUNSIE: The Minister had repeatedly stated that the Goldfields local governing bodies, or some of them, were protesting against reducing the license fee. In only one instance, to his knowledge, had there been any attempt to license bicycles. The Kalgoorlie municipal council carried a motion for this purpose, and a month later a special meeting was called at which the resolution was rescinded. Not a solitary threepence had been collected either by the Kalgoorlie or Boulder councils or the Kalgoorlie roads board for licensing bicycles. He protested against any license fee being imposed on bicycles.

Hon. Frank Wilson: Hear, hear! I am with you. Cyclists would also have to carry their licenses.

Mr. MUNSIE: In regard to the registration fee—

Mr. Heitmann: What is that for?

Mr. MUNSIE: To compel cyclists to carry numbers.

Mr. Heitmann: What will be gained by that?

Mr. MUNSIE: There was not much to be gained, but it had been contended that if a cyclist ran down a pedestrian, there would be a chance to identify the rider by his number.

Mr. Heitmann: What about numbering horses?

Mr. MUNSIE: The numbering of bicycles would be no protection against the theft of machines, because the number and all would be stolen. No local governing body should be given the power under the Traffic Bill to license bicycles. While a considerable number of machines was used in the metropolitan area, for every one of them there would probably be ten on the goldfields. Kalgoorlie had provided most of the tracks for cyclists. He opposed the proposal to give the Minister the right under regulation, to impose a license of 5s. on bicycles.

Mr. GEORGE: The placing of numbers on bicycles had been suggested by him. On registering a bicycle the description would be entered in a book to-

gether with the number, and in the case of a machine being stolen, although the number might be replaced by another, the very fact of the maker's number having to be searched for again would provide protection for the owner.

Mr. Heitmann: We are not making a criminal investigation branch of this department.

Mr. GEORGE: The object was to assist people who owned property to retain it. If it was stolen it could be traced. A number of people had been run down by cyclists and it had not been possible to discover the identity of the riders. About 12 months ago a person was killed in Perth and the cyclist escaped. If there had been a number on the machine, the rider might have been traced. Numbers were required on motor cars for identification purposes in case the drivers broke the law, and the numbers on bicycles would operate in the same way. As regarded the goldfields, he understood some payment was made for the pads which had been constructed.

Hon. J. MITCHELL: The leader of the Opposition had suggested that licenses would have to be carried by cyclists. In his opinion, bicycles should not have to be licensed. He would like to know where the number would be carried, and whether it would be possible to distinguish it. It had been suggested that the numbering of bicycles would prevent fruit-stealing. Whether that would be so he did not know, but it would cause a good deal of annoyance, and unless the Minister made special provision it would be necessary for cyclists to carry their licenses with them. Then if a man borrowed a bicycle, he would have to borrow the license also. Some trouble would be occasioned by the licensing of bicycles and the revenue would not repay for the trouble.

Mr. GREEN: The Minister should fall in with the suggestion of the member for Hannans. A tax of 1s. on bicycles was iniquitous. Bicycle accidents were of such a nature that the rider could generally be easily caught. With motor cars it was different, and they should carry a large number. The idea of allowing local governing bodies to charge 5s. was really

an invitation for them to enforce it, and the Minister should not mar an excellent Bill by insisting on such an irksome tax. In Kalgoorlie, Boulder and Hannans districts, many men rode to work, as the tram service was of a most perfunctory character. Lately one could hardly be sure when he would get a car to take him to work, or when he would arrive at his work. In these districts an increasing number of people was using bicycles and the Minister should drop the idea of giving the local governing bodies power to impose a fee of 5s. on them. The revenue derived would be of very little benefit to the Government or to the local authorities.

Mr. TURVEY : After hearing the views of the goldfields members he was at a loss to know what had prompted the Minister to insert such a trifling and paltry matter as a license on bicycles in the Traffic Bill. Last week the Minister had argued that it was necessary in order to prevent cyclists from robbing orchards, and had referred to the Swan district. On that occasion he (Mr. Turvey) opposed the suggestion, and then it was pointed out that the fee was necessary on the goldfields where the local authorities had constructed cycle pads, but he suggested that it should be limited to those districts. Now we found that members representing goldfields constituencies were also opposed to the imposition of such a license fee. The tax would come hard on many working men throughout the State, who used the bicycle as a means of locomotion between home and work. The Minister should realise that roads boards did not always truly represent the people of the district and it could not even be said that a roads board conference would be representative of the people. It was impossible to believe that the Minister considered a license fee on bicycles necessary. As regarded the damage done to roads by these machines, it would be far more logical to impose a tax on horses or men wearing hob-nail boots. The Minister ought to withdraw the amendment and do away with the idea of taxing cyclists.

The MINISTER FOR WORKS : It was necessary that cyclists should be registered and, therefore, he had no intention of withdrawing the amendment. The necessity for this had been brought home to members. The Roads Board Conference considered the matter and they urged that cyclists should be licensed. This was not an innovation; it was to be found in the Roads Act to-day. Quite a number of roads boards imposed a license fee to-day.

Mr. Turvey : Where ?

The MINISTER FOR WORKS : The hon. member did not know much outside the Swan electorate. There were scores of districts out back where they did not have tramcars and trains to ride in, and where special tracks were provided for the bicycle.

Hon. Frank Wilson : Where are they licensed ?

The MINISTER FOR WORKS : The Coolgardie roads board licensed cyclists, and from 12 to 20 others did likewise. Moreover the licensing of cyclists was not confined to the goldfields. If the amendment was passed there would also be provision for registration to take place in regard to all bicycles, and that would be in the best interests of the safety of the public.

Hon. FRANK WILSON : When the matter was discussed before, there was not much sympathy and support for it from members who directly represented the goldfields, and it seemed that they were anxious that cyclists should be taxed. He had to say, however, that he took such statements with a grain of salt. He had not heard of anyone yet who was anxious to be taxed because he happened to use such a useful means of locomotion, and it came as a surprise to him that certain roads boards were issuing licenses for cycles. So far as he was concerned, he objected to them being licensed.

Mr. Allen : Do you object to a number ?

Hon. FRANK WILSON : It was interfering with the liberty of the subject and he objected to everything of that nature. Cycles did no harm to the roads.

Regarding the appeal of the Minister that these licenses must be obtained in order to preserve the cycle pads on the goldfields, that did not amount to much. The revenue to be derived from these licenses was hardly worthy of consideration. These cycle pads, such as they were, had been in existence for the last 20 years, and he did not think that more than £5 had ever been collected towards their maintenance. We should not put unnecessary obstacles in the way of our citizens.

The Minister for Works: Registration is protecting them.

Hon. FRANK WILSON: The registration would be a confounded nuisance to everyone, and he hoped the Minister would agree to eliminate the objectionable clause.

Mr. TAYLOR: On the goldfields local governing bodies had the power to tax cycles and in return they prepared special tracks for them, and cyclists were perfectly satisfied to pay that small tax per annum for the privilege of using those tracks. If the tax were removed, the cycle tracks would fall into disrepair and cyclists would be driven on to the main roads. The cycle pads were a great advantage on the goldfields, one reason being that they were often a means of curtailing distances. Of course if all the roads on the goldfields were as well looked after as those in the metropolitan area there would not be any special obligation on the part of the local bodies to prepare cycle pads.

Mr. ALLEN: It had been expressed to him by many electors around Perth that there was an absolute necessity for putting a number on the back of bicycles. A pedestrian could get out of the way of a horse because it could be heard approaching, but a bicycle was often on a person before that person knew where he was and the offenders got away without any possibility of their being identified.

Mr. HARPER: Every other form of locomotion was taxed, and cyclists also should pay a license fee. Cyclists benefited from the road improvements made with the taxes contributed by other peo-

ple, and he favoured their being both registered and taxed. If each cyclist bore a registered number there would be more regard for the rights of the road. Sometimes cyclists took possession of a road and the hooting of a horn would not shift them; if a person tried to force them off the road he ran a risk of having to pay damages, a fact on which the cyclist traded. Each cyclist should bear a number so that when he caused an accident there would be the means of identifying him and of the injured party obtaining redress. Children going to school up to a certain age should not be taxed, but those cyclists who took long tours on roads and sometimes held road races should be made to pay a license fee.

Mr. E. B. JOHNSTON: This tax on bicycles should not be levied, because it would fall principally upon the poor people. In Kalgoorlie at any time one could count from 20 to 30 bicycles in Hannan-street; this tax would press heavily on the goldfields, and generally it would affect the poorer class of people. Though the clause was only permissive, yet once public attention was drawn to the fact that boards had power to levy the tax, boards elected by ratepayers would be only too ready to impose it.

The Minister for Works: They have the power already.

Mr. E. B. JOHNSON: The power had not been exercised on the coast. If the clause were passed, did the Minister intend to give these taxpayers a vote at roads board elections, or was there to be taxation of bicycle owners without representation? Many of the bicycle owners were under 21 years of age and had no vote.

Mr. Wisdom: Then why not give a vote to the owner of a dog?

Mr. MUNSIE: If, as the Minister said, there was power under the Roads Act to impose this license, what was the necessity for going further?

The Minister for Works: This repeals those sections of the Roads Act.

Mr. MUNSIE: Even though the power to impose the tax was in existence, fully 90 per cent. of the local governing bodies had never exercised the power. The Minister had been emphatic in saying that

this license was collected on the goldfields and that special pads were maintained for the benefit of cyclists. From inquiries, he had ascertained that never had this tax been collected at Boulder or by the Kalgoorlie Roads Board, whilst the Kalgoorlie Council had passed a resolution at one meeting imposing the license and a month after the resolution was rescinded at a special meeting. That being the case he would vote against the imposition of any tax on bicycles. The Minister said he did not require the tax from a revenue point of view; therefore there was no necessity to impose a tax on people who could ill-afford it and who did no damage to the roads.

THE MINISTER FOR WORKS: The member for Williams-Narrogin had mentioned the large number of bicycles to be seen in Kalgoorlie, and the very fact of there being such a number only emphasised the necessity for registration. The more bicycles there were on the roads the more necessity there was for controlling them. It was essential that they should be brought under the provisions of the Traffic Act. Cyclists caused a number of accidents to people, and if they bore a registration number there would be some means of identifying them. The member for Hannans had stated that the tax was not in operation at Kalgoorlie or Boulder, although there was power to impose this tax under the Roads Act. The fact that any particular place had not imposed the license did not prove that it should not be done anywhere. The fact that the license had been collected by a number of boards in the State, and that all boards had possessed the power for a number of years to impose this fee, showed that there was a necessity for it. The Bill only made provision for making regulations to impose a license where necessary. As soon as the Government proposed to reduce the license fee from 5s. to 2s. 6d. letters were received from local governing bodies pointing out the injustice of reducing the fee, whilst they were still called upon to maintain the cycle pads. The cyclists themselves in the back country desired to pay a license fee so that they would have some guarantee that a good cycle pad would be main-

tained. Hon. members said that it was unfair to make the prospector and the worker pay a license fee, but a man who had to battle to and from work on a bicycle would sooner pay 5s. and be sure of having a good road to ride on. The member for Hannans must remember that for years there was an agitation against the local governing bodies because they did not maintain cycle pads between Kalgoorlie, Paddington, and Boulder. It was no use having a cycle unless there was a good road on the goldfields; and the only guarantee of a good pad was the payment of a license fee.

Hon. Frank Wilson: That is no guarantee.

THE MINISTER FOR WORKS: Where one paid a fee he expected and was more likely to get some service for it. If cyclists did not pay, the local governing body would be inclined to say, "As you do not contribute towards the upkeep of the cycle pad, we are going to devote the whole of the money to the upkeep of the roads used by the people who do pay."

Mr. Male: We pay taxes for the Fremantle-road, but there is no guarantee.

THE MINISTER FOR WORKS: People were not specially taxed for the Perth-Fremantle-road. They paid a vehicle license, but that was general. If what the Bill proposed were carried into effect we would get the license fees confined to use on the main roads, and would not have the difficulties prevailing at the present time. If the Committee struck out this provision hon. members would be inflicting an injustice upon quite a number of people in Western Australia. It was absolutely essential that cycles should be registered, and although the leader of the Opposition said it was a difficult matter and an undesirable interference that people should have to take out registration of cycles, he (the Minister for Works) maintained it was necessary. The Committee should pass this paragraph giving powers to make regulations to impose a license fee where it was desirable to impose it, and in all cases to make it necessary to register cycles wherever they were located.

Mr. MUNSIE: If the clause was defeated would there still be the provision in the Roads Act at the present time which gave the right to compel a bicycle to carry a light and bell?

The MINISTER FOR WORKS: The Bill was a consolidating measure and embodied provisions hitherto existing in the Municipal Act and the Roads Act. If the provisions were struck out here, and the Bill became law without them, there would be no provision for licensing.

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

Ayes	..	..	..	20
Noes	..	..	..	16

Majority for .. 4

AYES.

Mr. Angwin	Mr. Mullany
Mr. Bath	Mr. O'Loughlen
Mr. Broun	Mr. Scaddan
Mr. Collier	Mr. S. Stubbs
Mr. Foley	Mr. Taylor
Mr. George	Mr. Thomas
Mr. Harper	Mr. Walker
Mr. Johnson	Mr. A. A. Wilson
Mr. McDonald	Mr. Wisdom
Mr. McDowall	Mr. B. J. Stubbs

(Teller).

NOES.

Mr. Bolton	Mr. Monger
Mr. Green	Mr. Moore
Mr. Johnston	Mr. Munsie
Mr. Lander	Mr. Nanson
Mr. Lefroy	Mr. A. E. Plesse
Mr. Lewis	Mr. Turvey
Mr. Male	Mr. F. Wilson
Mr. Mitchell	Mr. Layman

(Teller).

Amendment thus passed.

Mr. MUNSIE: Would he be in order in moving to strike out certain words?

The CHAIRMAN: The hon. member should have done that before the question was put, "That the words proposed to be inserted be inserted."

Mr. MUNSIE: At the finish he was perfectly satisfied to try and wipe the lot out. He could not move the amendment when he was desirous of deleting the lot.

The CHAIRMAN: The hon. member could not speak on the question now.

Clause, as previously amended, put and a division taken with the following result:—

Ayes	..	..	..	22
Noes	..	..	..	14

Majority for .. 8

AYES.

Mr. Angwin	Mr. O'Loughlen
Mr. Bath	Mr. Scaddan
Mr. Bolton	Mr. S. Stubbs
Mr. Broun	Mr. Taylor
Mr. Collier	Mr. Thomas
Mr. Foley	Mr. Turvey
Mr. George	Mr. Walker
Mr. Harper	Mr. A. A. Wilson
Mr. Johnson	Mr. Wisdom
Mr. McDonald	Mr. B. J. Stubbs
Mr. McDowall	(Teller).
Mr. Mullany	

NOES.

Mr. Green	Mr. Moore
Mr. Johnston	Mr. Munsie
Mr. Lander	Mr. Nanson
Mr. Lefroy	Mr. A. E. Plesse
Mr. Lewis	Mr. F. Wilson
Mr. Male	Mr. Layman
Mr. Mitchell	(Teller).
Mr. Monger	

Clause as amended thus passed.

Clause 44—Notice:

The MINISTER FOR WORKS: It was considered by those who used traction engines that a four mile limit was altogether too slow. He moved an amendment—

That in line 2 of subclause 3 the word "Four" be struck out and "Five" inserted in lieu.

Mr. MALE: Why not make it six miles instead of five? Six miles did not seem to be an undue speed.

The MINISTER FOR WORKS: Experts said that five miles for a traction engine was the maximum. He had consulted those who used traction engines.

Amendment passed; the clause as amended agreed to.

Clause 52—Penalty for unauthorised use of vehicles:

The MINISTER FOR WORKS moved an amendment—

That in lines 1 and 2 the words "or person in charge of a vehicle" be struck out.

The object was to meet an objection raised by the hon. member for Claremont, who had on the Notice Paper another clause, which it was considered would meet the case better than the words proposed in the Bill.

Amendment passed.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR WORKS moved a further amendment—

That in line 3 the word "such" be struck out and "any" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Third Schedule:

The MINISTER FOR WORKS: It was necessary to make a consequential amendment in this schedule so far as licenses for cycles were concerned. He moved—

That the words "for a cycle 1s. 3d. per wheel (annual)" be struck out.

Amendment passed.

The MINISTER FOR WORKS moved a further amendment—

That the words "traction engine £1 per month" be struck out with the view of inserting other words.

Amendment passed.

The MINISTER FOR WORKS moved a further amendment—

That the following be inserted:— "Traction engine under five tons in weight loaded £5 (annual). Traction engine weighing (loaded) five tons but not more than eight tons £5, and in addition 6s. per wheel for every ton or part of a ton in excess of five tons (annual). Any other traction engine £1 per month. Trailer to traction engine, for which a monthly license is requisite, £2 (annual)."

It would be noticed that a certain fee was imposed for traction engines weighing five tons, while there was a slight increase for those over five tons. The placing of 6s. additional per wheel was a special impost for the extra damage these engines did to the road and by putting it on the wheel it raised the fee 24s. for the four wheels. There were,

however, traction engines built with three wheels so that the object of applying this tax to the wheel instead of to the tonnage would be obvious. He understood this was the proper way of applying it, although to some members it might seem strange.

Hon. Frank Wilson: What does the Minister propose to do with traction engines weighing over eight tons?

The MINISTER FOR WORKS: It would be a special impost then.

Hon. H. B. LEFROY: The charges imposed by the amendment were inconsistent with those applied in other cases. A trailer was a vehicle drawn by the engine to convey goods. As time went on traction engines would be largely used in agricultural districts and the trailers would be drawn to convey wheat to the railways. In the case of an ordinary wagon of four wheels a charge of 5s. per wheel was imposed, but in this case where we had a four-wheel trailer which would do no more damage than a wagon, in fact less damage, the charge was to be double. In the case of an ordinary wagon drawn by perhaps six or eight horses, those horses were doing very nearly as much damage to the road, particularly in summer, as the wagon.

Hon. J. Mitchell: More.

Hon. H. B. LEFROY: But here we would have a trailer drawn by a traction engine doing little or no harm, yet the trailer was to be charged double the amount. The same amount ought to be imposed in regard to trailers as was charged for ordinary wagons, that was 5s. per wheel. He moved an amendment on the amendment—

That the words "£2 (annual)" be struck out and "—5s. per wheel (annual)" be inserted in lieu.

The MINISTER FOR WORKS: It was not possible to agree with the hon. member when he said that a trailer would not do as much damage to a road as a wagon. It was known that in carting, not more than a six-ton load was carried on a wagon and that the width of tyres was six inches. With a trailer it was possible to carry a load of from 14 to 20 tons in weight.

Hon. H. B. Lefroy: They are not likely to do that.

The MINISTER FOR WORKS: Fourteen tons was the ordinary load of a trailer. The object of the trailer was purely to carry big loads, yet under the Act, the width of tyres was limited to six inches.

Mr. S. Stubbs: Alter the width and provide that the trailer shall have bigger tyres.

The MINISTER FOR WORKS: So far as that question was concerned, he was not prepared to enter on it. The £2 provided in the amendment was reasonable. It might be mentioned that the Swan Brewery Co. agreed to the higher license so as to get a guarantee that the roads would be kept in proper repair. Undoubtedly the road tractor was going to come into more general use as the years went on. A £2 annual fee for a trailer was reasonable in comparison with that of a wagon.

Mr. HARPER: The Minister was over-estimating the weight that would be put on to trailers. Very few roads would carry anything like the heavy weight suggested by the Minister. It would rest with the common sense of the farmer not to put on a load which would break through the roads.

The Minister for Works: The traction engines slaughter our bridges and culverts to-day.

Mr. HARPER: Even on our railway wagons six tons was an average truck load. Six tons on four six-inch tyres would not do much harm to a decent road.

The Minister for Works: It would not pay them to put six tons on a trailer.

Mr. HARPER: If the traction engine was sufficiently powerful it would be made to haul several trailers, instead of one carrying an immense load. He had never seen a trailer capable of carrying more than from six to ten tons. On the other hand, he had a wagon capable of carrying eight tons, the six-inch tyres of which did not make the least impression on the road. Disappointed in their expectations of a railway, some of the settlers in his electorate intended to put

on traction engines to carry their produce to the railways. Such people should be encouraged rather than taxed.

Mr. FOLEY: The Minister's amendment would not impose any hardship upon those people who used trailers behind traction engines. He knew of a man who, by the use of a traction engine and a trailer, had reduced the cost of carting ore to a battery from 6s. to a little over 1s. That man could not have so far reduced his cost except by carrying heavy loads of from 16 to 22 tons. If an extra impost of £1 per annum was put on that man, no hardship would be done, because his engine was doing a greater amount of damage to the roads than two ordinary wagons. That man was reaping a great benefit by using a heavily loaded tractor, and therefore the Minister could well stick to the position he had taken up in this respect. These big loads on tractors were to be seen at Lawlers every day, and the men who used them would welcome the Minister's amendment.

Hon. FRANK WILSON: It was a peculiar argument to say that because a man had by his enterprise succeeded in reducing the cost of hauling ore an extra impost should be put upon him.

Mr. Foley: He is doing more harm to the roads than before.

Hon. FRANK WILSON: The burden of the hon. member's song had been that this enterprising individual had reduced the cost of carting from 6s. to 1s. per ton, and therefore an extra tax ought to be imposed upon him. Surely such a man should be taxed as lightly as possible, because of his enterprise. The hon. member forgot that his friend had put a large sum of money into the traction engine and trailer, that there was a great deal of expense in connection with the upkeep of these machines and, in addition, interest and depreciation had to be provided for. It was to be remembered, too, that the trailer was of no use without the traction engine, for which £12 per annum had to be paid in fees. As to the extra damage to roads, provision was made in a previous section for recovery of the value of such damage.

The Minister for Works: That would not apply.

Hon. FRANK WILSON: Yes, it did apply. If the roads were cut through with these loads, a claim would be made against the owner of the traction engine for having caused extraordinary damage. A trailer, after all, was only a form of wagon, and ought to be put in the same grade as an ordinary wagon so far as the license fee was concerned. It was desirable that we should encourage people to embark their capital in these engines in order to get cheap traffic.

The Minister for Works: I want to give them good roads to run on.

Hon. FRANK WILSON: And to charge a good price for the roads. If a wool wagon which paid only 5s. per wheel per annum was to be loaded up with ten or twelve tons of wool, why should a trailer loaded with twelve tons pay more? We should not make any distinction. He could understand the Minister's anxiety to get as much revenue as he could for the local authorities, because it relieved the demands made upon him and the Treasurer for special grants for the roads.

The Minister for Works: It is my experience that the more they get the more they want.

Hon. FRANK WILSON: That was only human nature. At the same time, when we were framing this legislation we should make the imposts as light as we possibly could, imposts which would be fair and equitable as between the different classes of vehicles using the roads. This, however, was making an exception which was not altogether equitable.

Hon. H. B. LEFROY: It had been argued that the fee would be no impost on the man who had a traction engine and several trailers behind it carrying big loads.

The Minister for Works: As a matter of fact a traction engine pulls one trailer only, and not several.

Hon. Frank Wilson: I have seen them pulling half-a-dozen in the old country.

Hon. H. B. LEFROY: The time was not far distant when tractors would be [42]

largely used with several trailers behind each engine. The Minister had contended that these trailers would carry enormous loads. It was much more likely that the loads on these trailers would be restricted to, approximately, ten tons, and that several trailers would be used to each engine. He had moved his amendment as a matter of equity.

The Minister for Works: I have framed the Bill on an equitable basis.

Hon. H. B. LEFROY: The Minister had argued that wagons would convey heavy loads and, therefore, should be taxed. Whether they conveyed six-ton loads or 20-ton loads, they still had to pay this additional tax. A wagon paid just the same tax, whether it carried a 10-ton load or a 5-ton load, therefore he saw no reason why trailers should be picked out and charged an additional amount because it was supposed that they might carry larger loads than an ordinary wagon.

The MINISTER FOR WORKS: The hon. member for Moore had said that the wagon was not penalised, but under normal conditions 5 tons was a big load for a wagon and 6 tons was a heavy load; whereas, unless more than 10 tons could be put on a trailer, it did not pay to use a traction engine. The hon. member argued that several trailers were used behind the one engine, but except on straight roads that method was too cumbersome and was not adopted in this State. The traction engine was equipped with one big trailer specially constructed to carry a huge load, and seeing that the trailers were carrying double and sometimes treble the load which ordinary wagons carried it was only fair that they should pay double the fee. They could not be dealt with under the clause providing for the collection of special damages. He disagreed with hon. members who argued that this was a special impost in comparison with the ordinary wagon. If £2 was charged for a trailer, less than £1 should be charged for an ordinary wagon because it did so much less damage than a trailer and traction engine. This was not an undue penalty; it was abso-

lutely equitable in comparison with other parts of the Bill.

Amendment on amendment (Hon. H. B. Lefroy's) put and negatived.

Amendment (the Minister for Works') put and passed.

The MINISTER FOR WORKS moved a further amendment—

That the following words be added at the end of the schedule:—"Provided that when the owner of a motor car not used as a passenger vehicle is the holder of a motorist's license then the fee for a motorist's license for any member of the owner's family or for any person employed by him to drive his car shall be 2s. 6d., and when any person employed by the owner of such a car to drive his car is the holder of a motorist's license the fee for such a license for the owner or any member of the owner's family shall be 2s. 6d."

The member for Wagin had pointed out that it was unfair to charge a license fee of 10s. for every person who drove a motor car, and had instanced the case of a father owning a car and allowing his sons and daughters to drive it. It would be unfair to expect that one car to carry several licensees at 10s. per head; to overcome that the amendment provided that there must be one 10s. license for every car and if there was any other additional license for that car it should be 2s. 6d.

Amendment passed; the schedule as amended agreed to.

Bill again reported with further amendments.

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.

Returned from the Legislative Council without amendment.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Received from the Legislative Council and read a first time.

MESSAGE — WEST PROVINCE ELECTION SELECT COMMITTEE.

Request for member to give evidence.

Message from the Council received requesting the Assembly to authorise the Hon. W. C. Angwin to attend to give evidence before the select committee on the West Province Election in 1912.

The PREMIER (Hon. J. Seaddan) moved—

That leave be granted in accordance with the request of the Legislative Council, as contained in Message No. 6.

The MINISTER FOR LANDS (Hon. T. H. Bath): I second the motion.

Hon. W. C. ANGWIN (Honorary Minister): I am very pleased that another place has thought fit to request me to give evidence before the select committee, more especially as several insinuations have been made against me in regard to certain matters connected with the West Province election in 1912, which the select committee is now investigating. Though the accusations have not been made directly against me, indirectly they do refer to me, and as I am considered to be the accused person, I think it is only British justice that if a person has a charge made against him, and a jury is sitting to hear that charge, the least thing the jury can do is to notify the person charged. Instead of doing that, however, the select committee has been taking evidence, and it was necessary for me to inform the secretary that I thought it unfair to deal with a question like this without notifying me as the accused person. I have no fear whatever, so far as the investigation of the select committee is concerned. I personally informed Mr. Lynn of the result of the investigations made in regard to the West Province election; I gave him the figures some 12 or 15 months ago, and no objection was raised by him at the time.

Hon. Frank Wilson: Why not keep all this until you get before the select committee.

Hon. W. C. ANGWIN (Honorary Minister): I am not afraid of the select committee?

Hon. Frank Wilson: This is bad form.

Hon. W. C. ANGWIN (Honorary Minister): It is bad form for anyone to try me in my absence.

Hon. Frank Wilson: Then why did you not give evidence?

Hon. W. C. ANGWIN (Honorary Minister): I had no power to do so. This question was raised purely for political purposes after 15 or 18 months had elapsed, for what reason I do not know, except that the Premier in speaking to a deputation happened to give the public certain information, and certain people thought that this perhaps was a chance to have a hit at me and the select committee was moved for. However, I have done nothing to be ashamed of in connection with the West Province election, and I support the motion.

Hon. FRANK WILSON (Sussex): I do not know much about this question, but I think it would be just as well if the Honorary Minister were to leave it alone, seeing that he wants to give evidence before the committee and every member of the House, I am sure, is willing to give him permission to appear before the committee. I do not know whether he is charged, or any one else is charged—

Mr. Underwood: He knows.

Hon. FRANK WILSON: He does not and he ought not to know; if he does know, he should give his evidence before the committee. It is bad form indeed for a Minister to rise and condemn a select committee of another place, and in advance accuse someone who is on that committee of having done certain acts for political reasons. If any wrong has been done it is proper that it should be inquired into. I believe the select committee are inquiring into the opening of ballot boxes or ballot papers. It is an inquiry into an irregularity, into something done in an irregular manner, and I believe every member of this House would object to any irregularity.

Mr. B. J. Stubbs: Why do not they inquire into other cases instead of singling out one?

Hon. FRANK WILSON: The hon. member should keep quiet until I have finished, and then he can chip in as much as he likes. In this case ballot papers appear to have been opened by certain instructions from a certain department. They were wrongly opened and examined for some purpose—

Mr. E. B. Johnston: It was done after the Albany election.

Hon. FRANK WILSON: It may have been done a score of times; it may have been the custom of the department for all I know to the contrary, but surely the inquiry is a proper one.

Mr. B. J. Stubbs: They should inquire into every occasion.

Hon. FRANK WILSON: Certainly.

Mr. B. J. Stubbs: But they have picked out only one.

Hon. FRANK WILSON: Then the hon. member can move for an inquiry into other cases. I am quite willing that an inquiry should be held, no matter what Government were in power. It is a proper thing and I do not think the Honorary Minister should resent it.

Hon. W. C. Angwin (Honorary Minister): I do not resent it.

Hon. FRANK WILSON: Let the Honorary Minister go to the select committee and tell them it is a political move instead of saying it in this House. The Premier has asked for the permission which the Honorary Minister desires and the House, I presume, will grant it.

The Premier: It is all right.

Hon. FRANK WILSON: No, it is not all right. The Premier's colleague is taking advantage of the opportunity to make out that someone is ill-treating him and making a move on political grounds, and political grounds only, against him personally. I resent that. We know nothing about it in this Chamber at the present moment. The Honorary Minister should have been satisfied to have the motion carried giving him the permission which he seeks, to give evidence before the select committee. Then, having given his evidence, he can subsequently take any action he thinks fit.

Question put and passed.

BILL—LAND VALUATION

Second Reading.

Debate resumed from the 28th August.

Hon. J. MITCHELL (Northam) : The Premier, in moving the second reading of this Bill, failed, I consider, in his duty to the House. Ministers too often bring important measures down and introduce them without explaining fully the important provisions are contained in them. I believe that when legislation which is new to the State is introduced, the fullest possible information should be given to hon. members. The Premier dealt with generalities, and altogether avoided the most important provisions of the Bill. It is not true, as the Premier told us, that this Bill is similar to an Act which is in operation in New Zealand. As a matter of fact, there is only one clause in this Bill which corresponds with the New Zealand Act, and that is the clause appointing a Valuer General. I propose, later on, to refer to some of the provisions both in this Bill and in the New Zealand Act. The Premier admitted that he was introducing something new in his Bill in connection with resumptions, and pointed out that resumptions would be made upon the valuations arrived at under this measure. This provision is not found in the New Zealand Act, and it is a very important one. The Premier readily admitted that some objection might be taken to this proposal. He said that no man knew how soon his property might be required for the public welfare. I would like to point out that this does not necessarily mean for public purposes. If land is to be resumed from one person to be sold to another, then the valuation should be arrived at on a basis satisfactory to the owner of the land, and any valuation arrived at for the purpose of resumption under this measure will not be satisfactory. The Premier stated that he had brought down this Bill because the several valuations made by the different authorities, the local authorities, and the land tax commissioner, differed very materially. I agree that they do differ,

and I venture to say that anything which suggests uniform valuation will not be objected to by members of the Opposition, but so long as several valuations of the one property are made by several persons, there will be differences. I know of no country in the world where there is likely to be greater differences in valuation than in a new country like ours. These valuations will always differ, and it is because they differ that the people who will lose their land as a result of resumptions should be properly and fairly treated. There is another very important provision in the Bill, which will cost this country a considerable amount of money and that is the provision which sets forth that valuations must be made in detail. All improvements are to be valued. The Premier, in his speech, led us to believe that this would not be necessary, but I point out that the valuation of improvements in detail is specially provided for. The Premier knows that his Bill provides for the production of books and vouchers and documents in order that valuers shall be able to do their work better. Under the present system, the owner puts down the value of the property, and sets out the value of the improvements which is deducted from the total valuation, so that the unimproved value of the land is arrived at. Under this Bill the owner is not required to do anything. The valuers will do everything. They will go on to the property, and make a valuation of the land and of every improvement upon it. When the Premier was speaking, the member for West Perth interjected and asked if there was a right of appeal. The Premier replied, and his reply is important, that the hon. member should read the Bill carefully, particularly in this regard, and that the owner of the property which would be resumed had the right of appeal against the value when fixed and every twelve months. That is not so. The Bill provides that an appeal may be lodged within 60 days of the notice of a valuation having been sent to the owner. That is to say, when the Valuer General makes his valuation for the first time, he will

make up the register and send out notices, and if the owner is dissatisfied he may appeal, but not at any other time within the twelve months, and the owner would be unable to appeal again until a fresh valuation was made. It may be that one valuation will stand for ten years. If one valuation does stand for ten years, and the land is resumed under that valuation, the owner will suffer. This country will forge ahead, and in ten years the land within our borders will be worth more than it is to-day. Is it right for the Premier to tell the country that when land is resumed the owner will have the right of appeal? He has the right of appeal when the valuation is made, and not afterwards unless some alteration is made in the value. The Premier also stated that the owner would have his rights under the Public Works Act. That is not so as far as valuation is concerned. The right of the owner to appeal is laid down in this measure; the method of valuing the land to be resumed is laid down in this measure; and with this law in operation the rights of the owner end. A good deal may be said for the proposal to have one valuation for the purposes of the State and of the local authorities, but I want to say here that I think the Premier is dissatisfied with the valuations of local authorities, and because he thinks they are not taxing sufficiently he desires this Bill to become law. The Premier cannot urge that he will get a higher valuation for State taxation purposes than he gets now. Neither can he urge that the increased collection by the Government will anything like cover the cost of even a fraction of the valuations which will be made. This country is one of fluctuating values, and to keep the register up to date will mean a tremendous amount of work. The valuations will have to be made time and again. Land in the Doodlakine district, which two years ago was sold for £4 an acre, could not now be sold for 30s. Values have fallen, because money has increased in value, and another reason is that there is a certain amount of unrest. Whatever the cause may be, the value of

land has depreciated. The Premier knows that. Land which has been sold for £10 an acre would not bring £6 to-day.

The Premier: It depreciated in many places because you fixed the first value.

Hon. Frank Wilson: No.

Hon. J. MITCHELL: The Premier has had the opportunity to reduce the value of any conditional purchase lands which I sold. The Premier went to the Donnelly River district, and said the land was worth far more than the people were being charged for it, and put up the price.

The Premier: Where was that?

Hon. J. MITCHELL: In the Donnelly River district. The Premier has absolute control in regard to conditional purchase land which was sold during my term of office. If this Bill simply provided for valuations for taxation purposes of unimproved land, it would be simple enough, but the Premier has provided a most extensive and exhaustive inquiry for fixing the valuations, and he has altogether forgotten what the cost is likely to be. The New Zealand Act is in no way similar to the Bill which the Premier has introduced. As a matter of fact, the New Zealand Act is a simple and very effective piece of legislation. It is absolutely fair to every land owner; it is absolutely fair to the general public. Under that Act the Treasurer of the Dominion gets all that he is entitled to by way of taxation, and the land owner gets all the protection that a land owner should receive. Nothing could work more harm than uncertainty of tenure, and if the Premier's Bill is carried into law there will be uncertainty, and valuations generally are likely to suffer so far as securities are concerned.

The Premier: You might tell me why.

Hon. J. MITCHELL: Because the valuations fixed will be the values at which the land can be resumed, and I have already pointed out that one valuation may stand for a considerable time. The Bill we are now considering provides for the valuation of the land and the improvements, and it provides also that the value is to be accepted for all Government purposes for taxation by the State and by the local

authorities. It provides for a Valuer General, a deputy Valuer General, and a staff of district valuers. That is reasonable. I believe the district valuers should be men with local knowledge. The New Zealand Act provides that they shall have local knowledge. The Premier does not make provision for that, but simply stipulates that there shall be a district valuer. If the Valuer General is to do his duty and the Premier is to get reasonable valuations, he will have to appoint an army of valuers in a State like this, which is spread over a thousand miles of coastline, but notwithstanding that he will need an army of valuers, it will be only fair to secure men who know their work. Under this Bill, therefore, there will be a big Government department, because apart from the Valuer General and his assistants there will be a staff of clerks. The register itself will be a big work to keep up to date. The Premier has, I think, altogether forgotten the question of cost. Another objectionable feature in the Bill is that the districts to be valued are to be proclaimed. Of course I understand it is impossible to value the whole State at once, but if a valuation is to be made for the purposes mentioned, it should be made as speedily as possible of all the land in the State; all should be treated alike. The Premier gave us to understand that these valuations would not be made very rapidly, but just when convenient, and the staff at present employed in the Government offices would be used for making the valuations. That would be very unsatisfactory. When the valuations are made it is provided that land owners shall be notified in the *Gazette* and a newspaper. This notice will be given, of course, in the district office at which land owners may call and ascertain what their land values are. They will be able to search the register on the payment of a fee. I would like to point out that to protect himself the land owner will have to inspect this register each year and have to pay a fee. It is provided in the Bill that notices are to be sent, but the Valuer General is not to be responsible for the delivery of the notices. So I

understand owners will have to keep in touch with the register, which will be a difficult thing. I suppose the fees paid for the right to inspect the register will be an additional source of revenue. Objections to valuations may be made, and again there is to be a deposit. Does the Premier think it right to claim a deposit where a man enters a protest against the valuation set against his property. If the owner fears the land is to be resumed he has to object if the valuation is too low, just as, of course, he will wish to object if the valuation is too high. It is true that the deposit may be returned if the objection is successful, and the Bill provides that objections must be lodged within 60 days. It is important that the country should know that for this period of 60 days the owner shall have the right to appeal, and not one day after, no matter whether the land is being taxed by the Treasurer or the local authority, or whether it is to be resumed for public purposes. It must be remembered too that each year the register may be altered, and a fresh valuation made. Hon. members know that in this country we are developing our agricultural land, and month by month fields are added to our clearings, wells are sunk, and fences are extended. Every time an improvement is added the Valuer General would have to be notified. It would not be necessary to take much notice of the progress of improvements if the valuation were merely for taxation on unimproved value, but it will be very necessary for owners to see that the Valuer General is advised lest the resumption clause is put into operation. There is a most unfair provision in the Bill; the owner may not upon resumption claim a fresh valuation, but the Valuer General may upon his own motion have a revaluation made. I do not suppose for one moment that the Premier wants to work any unfairness, but I will say that, as drafted, the Bill is monstrously unfair. If the property is in the opinion of the Valuer General worth less than the register shows he may have a revaluation made, and it is true that the owner will, in that case, have a right of appeal,

but it is equally true that under the Bill there is no provision for an owner to have a revaluation made at any time, but under the New Zealand Act a revalue can be obtained on payment of a fee. I do not suppose for a moment that the re-sumption clause will be allowed to pass when the Bill becomes law. I hope the Premier will agree to an amendment. It is not to be supposed that even for 12 months the valuation of any property will remain day in and day out the same. Things change very rapidly, and the House should see that owners are protected just as the Premier wishes to protect his side of the transaction.

The Premier: What is the difference between having an annual revaluation and an annual right of objection?

Hon. J. MITCHELL: That is not in the Bill. An appeal may be lodged whenever a revaluation is made, but an appeal cannot be lodged each year as the Premier suggests without some alteration is made in the register. It would be ridiculous to expect an appeal would be allowed unless there was some alteration in the valuation from time to time. I will point out how these appeals are to be made.

The Premier: I assert it is in the Bill; Clauses 15 and 16.

Hon. J. MITCHELL: I point out to the Premier how impossible it would be under his Bill to appeal at all, except in the case of very big estates and very small ones. A very big estate may stand the cost, and an estate that is very small may do so, but an estate worth £5,000 or £10,000 could not stand the cost of an appeal from time to time as the Premier seems to wish. Coming to the question of the valuation of Crown leases, it must be remembered that the rental value varies in the South-West division where the tenure is most uncertain, and the position of that land compared with the Kimberley district, where there is certainly tenure for many years, and the valuation will be about a quarter is illogical. The Premier also knows that land will vary under the Workers' Homes Act. Taxation has nothing to do with the form of owner-

ship. A lease should be valued for taxation under permanent lease on exactly the same method as freehold. There should be absolutely no difference in the method of valuation for taxation purposes, taxation made year by year on land held under perpetual lease. I hope the Premier will agree, at any rate so far as special leases are concerned, the leases that Ministers are now granting on town and suburban blocks, and special leases will be valued just as the freehold values are made. Probably the most objectionable feature in this Bill is the provision for objections and appeal. I approve of the idea that the Valuer General shall hear and decide objections. The owner can go to the Valuer General without cost and discuss the question of values, and, if the Premier has a Valuer General who is reasonable they may possibly arrive at something satisfactory to both, but if the Valuer General is not reasonable and cannot decide, then there is to be an appeal to a court of review, and the Premier provides that there shall be two forms of court. For the man who has land worth £500 there is to be one kind of court and for the man who has land worth £501 there is to be another kind of court. For the man who has land worth £500 there is to be a magistrate. Even here the Government reserve the right to appoint a special magistrate. I wonder why. Does the Premier think that the magistrate of a district might not deal fairly with the Government? I think the man who knows local conditions is the right man to perform this duty.

The Premier: Suppose the magistrate of a district is not available?

Hon. J. MITCHELL: If the magistrate of a district is not available and is away on leave, then there will be some one acting for him. I believe the magistrate of a district is the right man to try appeals, whether in the case of a valuation of £500 or of £5,000.

The Premier: Suppose it is his own case?

Hon. J. MITCHELL: I think that if the magistrates have to save out of their salaries to buy blocks they will have no

need to appeal. Men who have property worth £510 find that their court of review is a Supreme Court judge. Does the Premier for one moment believe that any judge of the Supreme Court can undertake this work? Just imagine the hundreds of appeals that there will be when the valuation is first set up. In connection with the resumptions made under the Public Works Act, there are often delays for months and months, because the judge cannot get to the cases. Just fancy if that is so with those few cases of land resumptions, what the position will be when the valuation of 22 million acres to be alienated is complete, as well as the valuation of every town block in Western Australia. Does the Premier wish us to believe that he is serious in suggesting that a Supreme Court judge should undertake this work? To begin with, at any rate, if the Premier values this State from end to end, he will require fifty courts to sit and hear appeals. The Premier wants to make it possible for all owners to appeal against valuations that may be wrong. The cost of appeals will be enormous. Does the Premier think that any landowner would face the Supreme Court unless that landowner was absolutely compelled to protect his property? Does he believe that if a man had property worth £5,000 on which he would have to pay a tax of 1d. or 2d. in the pound per annum, it would pay that man to go to the Supreme Court to appeal against any valuation that might be made? The appeal in the case of a £5,000 property would probably swamp the tax for ten years. The other day, in the case of an appeal to the Supreme Court in connection with land resumption in Perth where the witnesses were bandy, and where there was no delay, the owner's costs alone were £230. That was quite apart from the cost the Government had to pay—probably another £230, so that there we had costs amounting to £460 for a property not worth anything like £5,000. Does the Premier imagine that an owner of property worth such an amount would risk having costs to that extent given against him? This does not refer to properties of £5,000

only, but the same process would have to be indulged in by a man who owned property valued at, say, £600. When we remember that the valuations may be altered each year, and that frequent appeals against valuations may be necessary, it will be seen what a lawyers' harvest will be reaped. All the lawyers in Perth will be engaged and every judge of the Supreme Court will be needed to hear these appeals.

The Premier: It is only changing it from the land agents to the lawyers.

Hon. J. MITCHELL: Not only is it provided that an appeal may be made to a Supreme Court judge, but if the Government are dissatisfied they can appeal to the Full Court on a question of law, and it is specially provided that all costs may go against the owner. Will the Attorney General tell us what all this is likely to cost? Surely there never was such a cold-blooded scheme. Just imagine owning land in the country where you would be subjected to all this expense. I hope that members, even on the Ministerial side of the House, will oppose this proposal. Whilst owners must accept the valuation for taxation purposes, and whilst it may be agreed that uniformity for that purpose is desirable, we must remember that resumptions may be made under the Public Works Act and various railway Acts. The Premier knows that every railway Act which is passed contains a clause which gives the Government power to resume land within fifteen miles of the line. There may also be resumptions under the Irrigation Act. I am referring to resumptions apart from resumptions for public purposes. There are resumptions of land which is to be sold, and the Premier provides in every Act that is passed that resumptions may be made on the valuations fixed. I hope the Premier will agree to strike out this resumption clause, to simplify valuations and make the cost of the working of the department much less. I have already said that the owner can be called upon by the valuer to produce documents to show what he has spent on his place, but let me ask how many owners keep such documents or books. There is hardly a

land-owner in this State who could produce any book setting out the cost of his farm buildings or any other such details. Then there is a penalty provided for an offence under this measure, and it is heavy indeed, so that when we describe it as a cold-blooded proposal altogether, we are very moderate indeed. Let us see what is provided under the New Zealand Act. The valuation there is for all purposes of taxation. Of course the valuation there is not against the owner, except that he may pay a little more tax than is probably fair, but that may be a small matter. There is no provision in the New Zealand measure for the application of valuations for resumptions for Government purposes, and therein lies the great difference between the New Zealand Act and this measure. The New Zealand Act provides that if the valuer general is of the opinion that the value has been fixed at an amount that is really less than it should be, he may give the owner notice that he proposes to increase the valuation, but the owner has the right in that case to object, and if he objects, then the Government may acquire the land at the valuation set upon it by the valuer general, and not the valuation set upon it by the court of review. If they do not acquire it, the valuation of the court of review stands. If the court of review said that the land was worth £5,000 and the owner said it was worth £3,000 the valuer general would have to acquire the land at £3,000 or reduce the valuation on the register for taxation purposes. It seems to me that is perfectly reasonable. Here we do not propose to give the owner any protection at all. If the owner objects to the valuation set up by the court of review, the owner can reduce the valuation himself, give the valuer general notice that he will not accept say the £5,000 set against it, that he only values it at £3,000, and if the valuer general is not satisfied, he must acquire the land or reduce the valuation. He must decide at the moment whether he will reduce the valuation or buy the property. That is perfectly fair. Under our Bill, an owner can only go to the Supreme Court, which will be an impossibility in the case of most of them.

The assessment court in New Zealand consists of a magistrate and one assessor appointed by the Government and another appointed by the local authorities. This is a fair arrangement. Appeals are taken to the Supreme Court merely on points of law. Otherwise the judge is not consulted in New Zealand. Would it not be well for the Premier to give consideration to some such provision? In New Zealand the expenses need be little. A man can take his own case before a court of that sort and the expenses would be very small. Apart from this easy means of appeal, means which one can understand owners would readily avail themselves of, any person may on payment of a fee obtain a fresh valuation at any time. That seems to me to be a good provision. Now, as I have already said, the New Zealand Act is simplicity itself. Ample protection is provided, and the Crown has all the power it needs to arrive at a fair valuation for taxation purposes. Then, too, the New Zealand Act is very helpful in the case of money advanced by the various departments. The Premier says he hopes the valuations to be made under the Bill will be used for advances to be made by the Agricultural Bank and other departments which do business with our landowners: but I venture to say the Agricultural Bank will require, not the casual inspections that can be made by officers already fully occupied, but inspections made by competent men. One can easily believe that the valuations which will be accepted by Mr. Paterson will be those which the Premier should have made. Of course I approve of a uniform system of valuation. I believe that valuations should be sound, and should be relatively equal. Our country is made up of land of various qualities, and the valuations are not even relatively equal at the present time. Sometimes our better class lands are valued at less than their real value. The appointment of a Valuer General is of first importance. The Premier led us to believe that some official in the service would, in addition to his present duties, be appointed as Valuer General. There is no officer in the State to-day as

busily employed as will be the Valuer General. Of course he will not be very busy if he attends to a small area only, and leaves the rest of the State to be dealt with, as it is now, by the Taxation Department. The Premier will agree that valuation should only be made after personal inspection by the district valuer. Valuations will not be accurate in this new country with its constant changes and fluctuations. It will not be possible for the Premier to have an absolutely accurate valuation. Of course all object to taxation; there is no reason at all why people should not object to taxation which they believe to be unnecessary. But if a tax has to be imposed, all should be taxed alike. The sting is certainly taken out of the business if the valuations are fairly equal, and injustice will be done if some are a little high or a little low. They should certainly be all made on the same basis. The Premier will agree that his valuers should not act against the land owner. It is not a question of extracting the last penny from the taxpayer. We want equality of taxation, and that is provided for. The Premier now asks for uniformity of valuation, and I think this should be insisted upon. Valuations in some cases now are far too high. Under a proper system of valuation these valuations would be lowered. The Premier should agree to a more suitable court of review. I will commend to his consideration the court of review as provided for in the New Zealand Act. The Premier cannot get away from the fact that there is the question of resumption, and that the owner has a right to expect that the most careful valuation shall be made and that he shall be given the fullest right of appeal at a cheap cost. I would like to know why any owner should be compelled to sell his land at the price which he would not take from a private person. This is likely to happen under the Premier's Bill. Improvements on the land may return to an owner something far in excess of anything he could get from the investment of a similar amount of money, which the Premier proposes to pay him. When a man clears land, or plants an

orchard, or erects a shop or warehouse, he often gets a very much higher rate of interest than he could get if he were called upon to reinvest the money in something else. Surely the Premier would wish the income from land to be taken into consideration when a resumption is made. An injustice could be done under the Bill just as it is being done now under the Public Works Act.

The Premier: An injustice to the general taxpayer.

Hon. J. MITCHELL: I doubt it.

The Premier: I am sure of it.

Hon. J. MITCHELL: At all events, I am not by any means sure of it. I believe the people are paying their taxes honestly, and I doubt if the Premier will get much more when he values the whole of the State. However, I was dealing with resumption. Surely the Premier does not wish to take a man's land and disturb his income without giving him the fullest opportunity of getting value. Why should such a man not have the right of appeal to the Supreme Court to fix a value?

Mr. Heitmann: What does the Supreme Court know about it?

Hon. J. MITCHELL: The land, of course, is taxed usually upon its unimproved value. But there is a provision in the Bill for taxing on the annual value. I believe there should be no limitation set up in the Bill. The Premier says the annual value shall not be less than four per cent. of the improved value of the land. If a man does not collect four per cent. by way of rent why should he be compelled to pay on four per cent.? One can understand the case of unimproved land, where it is necessary to make some provision whereby the annual value shall be calculated at five per cent., as provided here, on the unimproved value of the land. I believe the Premier has altogether forgotten the cost of this scheme. There are 22 million acres either alienated or in process of alienation.

The Premier: Does that include the million acres you always have up your sleeve?

Mr. George: What has that to do with the Bill?

The Premier: You go on reading my speech and you will be able to make one yourself.

Hon. J. MITCHELL: It will be necessary to value all lands. The Lands Department when they have a valuation made, if there are improvements at all, have to pay something like 30s. per 1,000 acres to the surveyor for sending in a classification and valuation. Can the Premier expect that these valuations will cost less than £2 per thousand acres? I believe that by the time we value all these millions of acres of land which we have sold and are selling, the Premier will find that the cost will represent the present land tax of £46,000 per annum; that it will cost him a year's land taxation to value the agricultural lands alone. In addition to that, he will have to value the town blocks and every single improvement upon each of them from one end of the State to the other. Can we hope to do this for less than an additional £20,000? Has the Premier considered this, and does he believe that he can find this amount with which to make this valuation?

Mr. Heitmann: Even £60,000 is not much; you paid that for Avondale.

Hon. J. MITCHELL: Will the Premier tell the House that he will get anything to compensate him for this expenditure within the next 20 years? I know the Premier will tell us that he is not going to value the whole of the State right away. If the valuation is to be made under the Bill it must be the whole of the State. We cannot value a district to-day and in five years time value the adjoining district. There is nothing fair about that. If the Bill means anything to the Taxation Department it means uniformity of valuation, and that uniformity of valuation can only be got when the valuation of the whole State is faced.

Mr. Heitmann: One can spend money well without having an immediate return.

Hon. J. MITCHELL: There is one other matter to be considered by the Premier while he is putting up this valuation. He must remember that the valuation which he sets up in his register will be the maximum valuation that can be accepted by any bank, or private or pub-

lic financial institution, making advances, lending money on mortgage. Whatever the valuation appearing in the register may be it will be the maximum valuation for these people. Does the Premier think that in the present state of the finances it is wise to interfere with our securities? People have already sufficient trouble to finance their operations, and already securities have been interfered with by various actions of the Government. Are they to be further interfered with by this Land Valuation Bill? This is a very important consideration in connection with the suggested legislation. I believe that the Premier will see that it will be necessary for him to alter the Bill to bring it into line with the New Zealand Act. If he does that, of course the objection I am now raising will disappear; but unless he does I hope the Bill will be rejected. Employment is not too plentiful now, and to a large extent employment must come from the use of borrowed money. We want that money to be borrowed at the cheapest possible rate. This will set up another difficulty, another bar to the obtaining of cheap money. I have nothing more to say in connection with the measure. I believe it is legislation which is not actually required. Whilst I am perfectly willing that there should be uniformity of valuation, and that some definite basis of valuation should be determined upon, I am not prepared to saddle the country with the Bill and the enormous cost of valuation which the Bill will entail. For years past the Taxation Department have had all valuations made and these valuations are sufficient for their purposes, I presume.

The Premier: For their purposes, but what about all the other valuations?

Hon. J. MITCHELL: It is from them that the Premier gets his revenue. It is from a tax upon the land that the Premier will collect the amount necessary to pay for this proposed valuation. Does he think it right to call upon the land owners of this country to provide an additional £60,000 in order that he may make extra valuations? They have already borne the cost of the valuations made by the Taxation Commissioner,

which is sufficient for his purpose. Does the Premier suggest that we can stand any further impost to provide the salaries and the expenses necessary for this valuation, an expense that will not be reproductive in any way and will not do a tap of good outside the mere fact of finding fairly comfortable billets for a certain number of officers?

Mr. Heitmann : You do not mean to say that this Bill will not do good.

Hon. J. MITCHELL : It is for the hon. member and the Premier to show that the Bill will do good. He has not done that, and it is my duty to point out to the public what the Bill means and what the cost will be. I point out to the people who own land in this country that the cost of this valuation will be charged against them. The Premier thinks it is a small matter to saddle the land owner with every disadvantage, but I should like to appeal to him to give the landholder a little more consideration, particularly the man struggling in the farming districts.

The Premier : What does he want?

Hon. J. MITCHELL : He is perfectly willing to bear his fair share of the cost of Government, but he is not willing to be fired at on every possible occasion, as is being done in this Bill. I have no wish to discuss the measure further. I have pointed out to the House what the Premier asks us to agree to, and also what has been done in New Zealand. The New Zealand Act is fair to everyone, but nothing ever suggested to this Parliament will work greater injustice to the land holder than the Bill which is now before us.

Mr. GEORGE moved—

That the debate be adjourned.

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

Ayes	..	..	..	13
Noes	..	..	..	27
				—
Majority against	..			14
				—

Ayes.

Mr. Broun	Mr. A. E. Plesse
Mr. George	Mr. A. N. Plesse
Mr. Harper	Mr. S. Stubbs
Mr. Letroy	Mr. F. Wilson
Mr. Male	Mr. Wisdom
Mr. Mitchell	Mr. Layman
Mr. Monger	(Teller).

Noes.

Mr. Angwin	Mr. McDowall
Mr. Bolton	Mr. Mullany
Mr. Carpenter	Mr. Munsie
Mr. Collier	Mr. O'Loughlen
Mr. Dwyer	Mr. Scaddan
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Green	Mr. Taylor
Mr. Hudson	Mr. Thomas
Mr. Johnson	Mr. Turvey
Mr. Johnston	Mr. Underwood
Mr. Lander	Mr. A. A. Wilson
Mr. Lewis	Mr. Heitmann
Mr. McDonald	(Teller).

Motion thus negatived.

Hon. FRANK WILSON (Sussex) : There seems to be a conspiracy of silence in order to let the Bill go through. I regret that the Government do not see their way clear to give members of the Opposition a little time in which to study this measure..

The Premier : You have had it for a fortnight.

Hon. FRANK WILSON : It is an important measure that is going to affect the future value of property in Western Australia. I confess that with the little time at my disposal, and the quantity of work which one has to put in in order to get through as a member on the Opposition bench, I have not had time to thoroughly study this Bill. Indeed, I will admit that I have not had time to read it through, and therefore, I would have liked to have given it fuller consideration than I have had the opportunity to do in the circumstances. I must, however, bow to the decision of the majority which was so much in evidence when we took a division a few moments ago on the motion to adjourn the debate. Where all the hon. members came from passes my comprehension. There were about seven or eight listening to the very able exposition of the measure given by the member for Northam, but when

the division was called for, that number was swollen to 27. I do not think it is quite the attention which the electors of Western Australia expect.

The Premier: We used to say that very frequently when we were in Opposition.

Hon. FRANK WILSON: I do not think it is quite the right attitude to take up, when it is proposed to so vitally alter the law with regard to land valuation, and more especially with regard to the resumption of property, which up to the present has been done at what might be termed by Government members to be excessive values in some instances, but what at any rate were fair values at the time the property was resumed. I think the Premier has introduced this measure with the main object of getting cheap resumptions for the Government. He has certainly wrapped it up in many clauses which no one can take exception to, clauses which will provide for uniformity in valuations, but the kernel of the Bill is contained in the clause which provides that for purposes of resumption the valuations when fixed shall stand.

The Premier: How do you know; you have not read the Bill.

Hon. FRANK WILSON: I have read sufficient for that.

The Premier: You said you had not read it.

Hon. FRANK WILSON: The Premier need not be so smart. I said I had not read it through. The member for Northam in discussing the measure to-night, simply shattered the castle which the Premier sought to build up around his proposed legislation, and the hon. member showed where the Premier has been lax as the Minister introducing the measure, in not explaining its provisions thoroughly and fully. He has shown that while the Premier led the House to believe that his Bill was fashioned after the New Zealand legislation, it is really nothing of the sort. It contains many vital provisions which the legislation of democratic New Zealand does not contain at all and which the Dominion never dreamt of enacting. We are always led to believe

that in New Zealand is to be found the most advanced legislation of any part of the British Dominions, and we are always having it thrown up at us that this legislation has been so successful in New Zealand that we may safely follow it in Western Australia. Therefore, when Ministers introduce measures and lead us to believe that they are practically founded upon New Zealand legislation, they ought to be careful to explain to the House where the legislation differs from or exceeds that which they say is in existence in New Zealand. That has not been done so far as this Bill is concerned, but we have most important provisions in the measure, which, I agree with the hon. member for Northam, are going to cause a revolution in land valuation, and also in land values in this State. I do not think it desirable in a new country like Western Australia which has all its future before it, but which I admit is being retarded in its development very considerably by the present Government in their unwise efforts to carry out their socialistic ideas and programme, and to saddle the country with legislation like this which is inequitable, and which in itself is going to work hardship and injustice to our State, but notwithstanding that we have these bad records to overcome and live down, notwithstanding that we have to counteract to a certain extent the ill-effects of this unwise legislation and administration, yet undoubtedly Western Australia has a great future before her.

The Premier: When are you going to discuss the Bill, by the way?

Hon. FRANK WILSON: I am on the Bill now. I am sorry the Premier has not the keen perception to realise it.

The Premier: The trouble is that one is not permitted to reply to you when you talk about administration.

Hon. FRANK WILSON: The Premier always replies and more than replies, and kicks over the traces. I am not going to be dictated to by the Premier, especially when he forces me on to my feet and will not give me an opportunity which I always extended to him when he occupied a seat on this side of the House to study measures of this importance. It seems to

me passing strange after all we have heard from the Premier with regard to the New Zealand Land Valuation Act as being the basis upon which this measure has been framed, that the only references in this Bill are in regard to the appointment of a Valuer General and district valuers. Otherwise we are launching out into something quite new; we are adopting new principles, and more especially is this so in the clause which covers the question of fixing these values for land resumptions under principles which can have only one effect, and I say it without hesitation, to depreciate the securities of our country and of course not only bring injury to individual owners of property in Western Australia, but also bring a corresponding depreciation so far as the revenue of the Government based upon these valuations is concerned. The Premier does not seem to care one iota whether he is sailing in troublous waters or not and heavens knows he is in troublous waters, and he ought to avoid anything which will increase the storm in the midst of which he is navigating the ship of State at the present time. I venture to think that no one for a moment wishing to be fair, and deal fairly, not only by the Government of the day, but also to the individual citizens of the State, will support the powers asked for in this Bill to take a man's property from him on a valuation fixed by a Government official perhaps years prior to the time when the property is resumed. The idea that the owner shall not have the right to cause a fresh valuation in the case of resumption is repugnant to a man's sense of fair play, and I think it must appeal to all hon. members in the same way. I can quite understand that those who at the present time have perhaps not the slightest idea that they are likely to be affected by a valuation Bill of this description, who have their money invested in Government debentures or on fixed deposit in the banks, will not take any concern, but large property owners, men who have put their savings into freeholds in Western Australia, and who are endeavouring to advance, not only their own interests, but also to assist the State to pro-

gress as we wish to see it progress, must view with very serious alarm and concern a proposal which may mean that they will lose a very considerable portion of the value of their property, should it be resumed by the Government some years hence, or even in the immediate future. Why should a valuation stand until a fresh valuation has been ordered by the Valuer General when a property is to be resumed. It seems to be absolutely unfair. A valuation might be made in all good faith to-day, and might perhaps hold good for to-day, but we cannot possibly argue that the value could hold good for five years hence, or even for a few years hence.

The Premier: I tell you the owner has a right to object every 12 months.

Hon. FRANK WILSON: No.

The Premier: He has a right to object to the valuation every 12 months.

Hon. FRANK WILSON: The Premier has not given me an opportunity to find that out for myself, but the hon. member for Northam said it is not so.

The Premier: I will give you the clause.

Hon. FRANK WILSON: The hon. member for Murray-Wellington says it does not apply.

The Premier: Then the hon. member does not understand it.

Hon. FRANK WILSON: The Premier should have granted us an adjournment so that we could have studied this clause. We cannot read a Bill like this in five minutes and come to a conclusion as to whether it will have the effect which the Minister presumes it will have.

The Premier: You have had it for three weeks.

Hon. FRANK WILSON: Nothing of the sort.

The Premier: It will be three weeks on Thursday next; you have had it for two weeks at any rate.

Hon. FRANK WILSON: That is getting nearer to it, but we have had something else to do.

The Premier: We have been keeping you busy, I admit.

Hon. FRANK WILSON: We in our turn have to keep the Premier busy, and we will do that to the best of our ability.

We want to know when the Premier will make his Budget speech. Perhaps that depends in some way on this Bill. I was pointing out that it would not be fair, and I do not think any hon. member of this Chamber would say it would be fair, that a valuation made for taxation purposes or made under this Bill for any purpose provided in the measure should hold good for resumption purposes. I do not think that members supporting the Government think in their inmost hearts that it is fair or that they will support it. It stands to reason that if the Government take the property of a citizen for any public purpose whatsoever or resume it under any of the different Acts which give them such powers, for the purposes of resale, we ought to give a fair value at the time the land is resumed and not the value placed upon it for taxation purposes.

Mr. Bolton: How would you arrive at it?

Hon. FRANK WILSON: By valuation at the time of resumption, and not take a fixed value by Government servants to stand good until the property is resumed. That would be confiscation with a vengeance, a term which supporters of the Government do not like to hear used. The hon. member for Northam said that he approved of uniform valuations, and I think every one will agree with him. He pointed out what was absolutely necessary to accompany uniform valuations, that they should be relatively equal, taking the various qualities of land, for instance agricultural areas, into consideration. If we do not get equality, the uniform valuations will not have effect. The Valuer General under the circumstances should be an independent individual and not an official. He should not be a public servant—that is a dead certainty—when the Government will exercise their rights under the clauses to which I have been taking exception to resume property whether the owner wishes it or not, and at the value set down at the last valuation. We should have an impartial Valuer General if this department is to be created, and we ought certainly to

have someone skilled in the knowledge of the country and in the values of property.

Mr. Harper: And in equity.

Hon. FRANK WILSON: Certainly there must be equity and integrity, but he must have knowledge because it is certain that only on personal inspection of the different properties in Western Australia can he hope to get anything like an accurate valuation, a uniform valuation based on the value of the property and the land value. If I were to traverse this Bill from now till early dawn I do not suppose I would get any sympathy from my friends on the Government side.

Mr. Bolton: You have our sympathy.

Hon. FRANK WILSON: I want to drive home this point emphatically that if we are to have this Bill enacted and this department created, when a resumption takes place for Government purposes and a man is forced to part with his property, he must have the right of appeal at the time of resumption. I do not think any fair-minded member of this Chamber will dispute that that would be a fair and equitable provision to insert in the Bill. We are bound to have many variations of values in a new country like ours. We cannot hope that values will have just as steady a rise and fall as they have in the old country, for instance, and have had for years past. In prosperous times there, values go up with the values of commodities; as properties become tenanted, and there is a demand for them so values increase. In slack times the values recede and this goes on as regularly as there are alterations in trade and commerce in the old country. But we cannot have the same steady fluctuations of value in a new country like Australia. In Western Australia we ought to have really few, if any, fluctuations, that is rises and falls: we ought to have a steady progression, a steady increase in other words, in the value of our securities, perhaps not so great in one year as in others, but still it ought always to be a steady progress in the direction of increased values of property and land, and I can only think

that legislation of this description will result in a depreciation of our values, instead of that steady progress which I have indicated. Such a thing is to be deprecated by every citizen, no matter what his political faith may be.

Mr. Harper : For instance, the last two years.

Hon. FRANK WILSON : For the last two years in view of legislation of this description, we have had a very serious shrinkage in the value of securities, owing to unwise legislation foreshadowed, unwise administration, statements made by Ministers of the Crown from time to time—

Mr. George : The Attorney General.

Hon. FRANK WILSON : And uncertainty as to what was going to happen.

Mr. SPEAKER : Order ! The hon. member is not discussing the Bill.

Hon. FRANK WILSON : I was drawing an analogy.

Mr. SPEAKER : Order ! I cannot see the analogy. It is not apparent to me.

Hon. FRANK WILSON : May I explain it to you ?

Mr. SPEAKER : I do not know whether the hon. member can.

Hon. FRANK WILSON : I can, I assure you, Mr. Speaker. I was pointing out how unwise legislation of this description tends to depreciate the values of property and land.

Mr. SPEAKER : I did not call the hon. member to order because of his making that reference, but only when he departed from the Bill and made reference to statements by the Attorney General and other irrelevant matters.

Hon. FRANK WILSON : I never mentioned the Attorney General, it was my friend on the left. I am sorry if I overstepped the mark by referring to previous legislation as tending to affect values. The Premier is responsible for introducing this measure into this House and for having depreciated values of property in Western Australia during the last two years.

The Premier : The greatest depreciation of values was in October 1911.

Hon. FRANK WILSON : Yes, when the hon. member took office. Objectionable features of this Bill are that it does not give the citizen his just due in regard to the property which he may possess; it does not allow proper appeal in a case of land which has been resumed, or property which has been resumed by the Government for public purposes, or for purposes under the several Acts in which they have power to resume land; it does not provide for a re-valuation at any time, as exists in the New Zealand legislation; that it provides for expensive courts of appeal under which the average citizen will be unable take the advantage which should undoubtedly be his, because of the extreme cost with which he will be saddled on taking such action; that it provides for an enormous expenditure of public moneys in the valuation of the whole of the lands and property, both unimproved and improved, in Western Australia; that it is going to create a large expenditure which the Treasurer can ill afford at the present time; worst of all, that it provides for bad administration in respect to the appointment of the Valuer General, whom the Premier has stated will be a public servant. I do not think for one moment that hon. members in this House are going to approve of a measure of this description, which is founded on such an injustice to the individual. Even though we pay perhaps rather more than we might deem just for resumed properties, I say it is better we should do that on occasions, it is better that the individual should gain some advantage when his property is resumed, rather than that he should be deprived of something that he has earned through his thrift, which this measure would make it possible for the Government to deprive him of. Those are my objections to the Bill.

Mr. Heitmann : I am surprised how little you know about the thing.

Hon. FRANK WILSON : The hon. member, of course, is often surprised; he is often surprised at the knowledge evidenced on this side of the House. My surprise is that he does not take better

advantage of the information he gets, and does not see that the public get better treatment under the administration and legislation for which his leaders are responsible. For the reasons that I have stated, I propose to vote against the Bill. I do not think it is a just measure. I hope the members of this Assembly will at any rate not sit silently in their seats and vote in favour of a Bill of this description without giving some reasons to their electors why they do so.

Mr. GEORGE: I move—

That the debate be adjourned.

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

Ayes	12
Noes	27

Majority against ..	15
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AYES.

Mr. Broun	Mr. A. E. Piesse
Mr. George	Mr. S. Stubbs
Mr. Harper	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Mitchell	(Teller).
Mr. Monger	

NOES.

Mr. Angwin	Mr. McDowall
Mr. Bolton	Mr. Mullany
Mr. Carpenter	Mr. Munsie
Mr. Collier	Mr. O'Loughlin
Mr. Dwyer	Mr. Scaddan
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Green	Mr. Taylor
Mr. Hudson	Mr. Thomas
Mr. Johnson	Mr. Turvey
Mr. Johnston	Mr. Underwood
Mr. Lander	Mr. A. A. Wilson
Mr. Lewis	Mr. Heilmann
Mr. McDonald	(Teller).

Motion thus negatived.

Mr. GEORGE (Murray-Wellington): The Premier in introducing this Bill made use of fairly moderate language, and I think all the House and also a good portion of the country will agree that a uniform system of valuation, if it can be justly arrived at, will be of great advantage indeed. On that point, so far as I am concerned, providing the machinery for it is shown to be workable, and not over costly, I should feel in-

clined to give my support to it. During the course of his remarks the Premier spoke of some difficulty in getting satisfactory valuers. I know, and I think the Premier will not question it for a moment, that there has been considerable difficulty in getting them, but the real cause of the trouble in getting valuers has been the means that have been taken by the department to try to get people to tender for making valuations. Take the city of Perth for instance and the suburbs round about. In a confidential letter, or at least what was supposed to be a confidential letter, sent out by the Treasury or the Lands Department—I am not sure which, but it was one of them—various land agents were asked to give a price for carrying out valuations in the district mentioned in the memorandum. It really seems that the department did not have in view the desire to get hold of the most reliable and responsible valuers that could be obtained. Their aim seemed to have been that the lowest amount should be offered, and from those who presented themselves the valuers should be chosen. I do not think that the Premier can expect anything but to meet with difficulties when he attempts to satisfy property owners that the valuers have been appointed upon the best possible basis. I think the House will agree that there could be no more foolish action and no worse economy than to attempt to make such appointments, not so much from the point of view of ability as from the willingness of the valuers to accept a low fee. If the labourer is worthy of his hire, as we have been so often told, we should have for this particular purpose the best available talent that the State can produce, and the question of remuneration should not be dealt with parsimoniously. Provided that the valuers appointed under this Bill, if it ever becomes an Act, are men of known standing, men upon whom the people can place reliance for a fair deal, then I think the uniform system would be, as the Premier stated, very desirable. The leader of the Opposition and the member for Northam have said pretty well

everything that can be said on this Bill, but in connection with resumptions I would like to point out that the Valuer General may make a special valuation. He is not compelled to do so but he may do so if he chooses, and many people, especially small property owners, on receipt of this valuation, may object to it; but dealing with that objection the words of the clause are that the decision of the valuer general shall be final. Of course it says that it can be appealed against, but I take it that most small property owners, recognising that the valuer general has this power, would be too frightened to take the matter further. I think what is required in connection with this particular clause is that the valuer general shall not have the discretionary power of making a fresh valuation, but shall be absolutely compelled to do so as soon as the resumption is decided upon, and if that were done, probably the owners might receive some satisfaction from it. The Premier stated that it would be possible for a land owner to appeal every year. In that respect he is partly but not altogether correct. The valuer general is not compelled to make valuations each year; he makes a valuation at the start and he can revise that when in his opinion the circumstances render it necessary that it should be revised. The land owner, it is true, can appeal at the time the valuation is made, and he can also each year demand to have the circumstances revised, if he thinks in the meantime the value of his property has decreased. That is correct, and I only mention it because from the remarks of the Premier one might gather that the valuer general would have to make a valuation every year.

The Premier: I did not say that. You said that the owner could not object every 12 months. I say he can.

Mr. GEORGE: The owner can object to the valuation; I have already said that.

The Premier: Yes, every 12 months.

Mr. GEORGE: From the Premier's speech I gathered the impression that the valuer general would have to make a valuation each year.

The Premier: No.

Mr. GEORGE: That is not so in the Bill. A land owner, when he receives his valuation, may object, and he may object every 12 months if he considers circumstances have arisen which render a revaluation necessary.

The Premier: Whether or not.

Mr. GEORGE: As the leader of the Opposition stated, so far as the New Zealand Act is concerned, the only similarity in this Bill is in regard to the appointment of valuers. I would like it to be understood that the other parts of the Bill are practically new legislation, so far as Australia is concerned, at any rate new entirely to this State.

The Premier: The provisions are nearly all in existence in this State at the present time.

Mr. GEORGE: I beg to differ from the Premier. Take Clause 28, paragraphs 1 and 2 of which are a complete reversion from the principle which has governed our valuations for municipal purposes in the past. For example, the owner of property has previously had some substantial recognition made of the fact that he has improved his land, and the unimproved land has been charged a higher rate in the valuation.

The Premier: This has nothing to do with the rating.

Mr. GEORGE: The valuation is for the purpose of enabling rating to be done. Therefore, there is a connection which cannot be dissolved. The only reason for the valuation is that there may be a uniform basis for all purposes of rating.

Hon. W. C. Angwin (Honorary Minister): The system of rating would come under the local government Act.

The Premier: That does not interfere with the question whether they fix the rate on the improved or unimproved value of the land.

Mr. GEORGE: It does considerably. Take the Municipal Corporations Act, Section 378, paragraph (c) of which states, "The annual value of rateable land which is improved or occupied shall in no case be deemed to be less than £4 per cent. upon the capital value of the land in fee simple." What have we now in Clause 28

of this Bill? "The annual value of land which is improved shall, subject as hereinafter provided, be deemed to be a sum equal to the estimated full fair average amount of rent at which such land may reasonably be expected to let from year to year." and so on. And then it continues, "The annual value of land which is improved shall in no case be deemed to be less than £4 per cent. upon the improved value of the land, or than five per cent upon the unimproved value of the land." That is a difference of one per cent. Previously the difference between the improved and the unimproved value was five per cent.

The Premier: It is a matter of "not less than."

Mr. GEORGE: Most people will agree that if we are to have a minimum like that there should be a maximum, beyond which the matter could not go. It should not be within the power of the valuer general, or the Government, to run riot with valuations in this way.

The Premier: We cannot run riot under this measure.

Mr. GEORGE: The Premier is not only running riot in connection with this Bill but in connection with other matters in the State.

The Premier: It is all your imagination.

Mr. GEORGE: We on this side of the House have to read the political riot Act to keep the Premier in his place.

The Premier: You are a good hand at doing that.

Mr. GEORGE: I think the owners of property, whether small or large, have some right to know the position they are likely to be placed in. The idea of simply passing legislation through the House without considering the claims of those upon whom in this State the burden will press is neither right nor just, nor can it be in any way backed up by any principle of political economy. Again, I find in this Bill that there is a different amount in connection with another section of the State. The clause to which I have referred divides the State into two parts,

one being the coastal and farming portion and the other the goldfields, and we find the distinct principle laid down that while there is a minimum and no maximum fixed as far as the coastal part of the State is concerned, there is an absolutely fixed sum for the goldfields. It seems to me that there is here a principle introduced which will bear reconsideration at the hands of the Government before the Bill passes through Committee. With regard to the appointment of the valuer general, there is a bad principle involved by the fact that the office under this measure may be held in conjunction with an office in the public service. Does the Premier think for one moment that if the Bill becomes law, and he appoints a valuer general, and that officer gets to work with the valuations, that his duties will not occupy the whole of his time and attention, and not only the time and attention of that officer but the other officers associated with him for many years to come. It is not a work which can be done in a week or a month. It is a work which will require the undivided attention of whoever may be at the head of it, and I believe that the clause providing that this may be attached to any other public office or function which an officer may have, will practically handicap the Valuer General, and place a vexatious burden upon him. If, without transgressing the rules of the House, I were permitted to give an instance of that King Charles' head, the State steamship arrangement, we have there an instance of which this State has not yet seen the end. We have there an excellent officer under the control on the one hand of a set of commissioners, and on the other of a Minister of the Crown. We can never hope for the best efficiency under dual control, because the officer so controlled has his efforts spread over too wide a ground, and is himself under the control of two separate authorities. If, too, we are to have in connection with the Bill a Valuer General who may hold another office of State, it will be at the discretion of the Valuer General to determine which of the two he shall regard as his most important work. I hold that, de-

sirable as it is to have proper valuations so that people may know what their burdens are, there should be nothing allowed to act as a brake on the efforts of the man in charge. He should be there with a full appreciation of the importance of the onerous duties which the Bill will throw upon him, and therefore I trust that when in Committee we shall see the clause deleted. Again, in connection with the rules of valuation laid down for the guidance of the Valuer General, it is stated that no regard shall be had to certain things, such as the existence of minerals, metals, gems, and so forth; yet there are other things in connection with land which have just as much right to be disregarded. I refer more particularly to timber. A man has as much right to expect that the timber on his ground shall not be taken into account in regard to the valuation of his land as has any person who may have metals, minerals, or precious stones on his ground. This apparently is an omission, and I think the Premier should give consideration to it. There are other items of a similar nature, to which I shall refer when in Committee. I do not know that I can say much more on the Bill just now. My leader considers the Bill has not been conceived in the best interests of the people of Western Australia, and although there are several points in connection with it which I think are good, and which he also admits to be good, yet taken on the whole, I think the introduction of this principle, taken in connection with things that have occurred during the past few years, is sufficient to place a considerable amount of nervous apprehension in the minds of those who will be affected by the Bill. Therefore I intend to vote against the second reading, but I shall do my best when in Committee to improve the Bill. Of course that is all any of us can do. I regret that the Premier did not give us a chance of adjournment. However, he is the leader of the House, and presumably he knows his own business best.

On motion by Hon. H. B. Lefroy debate adjourned.

House adjourned at 10.20 p.m.

Legislative Council,

Wednesday, 17th September, 1913.

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

PAPERS PRESENTED.

By the Colonial Secretary : Annual reports of the Zoological Gardens and Acclimatisation Committee, Public Service Commissioner, and Commissioner of Taxation.

QUESTION—PROPORTIONAL REPRESENTATION.

Hon. D. G. GAWLER (without notice) asked the Colonial Secretary whether an idea could be given to hon. members when the report of the Chief Electoral Officer on the system of proportional representation would be laid upon the Table of the House.

The COLONIAL SECRETARY replied : I am not in a position to answer the question to-day; I will, however, get the information to-morrow.

QUESTION—ROYAL PREROGATIVE OF MERCY.

Hon. D. G. GAWLER asked the Colonial Secretary : 1. Whether he will lay on the Table of the House a return showing the cases in which the Hon. the Attorney General has advised His Excellency to exercise the royal prerogative of mercy in regard to sentences by judges and magistrates, with particulars showing the names of the prisoners, the offences committed, the sentences awarded, the term actually served and the reasons for the exercise of such prerogative in each case ? 2, Whether