Question put, and a division taken with the following result—

Ayes	10
Noes	11
Majority against ..	1

AYES.

Hon. C. F. Baxter	Hon. C. McKenzie
Hon. H. Carson	Hon. G. W. Miles
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. Ewing	Hon. Sir E. H. Wittenoom
Hon. V. Hamersley	Hon. H. Stewart
	(*Teller.*)

NOES.

Hon. J. F. Allen	Hon. R. J. Lynn
Hon. E. M. Clarke	Hon. J. Nicholson
Hon. J. Cunningham	Hon. A. Sanderson
Hon. J. Duffell	Hon. H. J. Saunders
Hon. J. J. Holmes	Hon. H. Millington
Hon. J. W. Kirwan	(*Teller.*)

Question thus negatived; Bill defeated.

House adjourned at 10.47 p.m.

Legislative Assembly,

Wednesday, 22nd May, 1918.

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

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

RETURN—INDUSTRIES ASSISTANCE BOARD PAYMENTS.

Mr. JOHNSTON (Williams-Narrogin) [3·0]: I move—

"That a return be laid on the Table of the House showing the total amount paid by the Industries Assistance Board for each year since its inception for—(a) land rents; (b) Agricultural Bank interest and instalments; (c) water rates and charges; (d) payments to State Implement Works; (e) other Government Departments, and (f) Road Boards rates."

The work of the Industries Assistance Board has resulted in very large sums of money being transferred to revenue. Almost at the inception of the board, instructions were given that where a selector was assisted one of the first things to do should be to pay arrears owing to the Government Departments, and in many instances these arrears amounted to very large sums. Individual settlers owed more than £100 each for land rents, and in some cases those amounts were paid by the Government although no other assistance beyond the paying of the overdue land rents and Agricultural Bank interest was sought by the settler. I would like to say also that before the Industries Assistance Board was formed, when from the time we had a bad year, or when any particular settler suffered from adverse climatic conditions, it was always the policy of the Lands Department, on application, to hold over the settlers' rents. One effect that the establishment of the Industries Assistance Board had was that settlers no longer were permitted to obtain temporary exemption from the payment of their rents. The settlers were sent to the Industries Assistance Board to get them paid, and I am sure hon. members will see that if this board had not been in existence, a great deal of this money would not have been paid, but would have been held over by the Lands Department. It is to the credit of the successive gentlemen who have occupied positions of control in the Lands Department of this State, that ever since our land settlement policy began in real earnest on the establishment of responsible Government in this State in 1890, from that time to the present I believe there is not an instance of any settler having been put off his land when that settler was anxious to remain on it and improve it, merely because his rents were in arrears. There is a feeling in the country districts that the Industries Assistance Board, while it has assisted many settlers, has also assisted the revenue of this State to a considerable extent, because as I said before, if that board had not been established, great aggregate sums of land rents could not have been paid.

Mr. O'Loghlen: The money went out of one pocket and was put into another.

Mr. JOHNSTON: The money came out of loan and it went into revenue, and the settler was charged six per cent. Now the interest is seven per cent. In the old days the Minister for Lands always had power to waive interest or fines in cases of hardship, so that at the present time the settlers pay six or seven per cent. for temporary accommodation, whereas in the old days they had the prospect of getting off by merely paying the principle when they could do so. It is to the credit of Mr. Bath when he was Minister for Lands that he said that those settlers who suffered from drought and subsequently paid their rents should not have fines inflicted as well. I am not bringing forward this motion in any captious spirit, particularly as I believe it is acceptable to the Minister for Industries, but I think is is fair that the people of the country should have an opportunity of knowing what proportion of the total amount advanced to the Industires Assistance Board has been utilised by that board in paying off indebtedness to the several Government departments. When these figures are laid on the Table we will have one more proof that the farmers of the community are not spoonfed as has been stated from time to time, but on the contrary will prove that they through the assistance board are meeting heavy obligations by paying the debts which have accrued over a series of bad seasons. Whilst the farmers have been given valuable and highly appreciated assistance by the Government through the operation of the board, at the same time those farmers are doing a fair thing in repaying their indebtedness, and in paying interest at the rate of seven per cent. per annum, until they are able to meet their obligations to the Government in full.

The ATTORNEY GENERAL (Hon. R. T. Robinson—Canning) [3·15]: The return asked for by the member for Williams-Narrogin (Mr. Johnston) will entail a good deal of work, but I

admit that it will contain a lot of useful information for which hon. members might be the better, as well as the public. I presume he wants a return for each year since the board has been in existence and not the payments made under these headings in each year.

Mr. Johnston: That is so.

The ATTORNEY GENERAL: Take paragraph (b) of the motion, and we find that the hon. member asks for the Agricultural Bank interest and instalments. Does that mean that which is paid by the settler during each year of the existence of the Industries Assistance Board?

Mr. Johnston: Yes, by the board on account of the settler.

The ATTORNEY GENERAL: Then the hon. member does not want payments made by the settlers in the ordinary way to the Agricultural Bank in interest and instalments, because it seems to me that would give more trouble to compile than all the rest of the return. Does the hon. member mean that he wants a return made up since the inception of the board of any payments which have been made out of the settlers' funds, which were in the hands of the board, to the Agricultural Bank, for interest or instalments, and wants them duplicated over the period? Would the hon. member say what he means by "other Government departments?"

Mr. Johnston: If going through the settlers' accounts showed the payment so some public department it would go into the funds.

The ATTORNEY GENERAL: I should like the hon. member to alter a word or two in paragraphs (b) and (c), because I do not think that at this time any member of the House wants an exhaustive return prepared if it is going to cost a lot of money. If I can supply the information required I shall be only too glad to do so. If the hon. member will make the Agricultural Bank interest and instalments, that which is paid out of the settlers' money and goes through the hands of the Industries Assistance Board.——

Mr. Johnston: Paid by the board out of the settlers' money, or their own funds.

The ATTORNEY GENERAL: The words "other Government departments" are still a little vague to me. There will be thousands of entries in a man's account since the inception of the Industries Assistance Board. There are on the board at present some 2,300 settlers, and there have been on the board between 3,000 and 4,000 settlers. There are on the Agricultural Bank's books some 9,000 settlers. I should think there are ledger accounts showing the gross payments made for water rates and charges, because one cheque would have gone to the Water Supply Department, and that would be easily obtained. The same thing may apply to State implements being made by one transfer, the transfer of a lump sum of say £45,000. Similarly, one cheque may have been given as a transfer entry to the Lands Department. If we had to wade through the last four years in order to obtain the information required, I am afraid I could not give the return.

Mr. Johnston: That is not desired.

The ATTORNEY GENERAL: If the hon. member will be satisfied with the land rents—I think that is done with one cross entry and that the Agricultural Bank instalments are also made up in one cross entry, especially since the two departments have been amalgamated this would not be difficult to obtain. With regard to water rates and charges, I think that is a matter of one cheque or payment per annum. There may be some odds and ends of accounts which it would be impossible to obtain.

Mr. Johnston: That does not matter.

The ATTORNEY GENERAL: Then, as the Honorary Minister (Hon. R. H. Underwood) points out, there are the payments to the State Implement Works. Whilst that has been done on one or two occasions by cheque for a large amount, almost every day there are payments made on account of an individual settler to the State Implement Works for a plough, harrows, or some particular class of machinery. I do not know how I am to get that without a great deal of investigation. The same remark applies to other Government departments. Payments may be made to the Treasury, or payment for stamps to the Treasury.

Mr. Johnston: That would be struck out.

The ATTORNEY GENERAL: There may be other small items of that nature. If the hon. member will be satisfied by my endeavour to give, without extraordinary trouble in investigating settlers' accounts, a return that can be prepared in a few days, I have no objection to the motion. If I am expected to give such a return that hon. members will criticise it afterwards, I shall be in a difficult position.

Mr. SPEAKER: It would prevent confusion if someone struck out the words after "Works" in the second last line of the motion.

The ATTORNEY GENERAL: I am not so sure about roads board rates. There are 300 local authorities in the State where payments have been made. They may be made en bloc. I am inclined to think that lately individual settlers' accounts have been paid in many instances separately. Again and again things happen in this way: suppose the Avon Roads Board has in its district 50 of our settlers, and of these 50 men's accounts none were paid until they had been checked. Twenty-five of these settlers may say to us, "These accounts are correct," or "The inspector has certified to the accounts being correct," and the Avon Roads Board would give a cheque for the 25 accounts. With regard to the Industries Assistance Board, the remaining 25 settlers might say that they are too highly rated or that a mistake has been made in the accounts. I know that a number of these things is going on. If I am to exhaust that to the bitter end it would mean an immense return. If the hon. member will be satisfied by my giving a return from figures which come to my hand readily—

Mr. Johnston: That would be quite satisfactory

The ATTORNEY GENERAL: I will agree to the motion.

Mr. TEESDALE (Roebourne) [3·22]: I should like the Minister to give us an idea as to what this return will cost. It seems to me that many of these exhaustive returns are made at tremendous cost and take up a lot of the time of the House. I do think we have something more important to do at present. If this return is going to keep half-a-dozen departments going for two or three days in order to obtain the information required for it to be laid on the Table, I contend that it would be of very little value to us, and intend to oppose the motion.

Mr. JOHNSTON (Williams-Narrogin—in reply) [3·23]: I did not want any huge expenditure, such as is suggested by the member for Roebourne (Mr. Teesdale) when I moved this motion. The Minister has been good enough to tell us that a good deal of the information is available. I

understood that was the case before tabling the motion, and so far as I am concerned, I shall be pleased if the House will accept it on the conditions laid down by the Minister, that that portion of the information which is readily available and can easily be prepared will be supplied.

Question put and passed.

MOTION—GOSNELLS ESTATE, TO INQUIRE BY ROYAL COMMISSION.

Mr. NAIRN (Swan) [3·25]: I move—

"That in the opinion of this House it is desirable that a Royal Commission be appointed to investigate the affairs of the Gosnell's Estate, and to inquire into the reasons why purchasers are unable to obtain their titles."

I intend to be brief on this matter, as it is one with which most hon. members are already acquainted. It has been before the public, unfortunately, for a considerable time, and it is a matter in which those interested have had the assistance of the Government, insofar as it was in the power of the Government to render any assistance. They have now arrived at a stage when, so far as any further investigation is concerned, obstacles have been placed in the way of that research being given, and the only way, consequently, is to endeavour to give such power to an individual or individuals—personally I prefer an individual—to insist on carrying on that investigation to a point at which it will become of some use. It may not be out of place to briefly mention a little of the history of this estate. It is not a small matter at all. The value of the estate originally was something like £52,000, and, although I would not contend at present that that figure would cover the amount in dispute, it is a very considerable sum indeed. I should say it would be in the nature of £20,000 or £30,000. This estate is known as the Gosnells Estate, and was owned by a man named Gosnells of London in 1904. A syndicate was formed to dispose of this land in small homestead and residential blocks. It went through various changes of ownership until eventually it was owned by a man named Andrews. Mr. Andrews bought out in 1911 the last remaining partner, Mr. Higgs. At that time he approached the Court, and by an order of the court was appointed trustee to control the affairs of the estate. He was given power to sell and mortgage, and was appointed at a fair remuneration, considering the nature of his duties. I think the remuneration was £5 a week with a commission of 7½ per cent. on sales and 2½ per cent. on collections. It was a handsome return for his work.

The Attorney General: The 7½ per cent. including the 2½ per cent.

Mr. NAIRN: It was a handsome sum but that has not much bearing on the question. I mention this to show how Mr. Andrews comes into the matter. Under the powers conferred upon him by the appointment he entered into arrangements with the bank, and a mortgage was agreed upon, the bank advancing the money required. But I do say, with all due respect to whoever may have drawn up the appointment, that it is a most loosely drawn and unbusinesslike document. For instance, Andrews was given an absolutely free hand, so far as one can see, to deal with the moneys just as he liked. Beyond having to make a report to the court, the ordinary business procedure of protecting the moneys collected appears not to have been considered at all when the appointment was made; and that, so far as I can see, is largely the cause of the trouble. The appointment was made by the court, being signed by one of the judges. It made no provision for the careful watching of the moneys collected. In saying that, I am not imputing dishonesty to any man. A man can be utterly unbusinesslike without being dishonest. However, the methods adopted and permitted were entirely unbusinesslike, and the appointment by the court, which the purchasers thought gave them that protection to which they were entitled, did not in fact give them any protection whatever.

Mr. Pilkington: Was Mr. Andrews appointed as a receiver?

Mr. NAIRN: Yes.

Mr. Pilkington: Did not he have to give any security?

Mr. NAIRN: None, except as a partner in the estate.

Mr. Pilkington: Did not he give security?

Mr. NAIRN: He may have given it in kind, but not in cash. For example, he was permitted to expend such moneys as were necessary for the carrying out of the sales, in advertising and surveying, and all the usual and necessary proceedings in disposing of land. I will show the result of the lack of supervision and of the lack of business method in drawing up the agreement. The man approached the bank and received an advance by way of mortgage. Thereupon he immediately set to work to continue the sale of the blocks, entering into contracts with various people. I have here a list of those contracts, running into some hundreds. They were made on the time-payment system, with extended terms. It is a remarkable thing how faithfully and regularly the payments under those contracts have been made by the purchasers, but when the people had made their payments they were unable to obtain their titles. The payments being made, credits had to be passed to the bank, because the bank, naturally, were looking after their security as well as they could. Some of the moneys paid by the purchasers were paid into the bank by Andrews, excepting of course those moneys which had been used by him for carrying on the undertaking as trustee of the estate. But what happened in reality was this. I have an instance where a man paid £56, practically the whole of his contract price, and after having fulfilled the obligations into which he had entered he was told, on approaching the bank, who were the only people that could give the title, Andrews having no power to do so, that the institution refused to give him the title because nothing had been paid in credit of his account.

Mr. O'Loghlen: There is only one inference from that.

Mr. NAIRN: I want to find out what construction we can put on it. I also want to find out where the money has really gone. There are many such cases as that which I have quoted. In one case there was only an amount of £1 9s. standing to the credit of the account. In other words, the purchaser was called on by the bank to pay all over again, practically to repeat the whole of his payments, before he could get his title. That is an extraordinary condition of things, and it has reached the point of an absolute scandal. The purchasers are baulked in, every direction. The Government were good enough to lend all the assistance they could

giving the services of one of their auditors, who set out to investigate the matter. But when he began to probe a little too deeply, he was told that he could not go any further.

Hon. T. Walker: Who told him that?

Mr. NAIRN: The bank did not in any way restrict the auditor's investigations. They were perfectly open and fair. But in other channels, and very important ones indeed, the auditor was checked from making these investigations which alone could show the true position of things.

Hon. T. Walker: Can you tell us who were the people that stopped him, or what powers stopped him?

Mr. NAIRN: The powers that stopped him were the trustee and those controlling the trustee's affairs.

Hon. T. Walker: That is to say, the receiver.

Mr. NAIRN: Yes. I have been using the wrong word. The receiver refused to allow a thorough investigation of the books; and there was no power, so far as I know, to obtain that by any other process than litigation, or else investigation by a competent officer appointed by the Government in terms of a Royal Commission. It may be suggested that this is largely a private matter. It is a private matter in the same way as all questions affecting private individuals may be considered private matters. But there is this point, which I wish to emphasise, and which represents my chief reason for appealing to the House to affirm the necessity for the appointment of a Royal Commission: the purchasers felt that they were secured by the order of the court, and with that feeling of security they went along year after year making payments under their contracts.

Mr. Pilkington: Have you got the order of the court?

Mr. NAIRN: No. The order is in the Supreme Court, and I have not a copy here.

Mr. O'Loghlen: Has any purchaser brought a test case?

Mr. NAIRN: No. A good deal of mystery requires to be cleared away before these people can know exactly where they are. I am told that five solicitors of this city have been approached and asked to deal with the matter, in order to clear it up, but that none of them has been able to render any assistance whatever. That goes to prove how complicated the issue really is. Severe hardships are involved. Some at least of the purchasers are men who have come from Canada, who have sold up holdings in Canada and come to Gosnells to buy in. Certain of the blocks carry improvements of a value of £500 or £600. Again, most of the blocks are owned by workers, small holders, men struggling by their savings of a few shillings per week to purchase blocks of land and eventually obtain homes for themselves. With the feeling of security inspired in them by the order of the court, they continued their payments up to the point where their contracts were completed; and now they find themselves held up and unable to obtain titles. I do not know that there is much more to say. There is a great deal more that might be said, but my endeavour is merely to give an outline of the matter in as truthful a manner as possible. The matter should be investigated, if for no other reason, in order that legislation may be introduced which will protect the public against dealings of this kind in future. A further reason is that we may insure that when the court issues such an order as was issued in this instance, it shall be made not only from a legal point of view, but also from a business point of view, so as to afford to the people that protection to which they are entitled. I consider it a very serious reflection on the court that its order should be so loosely drawn, and should show so little regard for the interest of people puting in their savings to the extent of scores of thousands of pounds.

Mr. Pilkington: How could the order of the court protect these people? They must protect themselves.

Mr. NAIRN: I do not know who is the individual that drew up the order; but I do know that had he been dealing with his own private affairs he would not have given over to any man the absolute control of the estate, without some sort of protection and some sort of provision for proper reports and accounts. In such circumstances, I venture to say, the man who drew up this order would have shown a sense of responsibility.

Mr. Pilkington: That would have been protection of the estate, and not protection of the purchasers.

Mr. NAIRN: Both the estate and the purchasers ought to be protected. As a matter of fact, however, the estate was in a good position to secure protection, because it had the bank behind it. But the interests of the people paying in their small contributions were not in any way protected by the order of the court, so far as I can gather.

Mr. Pilkington: The usual protection is security.

Mr. NAIRN: True, that is one protection; but if I were setting up a man as trustee of an estate I should insist upon provision being made for moneys collected to be paid into a certain fund and not withdrawn from that fund except on some competent authority certifying that they were being used properly. What has happened in this case is that the moneys required for the carrying on of the undertaking have been taken almost entirely from one set of contributors. In some cases the whole of the payments were lodged in the bank, and in other cases none of the payments was so lodged. That is, to say the least of it, utterly unbusinesslike. So far as I can gather, those who pressed hardest and made most noise got their titles in the early stages of the business; but a time was sure to arrive when later purchasers would not be able to obtain their titles.

Hon. T. Walker: Were there no sureties, no bondsmen?

Mr. NAIRN: So far as I can gather, none.

Hon. P. Collier: Is this man Andrews not an officer of the Western Australian Bank?

Mr. NAIRN: No. He is at present employed in one of the Commonwealth departments.

Hon. P. Collier: What was he, a business man?

Mr. NAIRN: He was reputed to be an accountant, with a very long string of letters after his name. Anyhow, as far as this business is concerned, he proved an absolute failure. In my opinion, that failure was brought about by the lack of proper protection in that appointment of his by the court. Originally he was a partner in the estate; but when this stage was reached, in 1911, he bought out the then remaining partner, Mr. Hicks, and under an order of the court took over the entire management of the property.

Mr. Pilkington: If he owned the whole estate what was the order of the court for? To enable him to deal with his own property?

Mr. NAIRN: That is the point I fail to understand. I merely know that an order of the court

did issue and that this man was the sole remaining partner. What the court had in mind when appointing him, I do not know. He was appointed by the court, and appointed in such a way that the interests of the bank were thoroughly protected, while people not in a position to protect themselves were left out in the cold.

Mr. O'Loghlen: What steps did the bank, on being notified by a purchaser that the final payment had been made, take to recover from Mr. Andrews?

Mr. NAIRN: So far as I can see they have made no attempt. The bank says "This is not our business." There was a moral obligation on the bank, but what legal obligation there might have been I do not know, nor can anyone else know until a thorough investigation of the case shall have been made, and this can only be made by an auditor or some person whose business training will assist him in the task. I ask the House to render assistance to those people to find out where they are.

Hon. T. Walker: Was not there an application to the court for his appointment?

Mr. NAIRN: Yes, everything was in order up to that point. The documents are still in the possession of the Supreme Court. Mr. Moseley has them at present. I have seen them. There is no protection that I can see to the purchaser, and I ask the House to agree to the motion.

The ATTORNEY GENERAL (Hon. R. T. Robinson—Canning) [3·47]: On the facts submitted by the hon. member I think the House would be adopting a very dangerous precedent if it agreed to grant the Royal Commission asked for. We must bear in mind what the facts are. There were three partners. One, it appears, became insolvent. It was difficult to carry on the partnership. There was friction between the partners. An action was brought in the Supreme Court between the partners. The result of that action was the order made by the Judge, that one of the partners, Andrews, be appointed a receiver. At that time there were no sales in dispute. The estate has been going on for many years, perhaps 20 years.

Hon. T. Walker: Not quite 20.

The ATTORNEY GENERAL: We all know the estate, just this side of Armadale. To go back a little bit; I believe a certain number of gentlemen purchased the estate and went on selling and selling and selling, on terms. Then, between themselves they changed interests; that is to say, one man sold out a bit to another, and that one to a third. I believe one partner died, and finally the affairs of another became involved. They had sold thousands of pounds worth of the land, always giving titles to the purchasers. At this stage the partners were in disagreement, and it was decided to apply to the court, and the court appointed one of them, Andrews, as receiver. He was given a certain amount per week for managing the estate and also a certain sum on every block he sold, both of which were apparently quite usual conditions. At that stage the estate was indebted to the West Australian Bank in some thousands of pounds. From the "West Australian" I quote part of the order of the court as follows:—

> The order empowered Andrews to mortgage and give such other securities as may be required over any portions of Canning Location 16 so held by him to the Western Australian Bank for the purpose of further securing to the said bank the amount then owing to the said bank and further moneys that the plaintiff (Andrews) may require. And to raise such other moneys as may be necessary to pay the debts of the Gosnells Estate, Limited, and also any money that may be required for the purpose of carrying on the business of the said company, and for all or any such purposes to give and enter into such mortgages, over any portion of the said Canning Location 16 or otherwise, as may be required. And also that the plaintiff be empowered to enter into contracts of sale of the said partnership property or any part or parts thereof and to sell, lease, and otherwise dispose of the whole of the partnership property, assets, goodwill, and effects or any part or parts thereof.

That clearly shows there was a partnership, a debt to the Western Australian Bank, assets in the shape of blocks of land. And the court said to Andrews, "Go ahead, wind up your partnership and sell your blocks." There is one point of very great moment which does not concern the House. It is this: Whether the Western Australian Bank was a party or privy to that order, or is bound by that order. As a matter of fact the bank took fresh security under the terms of that order from this man as receiver, and received from him from time to time lists of the blocks with the prices he proposed to sell at. They could have said to him, "£35 for that block is too low, you must ask £40." But the Western Australian Bank calmly stood by and he made the sales, and it is a question for the court, not for this House, to decide whether the Western Australian Bank is privy to that order and thereby acquiesced in it and so must give the titles, or whether the Western Australian Bank should receive the full amount of its mortgage before it parts with any of its security at all. That is the position. It is a very knotty legal point, one which no Royal Commission we could appoint could fathom. It is the key to the question the hon. member asks.

Hon. T. Walker: Are there no other ramifications?

The ATTORNEY GENERAL: I think not. Although the receiver refused to give those accounts to the Auditor General or his representative, he did give them to the court.

Mr. Nairn: That was a long time ago.

The ATTORNEY GENERAL: May be, but he did say, "The reason why I will not give them to you is that I am willing to give them to those I recognise as being over me in authority." And he has passed his accounts before the master of the court and the latter has investigated the whole thing and has given Andrews a certificate that there is owing to him in respect of passing those accounts a certain sum. In order to help to investigate the matter as it became one of public interest, I did what I could. The Solicitor General himself investigated it, and I see in the Press that he is credited with having made this statement—

> The purchasers might combine to bring a test action to ascertain whether the bank is not under an obligation to discharge from its security such lots as have been sold and paid for. If, as it appears, sales were effected by Andrews with the knowledge and approval of the bank at reserved prices fixed by the bank, and instalments of purchase money were received by him, also with the knowledge and acquiescence of the bank, as evidenced by the fact that some of these moneys so received were from time to time paid by him to and accepted by the bank as instalments of purchase

money paid by individual purchasers, it would seem to be a difficult matter for the bank to deny the authority of Andrews not only to sell the lots but to receive the instalments of purchase money.

Hon. members can therefore see that it is purely a question of law. Is the bank liable to hand over the title deeds of those sales since effected under the order, or is it entitled to say, "We will not part with any of those lands until we receive the full amount of the purchase money"? Can this House investigate that? If the House is willing to investigate that, I can promise it plenty more litigation. There is not a law office, not a merchant in Perth scarcely that has not many troubles of a kindred nature, and this would be a cheap method of litigation. Ordinary persons have to go to expensive individuals called lawyers to bring an action in court. If the House is to be turned into a consulting firm of lawyers, I think we shall enjoy ourselves quite well investigating the affairs of the community.

Hon. P. Collier: To have a decision on legal matters from a body of laymen would be good for a change.

The ATTORNEY GENERAL: Perhaps so. The only difficulty is that the electors who send us here might object to our taking to ourselves new functions. I suggest to the member for Swan, whether he is not sufficiently satisfied by having ventilated this subject and had it publicly discussed in the House, and whether he might not leave it to those purchasers to bring an action against the bank as a test action or bring an action against Andrews to complete the titles. Any one of those purchasers could do that or the whole lot of them might join in one action or, as is quite allowable, they might all subscribe the cost of an action by one of them.

Hon. W. C. Angwin: I suppose the whole of the land would go then.

The ATTORNEY GENERAL: I do not think so. They might all subscribe and one of them bring an action before the court. Before it came to this stage, the member for Swan and the chairman of the roads board concerned waited on the Crown Law Department, asking if the Government would not take up this case. I really could not see my way to do it. I gave them all the help I could. I allowed the Solicitor General to go and investigate the matter at the bank. In this respect the bank was exceedingly courteous. Mr. Holmes might have told us to mind our own business, but instead he said, "You may see everything and know everything. It is purely a law point." Then too as far as the accounts are concerned, the lists are available and he has been given an inspection of all the documents there. I submit we as a House cannot take on ourselves either the functions of the court neither can we take on ourselves the functions of the Royal Commissioner. Suppose we did start away without further ado and say, "You can have your commission and we appoint so and so." What can that man do? He can only investigate; he cannot compel the bank to give a title. That could only be done by a court of law after investigation and seeing that we have given the services of the Crown Solicitor up to date with the intention of getting at the bottom of the matter, I do not think the House can do much more. Probably the ventilation on the floor of the House may bring these people to a sense of responsibility and may lead them to come to some settlement or arrangement. On the one side these men paid their money partly to Andrews and partly to the bank and cannot get their title. That is a state of affairs that should not be. The ordinary remedy is by action in the courts, and I do not think the House should interfere.

Mr. PILKINGTON (Perth) [4·2]: The appointment of a Royal Commissioner is somewhat a serious matter and sometimes involves expense, and when a commission is appointed there is no known method by which to stop it.

Hon. P. Collier: Only by stopping their supplies.

Mr. PILKINGTON: The point I wish to emphasise is this. The appointment of a royal commission in a case like this is absolutely futile. The complaint is that certain persons cannot get their titles, which apparently they are entitled to, they cannot get their legal rights, and suppose a Commissioner finds that as a fact and says so, and report it, what is the position? No one is any better off and no one can get anything done that had not been done before. The result is, the persons he reports are entitled to get their deeds and titles would have to go to a court of law and obtain their remedy, and the report of the Commissioner is not allowed inside the court and no one will pay attention to it. If people want to get a title the only known method is by going to the court. The member for Swan (Mr. Nairn) commented on the order in appointing a receiver that it gave no protection to the purchasers. Of course not, why should it? The position is this: There was a partnership which owned this land. That partnership under normal circumstances could have sold the land to any person without an order of the court. The receiver was appointed because the partnership was not in working order and the receiver was appointed in order to protect the interests of the partnership. The purchaser is in exactly the same position whether dealing with the person appointed by the court or dealing with a person who is the owner. He has to protect his interests in both cases. It is quite an ordinary thing for a man to purchase a piece of land and find the title is not good. The court would not attempt to protect purchasers in that respect nor do I venture to think would anyone suggest that any legislation can protect purchasers who do not take care to protect themselves. When purchasers act carelessly and sometimes fall in, in cases of this sort, it is hard on them but we cannot protect people like that. We can make it unlawful and punish the guilty party. Assuming the receiver has done anything wrong, he is an officer of the court and can be dealt with by the court, that is punished, but that will not get the people their titles and very possibly these people cannot get their titles. Again, I say assuming that it is possible these people cannot get their titles without paying more than they are bound to pay under the agreement, somebody will have to suffer. Who the persons are depends on the exact legal position. If it is true that the money that has been collected from the purchasers and not paid into the bank is not now available, and if consequently the receiver is not in a position to pay the bank, it may be the people cannot get their titles without paying the bank. Again I point out, the appointment of a royal commission to ascertain the facts will leave us exactly where we are to-day. If the Commissioner were to report that these people had a good claim against somebody and the receiver had done wrong, the matter would have to go to court in order to obtain the remedy. I do not think a royal com-

mission should be appointed without some good reason for it.

Mr. MONEY (Bunbury) [4·7]: Few people seem to thoroughly appreciate the duty of a purchaser when they purchase a block of land. He has the right under the law to make certain how the title is, and if he does not make a search it is his own risk and he must bear the consequences. If he does make the search and finds an encumbrance, there are two courses which he can follow. Either he can require the discharge of the encumbrance or he should obtain the consent of the mortgagee. Even so, and if a purchaser has a contract then to protect himself against other dealings he can and should lodge a caveat, and if he does not adopt the course laid down for him as provided by the Transfer of Land Act, it is entirely a matter for himself and certainly not the duty of the House to investigate matters of this nature. If we are to do so and adopt this as a precedent the rest of our time will be occupied in the investigation of matters of this kind.

Mr. NAIRN (Swan—in reply) [4.9]: I am not satisfied to accept the suggestion of the Attorney General now that the matter has been ventilated to allow it to rest. I say that this commission is not asked to express a judicial opinion or in any way to take upon itself the power and duties of a court. Nothing is further from my mind. I realise fully and appreciate fully what has been said, that there must be a legal matter arising out of this. But I say investigations have been made at the suggestion and with the assistance of the Government and those investigations have been burked because of the limited power of those appointed by the Government to make the investigation, not with any desire or intention to usurp the functions of the court, but to give these people that information that they are rightly entitled to and not to make any order or advise who shall pay or who shall not. I have been told and it has not been denied here, that there is no power but that of a royal commission which will give any person authority to make the investigation necessary. It is all very well to say these persons can do this, can lodge caveats and consult solicitors, but solicitors in this matter have disagreed and have found it impossible to render the assistance that has been asked.

Hon. P. Collier: It is a matter purely for the court, the Solicitor General has made inquiries.

Mr. NAIRN: He did it largely at my request and apparently was desirous of assisting in every way he could.

Hon. T. Walker: You could have a commission appointed to find out why the Solicitor General and the Attorney General took such a course and burked the inquiry.

Mr. NAIRN: I am grateful to the Attorney General for assisting me as far as he can. I do not want to be led into making a charge against the Attorney General if he exceeded his duty. Having gone so far and reached a point at where information cannot be obtained except by one who has the power to demand, I want the inquiry. The auditor was at first welcomed with open arms; but as soon as he got his finger on the spot it was said, "You must go no further, these books are closed." I want power given to some person to investigate and make clear the position that these persons, some of whom have invested their all here are in. I am going to ask for that.

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

Ayes	...	...	...	11
Noes	...	...	...	24
Majority against	...	...	...	13

AYES.

Mr. Angwin	Mr Jones
Mr. Chesson	Mr. Lutey
Mr. Davies	Mr. Munsie
Mr. Green	Mr. Nairn
Mr. Griffiths	Mr. O'Loghlen
Mr. Holman	(*Teller.*)

NOES.

Mr. Angelo	Mr. H. Robinson
Mr. Broun	Mr. R. T. Robinson
Mr. Brown	Mr. Rocke
Mr. Collier	Mr. Stubbs
Mr. Durack	Mr. Teesdale
Mr. George	Mr. Troy
Mr. Harrison	Mr. Underwood
Mr. Hickmott	Mr. Walker
Mr. Maley	Mr. Wilcock
Mr. Mitchell	Mr. Willmott
Mr. Money	Mr. Hardwick
Mr. Pickering	(*Teller.*)
Mr. Pilkington	

Question thus negatived.

[The Deputy Speaker took the Chair.]

MOTION—REPATRIATION OF SOLDIERS AND SAILORS, DIVIDED CONTROL

Mr. PICKERING (Sussex) [4·20]: I move—

> "That in the opinion of this House the system of divided control as it maintains in the matter of repatriation of soldiers and sailors to the land is inimical to the best interests of the men concerned directly and the State indirectly."

I had the honour on a previous occasion of moving a motion in this House to the effect that a select committee be appointed to inquire into the best means of repatriation, but that motion, unfortunately, like many others, got lost during the course of debate, and I am forced now to submit the question to hon. members by means of another motion. If we are to hope for a proper settlement of this particular question, that of placing our returned soldiers and sailors on the land in a satisfactory manner, it is absolutely necessary that the department controlling that work should have it entirely in their own hands. That is not the position to-day, and I have evidence from some of my constituents who are returned soldiers that they have asked for assistance and that they have been unable to obtain it.

Hon. W. C. ANGWIN: I rise to a point of order. This question has already been discussed during the present session of Parliament. Hon. members will notice that No. 5 of the Orders of the Day is a motion in the name of the member for Sussex, which that hon. member moved some time back, to the effect that a select committee be appointed to inquire into a similar question. I contend that the one subject cannot be discussed twice in the same session.

The DEPUTY SPEAKER: The member for Sussex has moved a motion which reads—

> "That in the opinion of this House the system of divided control as it maintains in the matter

of repatriation of soldiers and sailors to the land is inimical to the best interests of the men concerned directly and the State indirectly."

And further down on the Notice Paper appears another motion in the name of the hon. member and which the hon. member moved some time back, which reads—

"That a select committee be appointed to inquire into the question of repatriation of returned sailors and soldiers."

I uphold the contention of the member for North-East Fremantle and must rule the motion moved by the member for Sussex this afternoon out of order.

Dissent from the Deputy Speaker's ruling.

Mr. Pickering: I desire to dissent from your ruling, Mr. Deputy Speaker, and I will submit the motion in writing.

The Deputy Speaker: I have received the following from the member for Sussex:—

"I dissent from Mr. Deputy Speaker's ruling that I am out of order by moving the motion which stands in my name."

The Deputy Speaker: I would like to refer the House to the reason which actuated me in saying that the hon. member was out of order. "May," on page 278, says—

No motion can be brought forward which is the same in substance as a question which during the current session has been decided in the affirmative or negative. A motion must not anticipate a matter already appointed for consideration by the House.

I claim that I am right in the decision which I have given and, being Deputy Speaker for the time being, I rule the hon. member's motion out of order.

Mr. Troy: I respectfully differ from your ruling, Mr. Deputy Speaker. If you will look into that one quotation which you made you will find that you are in error. It states, "No question which is the same in substance and which has been decided in the affirmative or negative may be brought forward."

The Deputy Speaker: Read on.

Mr. Troy: "May" continues—

A matter already appointed for consideration by the House.

The Deputy Speaker: That is the point.

Mr. Troy: You did not quote that point. A motion must not anticipate any question that is already down for consideration by the House. The motion which has now been moved by the member for Sussex does not anticipate the subsequent motion which appears on the Notice Paper.

Hon. W. C. Angwin: He said himself that it did.

Mr. Troy: We are not here to decide upon what the member for Sussex said, but upon what the motion contains. The hon. member's motion now is—

That is the opinion of this House the system of divided control as it maintains in the matter of repatriation of soldiers and sailors to the land is inimical to the best interests of the men concerned directly and the State indirectly.

He is asking for the opinion of this House. But the other motion, which was adjourned on the motion of the Minister for Mines, was that a select committee should be appointed to inquire into the position of the repatriation of returned soldiers and sailors. The one motion asks for an expression of opinion upon a system of divided control as it concerns a matter of repatriation of soldiers and sailors, to the land, and the other asks that a select committee should be appointed. It does not matter if both motions contemplate inquiring into the one principle. The hon. member has two definite purposes in his mind. On no less than four or five occasions, when the member for North-East Fremantle held a seat in the Labour Government, the Government resorted to the same practice in order to secure their ends.

Hon. W. C. Angwin: Give instances. That is only a bald statement.

Mr. Troy: Take the Esperance railway.

Hon. W. C. Angwin: That is a different matter altogether.

Mr. Troy: It is the same principle. The Government brought in a Bill to construct this railway, and that was defeated in another place. They then brought in a Bill for the construction of part of the railway. No one can deny that it was the same question, and that it did not differ in principle. There was also a Land and Income Tax Bill, which was defeated in the Upper House, and returned here, and after a small change accepted and passed by the other House also. I could quote many instances in which the principle has been adopted in the House without evading, or acting contrary to, our Standing Orders.

Hon. W. C. Angwin: Because you did something wrong you want another Speaker to support you.

Mr. Troy: I did not do anything wrong. Without giving myself unnecessary kudos, I will say that no one in the House was ever able to influence my decisions. I gave such decisions as I considered to be correct. I feel that the member for Sussex is justified in moving his motion, and that in moving it he does not anticipate the other motion, because, while this asks for an opinion on a certain aspect of a question the other asks for the appointment of a select committee to inquire into the whole question from every standpoint.

Hon. T. Walker: If these were identical subjects, your ruling, Sir, would be unquestionable. If the motion to-night anticipated the motion, which is on the Notice Paper, in substance it would be out of order. I think the test is this. Could both motions moved by the same person and advocated by the same person and voted upon by the House stand independent of each other? They could. We could have the opinion of this House that a certain method of conducting repatriation is incorrect, and the House might express an opinion upon that, and still there could be a committee appointed to make inquiries regarding repatriation matters. They stand independent of each other, though many arguments and facts might be common to both questions. They could both be carried, and the House would not be guilty of any inconsistency. That being the case, they are not one and the same, but are independent and stand upon their own footing, and not at all necessarily the same in substance. Therefore, I submit the hon. member is in order in moving his motion.

Motion (Dissent from the Deputy Speaker's ruling) put and a division taken with the following result:—

Ayes	...	...	...	12
Noes	...	...	...	23
Majority against			...	11

Ayes.	
Mr. Broun	Mr. Pickering
Mr. Chesson	Mr. Troy
Mr. Harrison	Mr. Walker
Mr. Hickmott	Mr. Willcock
Mr. Holman	Mr. Lutey
Mr Jones	(*Teller.*)
Mr. Mitchell	

Noes.	
Mr. Angelo	Mr. Nairn
Mr. Angwin	Mr. O'Loghlen
Mr. Brown	Mr. Pilkington
Mr. Collier	Mr. H. Robinson
Mr. Davies	Mr. R. T. Robinson
Mr. Draper	Mr. Rocke
Mr. Durack	Mr. Teesdale
Mr. George	Mr. Thomson
Mr. Green	Mr. Underwood
Mr. Maley	Mr. Willmott
Mr. Money	Mr. Hardwick
Mr. Munsie	(*Teller.*)

Motion thus negatived.

MOTION—CASE OF HUGH McLEOD, TO INQUIRE BY ROYAL COMMISSION.

Debate resumed from 13th the February, on motion by the member for Hannans (Mr. Munsie): "That in the opinion of this House, the Government should appoint a Royal Commission to inquire into and report upon the case of Mr. Hugh McLeod, who was dismissed, and subsequently reinstated, from the Railway service. The Commission to have power to make full inquiry into the whole case, and to have power to recommend compensation, or other action they consider advisable in the interests of justice."

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [4·43]: In the absence of the Minister for Railways I will endeavour to deal with the case as put forward by the member for Hannans. This matter has been before the Chamber previously. It has been fully debated from beginning to end, and every effort that could be made to bring forward fresh evidence was made. So far as I can judge by the speech made by the hon member, he has not broken any fresh ground, or advanced any reason why further action should be taken than has already been taken. If a railway servant has a grievance—and many of them have—he has a right to place his case before the appeal court. This appeal court is constituted properly by law, consisting of a magistrate, a member representing the Commissioner and one representing the employees. This court has a right to call for evidence, and it gets all the evidence it possible can and gives its decisions. This having been done most people would think that, unless it could be shown that partiality had been exhibited by the members of the court or that evidence had been suppressed, the matter would rest there. Hon. members will recollect that there are about 7,000 employees in the railway service. Unfortunately many punishments have to be given whether in regard to breaches of the regulations or in regard to discipline. Many of these are trivial matters, and are accepted by the men without further comment.

Mr. Harrison: Did this man commit a breach?

The MINISTER FOR WORKS: I will come to that directly. From my experience as Commissioner, and from my observations since I have left the railways, I would say that the appeal court established in the railways has done its work in most cases very fairly indeed. I do not say that all the judgments of the court are absolutely correct. But I believe them to be as nearly correct, and in as large a percentage, as can be expected. This particular case was gone into by the deputy Commissioner of Railways while the present Commissioner was in England. When the present Commissioner returned from England he dealt with it. The case came before Mr. Collier as Minister for Railways, and he dealt with it. Again it came before Mr. Scaddan as Premier and Minister for Railways, and he dealt with it.

Hon. P. Collier: It would be shorter to name the organisations and people who have not dealt with it than to name those who have.

The MINISTER FOR WORKS: At last the case came to the stage of being dealt with by the Trades Hall. Mr. McCallum wrote to the Premier of 1917, Mr. Wilson, asking him to deal with the case. This is Mr. Wilson's reply:—

> I am in receipt of your letter of the 13th inst. with reference to a motion moved in the House last session by Mr. S. Munsie, M.L.A., for the appointment of a special committee to consider the case of station-master McLeod, and asking that a Royal Commission should be appointed to investigate the matter. In reply I have to inform you that as I find this case has been extensively investigated by the Commissioner for Railways, the Hon. P. Collier, ex-Minister for Railways, and the Hon. J. Scaddan, ex-Premier, and that Parliament has refused the appointment of a select committee to investigate the case, I cannot see my way clear to re-open this matter by the appointment of a Royal Commission.

The case is practically this. The matter started over a question of what were designated, and what I believe were, forged tickets. Those tickets had been issued at Torbay Junction, and apparently the original tickets were used by Mr. McLeod. The butt of the ticket book bore the issue for a short distance. The tickets themselves had apparently been altered or forged for a long distance—from Torbay Junction to Leederville. Attention was drawn to the matter by the action of the district Traffic Superintendent, Mr. H. C. Davies, who, travelling on a train, observed that there were men on it who had been travelling some considerable distance.

Mr. Munsie: I would like to ask you where do you get the evidence that the ticket was from Leedervilie to Torbay Junction?

The MINISTER FOR WORKS: There is no doubt about that.

Mr. Munsie: I have been trying for years to find that out.

The MINISTER FOR WORKS: We will get to that in a moment. If I thought McLeod had been wrongly dealt with I would assist the hon. member to obtain justice for the man. The suspicions of Mr. Davies being aroused, he instructed the ticket examiner to seize the tickets of these men; and on getting them he found they were not bona fide. The result was that these men were prosecuted in Albany for travelling on tickets which were not genuine, and were fined £10 and costs. Then, for reasons which appear in the evidence—it is difficult to go through the whole of it—the Railway Department began to investigate as to the issue of the tickets; and McLeod was dealt with accordingly.

I believe he was dismissed, as far as that was concerned. An inquiry was ordered and held. Mr. Roe was chairman of the inquiry board. It was suggested—in fact, it was more than suggested, it was stated in this House by the member for Hannans—that some letter or other bearing on the case had been suppressed, and that the letter could have been suppressed only for one reason, namely, to make the case for the department. But in point of fact that letter was not suppressed. It was on the file at the time the inquiry was made, and it has not been taken off the file, and I am informed—I have not looked to see—that it is on the file here to-day. Mr. Munsie, in putting forward his case last year, stated that he suspected the person who had to do with the forging of the ticket was not this man McLeod, but Mr. H. C. Davies, District Traffic Superintendent.

Mr. Munsie: No, no.

The MINISTER FOR WORKS: I asked at the time by what right such a suggestion was made by the hon. member. The member for Hannans then stated—this has never been proved, but it has been denied by Mr. Davies—that Mr. Davies had given in Albany an exhibition of how tickets could be forged.

Mr. Munsie: That was admitted by Mr. Davies before the appeal court.

The MINISTER FOR WORKS: It was suggested that therefore Mr. Davies was the best expert in the forging of tickets. I put it to hon. members to consider for a moment what a silly fool and a poor rogue Mr. Davies would have been to issue orders, and see that they were carried out, which led to the detection of the forged tickets, if he had been the forger or a party to the forgery. In that case his game would have been to have let the matter slide, as probably it would have done but for his instructions. We know that criminals exist, but criminals as a rule are not people who knowingly give themselves away. A man in the position of Mr. Davies, if he were the forger, must have been indeed a fool to issue orders which led to the discovery of the malpractice.

Mr. Munsie: That is not so according to the file. Mr. Davies did not issue the instructions, according to the file.

The MINISTER FOR WORKS: Again, it was suggested that the tickets might have been forged by Mr. Tuke, a school-master at Torbay Junction. Of that there was never, so far as I can gather, anything more than a suggestion. The butt of the ticket bore the date of the 26th January, but on the ticket itself it was altered to the 19th December, which was the date on which the bearer of the ticket and his wife left for West Leederville. Yet the butt of the ticket only bore a station for a short distance, and the fare accounted for was only for a short distance. I find the matter was brought before Mr. Roe again, when Mr. Roe stated that the correct verdict to have been given would be the Scotch verdict of "not proven," rather than the verdict which was given, allowing McLeod to be re-instated.

Mr. Munsie: Mr. Roe in his own handwriting absolutely denies he made that statement. I have his letter to that effect. I have read the letter here, and it appears in "Hansard."

The MINISTER FOR WORKS: Mr. Roe's statement was that the proper verdict would have been not proven, and Mr. Roe went so far as to refuse to allow the expenses which were claimed by McLeod, amounting, I think, to £90 odd. He would not allow those expenses for the reason that he considered the correct verdict would have been "not proven."

Mr. O'Loghlen: Does Mr. Roe say that in the statement?

The MINISTER FOR WORKS: Yes.

Mr. O'Loghlen: Is it a report of the appeal board or is it his letter? The member for Hannans has here a letter from Mr. Roe to the effect that he never made such a statement.

The MINISTER FOR WORKS: The Commissioner of Railways wrote to the then Minister, Mr. Mitchell, on the 31st October, 1914, as follows:—

> With reference to the motion before Parliament for the appointment of a select committee in Mr. McLeod's case, I enclose a statement which I have obtained from Mr. Davies, seeing that his name was brought out prominently by Mr. Munsie. As I was away in England at the time the case cropped up, I know nothing about it; and as I have every confidence in my representatives and the officers concerned, that they conscientiously did what they thought to be right, I have refrained from going into the case, and have no intention of re-opening it, seeing that it was dealt with by an appeal board created by an Act of Parliament, and whose decisions are final, as laid down by the Act. I consider I would be doing wrong in interfering with the decisions of the board in such cases; and, on principle, cases dealt with by the board should not be reopened to suit any particular appellant. With reference to the statement made by Mr. Munsie on page 482 of "Hansard" whilst Mr. Roe may not have any recollection of making a statement to the effect that Mr. McLeod was lucky to get out of it, I can produce evidence which would prove that he did advise that Mr. McLeod should let the matter drop as he was very lucky to get out of it, and had he to give his decision over again it would be against McLeod. This, coming from Mr. Roe, after, as he stated, he thought well over the case, is clear proof that, subsequent to the decision of the board, Mr. Roe was satisfied that McLeod, on the evidence, was guilty.

Mr. O'Loghlen: Mr. Roe has since written a letter denying that.

The MINISTER FOR WORKS: I cannot say whether Mr. Roe has or has not written such a letter. The statement I have quoted would not have been made unless the Commissioner had Mr. Roe's statement to that effect. Let me point out, too, that it is a very different thing for Mr. Roe to write, after a lapse of time, such a letter as mentioned by hon. members opposite. Would he then bear in mind all the circumstances of the case?

Mr. Harrison: Upon reconsideration he might have remembered the circumstances.

The MINISTER FOR WORKS: It is hardly likely that Mr. Roe would remember all the evidence that was placed before the board. The board tried a number of cases. Could hon. members recollect even their own speeches delivered during this session unless they first got their notes and refreshed their memories? In this particular case the man has been reinstated. He is not at Torbay Junction, because that station has been closed owing to paucity of traffic. He has been sent to Doodlakine, and the Commissioner states that he has been dealt with fairly and justly. So

far as my mind will allow me to deal with these cases, I try to be absolutely fair and unprejudiced. I went through the file last year and then satisfied myself on the matter, and I have seen no reason to alter the opinion that McLeod has, in the circumstances, been treated decently. That was my opinion last year, and that is my opinion to-day. To appoint a Royal Commission to inquire into a matter of this sort would mean a big expense, although that would not weigh with me if I thought a Royal Commission were justly called for. I quite understand that Mr. McLeod's reputation is as dear to him as is the reputation of any member of this House to that member. But if the House allows cases of this sort to be reviewed by Royal Commissions, we shall never have any proper management of our railways or proper control of the railway employees. The Railways Act provides that the management of the railways shall be under the care of the Commissioner of Railways. Although, of course, members can no doubt plead and argue that the House can deal with these various matters, from my point of view, at any rate, the House would be stultifying itself if it allowed a case of this kind to be dealt with in the manner here suggested.

Mr. Munsie: Amend your regulations so as to give the court of appeal power to get the evidence they want.

The MINISTER FOR WORKS: In a case of this kind there is very seldom a decision of a court of appeal which is accepted as satisfactory unless the appellant wins his case. As Commissioner of Railways I was constituted a court of appeal in 1903, and I sat on a great number of cases. I found that I was all right as an appeal court so long as the cases put before me were given in favour of the appellants, but as soon as my judgment went against them, an agitation was set up for the appointment of a separate and independent court of appeal. This was granted, with a resident magistrate as Chairman together with a representative of the Commissioner and a representative of the men. What could be a fairer court? If 10 per cent. of the cases coming before the court are to be appealed against to Parliament it will interfere materially with the conduct of the Railways and, personally, I do not think that in the matter of justice it will make much difference to the men. These appeal hearings are both inconvenient and costly, and I ask hon. members gravely to consider the unreasonableness of interfering with the service in the way proposed. It would be subversive of discipline and would interfere materially with the conduct of the department, while I do not believe the persentage of successful appeals would be anything but negligible. As soon as I left the Railways a number of men whom I had dealt with from time to time admitted to me that I had dealt justly by them. One man in Ceylon, when I was there came to me and said that my judgment had been right. I had had to put the man out of the service because he stole wire netting. When I saw him again, he admitted that he had been rightly dealt with, that he had stolen the stuff which he at the trial swore he had not stolen. In regard to the appeal court I am convinced that the men get a full a meed of justice there as most of us experience in this life.

Mr. HARRISON (Avon) [5·4]: I have known McLeod personally for about two years. I would not take up a case unless I felt convinced there was good reasons for doing so. I have always been very careful, when going to any Minister or departmental officer, to see first that I have a good case. I am convinced from McLeod's manner and conversation that he is suffering mentally on account of his family and children in regard to this charge. I do not mean that he is mentally deficient or has lost his mental ability, but that the whole thing is warping his judgment of humanity. And I believe the man is innocent in respect of the ticket; I do not believe that it is his signature on the ticket. McLeod is an obliging and good departmental officer.

Hon. P. Collier: The appeal court have declared him innocent; otherwise they would not have reinstated him.

Mr. HARRISON: Will the deputy leader of the House give us that assurance?

Hon. P. Collier: But the man was reinstated. That is evidence enough.

The Minister for Works: I said what Mr. Roe had stated.

Mr. HARRISON: That is what is sticking in the man's mind, namely, that he has not a clearance. I am convinced from the way in which he is carrying on his duties that he is suffering from a sense of injury, holding that his character has not yet been cleared.

Mr. TEESDALE (Roebourne) [5·7]: Will the deputy leader give us an idea as to whether the reinstatement of this man by the department is not a tacit admission that an injustice has been done? If, after the hearing of a charge, the accused is re-appointed to his position, surely it is an acknowledgment that an injustice has been done. I would like to know whether the department considers that the position now held by McLeod is as good as the one he held previously.

Mr. Munsie: He has been 14 years in the service and during the last 4½ years, since this case, he has had no promotion.

Mr. O'LOGHLEN (Forrest) [5·8]: I realise the difficulty hon. members feel in being called upon to recollect the various incidents in this case, placed before Parliament last year. It is regrettable that when a member moves for the appointment of a Royal Commission or a select committee he finds the question adjourned for months and months. It is almost impossible for hon. members to recollect the points made by the member for Hannans (Mr. Munsie) when putting the case before the House. And the case put by the acting leader of the House has not assisted the objects McLeod has in view. I take it that in replying to the debate, the member for Hannans will cover in detail the points made by the acting leader of the House and so give hon. members an opportunity of coming to a decision as to whether McLeod's case is sufficiently strong to warrant the appointment of a Royal Commission with a view to clearing his character. The member for Roebourne (Mr. Teesdale) has pointed out that the very reinstatement of an officer is tantamount to saying that he is not guilty. McLeod was a man of peculiar temperament and he has suffered much mental anguish as the result of this case. Also it has cost him some £90. He was only an ordinary working man, who by diligent service had gained the respect of his superior officers, and owing to the rapacity of some of our legal gentlemen the bailiff was put into McLeod's house and McLeod was in much distress for a period of several weeks. I suppose there has been more ink spilt in trying to get justice for McLeod than in connection with any other case in Western Australia; more resolutions have been passed at public meetings and more representations have been made to

different Ministers than have been known in connection with any other case in this country. The acting leader of the House contended that a Royal Commission would be costly. That did not occur to the Government a few weeks ago when they appointed a Royal Commission to inquire into the alleged loyalty of police constable Campbell. They did not then consider the cost, nor did they probe very deeply into the justification for the demand made by a few people for a Royal Commission. I do not think a Royal Commission in this case would be very costly. If a Royal Commissioner is appointed I take it that what he will have to apply himself to is to find out whether certain information has been withheld, and what effect that information would have on the whole of the proceedings. McLeod certainly went to the appeal court; but the regulations do not give that court power to call for evidence, and there was withheld evidence that could have cleared McLeod or alternatively put him into the criminal dock. If McLeod was not guilty of that forgery, the department should be in a position to give such evidence as would place the guilty man in the dock, while if McLeod is innocent, he should get reparation for the wrong done to him. McLeod takes the whole responsibility for it. If he is guilty he ought to be in gaol. But he swears he is not guilty, and he also holds the belief that if a Royal Commission were appointed with necessary power to inquire into the whole of the evidence, the guilty man could be traced. That is all he has asked, and personally I do not think it is an unfair request. I admit that members on my own side, when Ministers, turned down this proposition. I am afraid they were a little impatient with the pertinacity of those who were putting it forward. I admit that perhaps at times such people become a little troublesome and get on the nerves of Ministers; but we ought to have regard for the peculiar position in which men sometimes find themselves, and realise what human nature is, while due allowance should be made for the mental feelings of those who think they are suffering under an injustice. McLeod has sufficiently demonstrated that he is a good servant, and he is not asking much when asking that the charge should be finally dealt with. If it is swept away and the guilty party identified, McLeod should get some reparation for the cost he has been put to. When the question was before the House on a previous occasion Mr. Scaddan, then Minister for Railways, said that if a select committee were appointed and found that McLeod was innocent, he would be prepared to make monetary compensation to McLeod. It was only by a mere accident that that select committee was not appointed. McLeod had sufficient supporters in the House that evening, and had not the division doors been locked on two of them, Messrs. Scaddan and Smith, the select committee would have been appointed and the matter finally cleared up. It was an unfortunate accident for McLeod.

Mr. Johnston: You are sure it was an accident?

Mr. Munsie: Yes.

Mr. O'LOGHLEN: Both gentlemen assured me that they were going to vote. I realise that many cases are brought before the appeal board that have not much merit in them. I know of very few cases in the history of the Railway Department that have gone to any serious stage beyond the appeal board. The litigant may have been dissatisfied but he has realised the futility of going further. The appeal board has not the power to press for certain documents. McLeod has been reinstated and is holding an important position to-day, but it is not what he ought to be holding had he received the natural promotions of the department. Notwithstanding his 15 or 16 years of good service, in the department, some officials have been put over his head. I know that Royal Commissions are unpopular because it is recognised that they are not in a hurry and the taxpayers think they take too long in coming to a decision, and that when they come to a decision no one takes any notice of it. All the member for Hannans is asking is that this case be submitted to some gentleman with authority to call for documents and officials and that he should have power to ask for everything known of the McLeod case and then if McLeod is guilty, let him stand in another place. There is one thing which does seem to me to be un-British. Certain individuals can lay charges against an officer and the person against whom the charge has been laid never knows who his accuser may be. McLeod does not know to-day who his accuser is and that may happen to any officer in the public service. I hold that if the appeal board upholds a man that man should have an opportunity of knowing who it is that is trying to ruin him. This case has excited more interest in Western Australia than any case that has arisen, and I think should be thoroughly inquired into. It will have the effect of giving peace and contentment to the officers now in the service and will establish more confidence in the public departments and do something to sheet home to some person his deserts. In this case of McLeod's justice has not been done but I do not accuse anyone of trying to stop justice being done. I want the case sheeted home and the blame put in its proper quarter. If this inquiry is thoroughly made there will be better feeling and contentment and discipline throughout the service of the State.

Mr. MUNSIE (Hannans—in reply) [5·22]: I am sorry so much time has elapsed since we first dealt with this case. I realise the difficulties members have in not being possessed of the full facts of the case. First of all, I want to deal with the statement made by the deputy leader of the House that he contends the present status of the railway appeal board should be sufficient to settle any grievance of a railway employee. Immediately that the McLeod case was heard by the appeal board a deputation of the Amalgamated Railway Servants, the Railway Engineers, Firemen and Cleaners' Association, and the Railway Officers' Association, waited on the then Minister for Railways, the member for Boulder, asking for an alteration in the present regulations. The constitution of the appeal board to-day goes a certain distance and no further. A gentleman went before that appeal board and was asked certain questions. It was admitted that the railway ticket had been handed to him personally and when asked who the individual was who handed him the ticket he point blank refused to answer the question. The deputation waited on the Minister for the express purpose of getting the regulations altered, giving the board power, as a Royal Commissioner would have, to demand an answer to a question such as that. The Minister for Railways at that time promised that the alteration should be made, but it has not been made up to the present time. Therefore, it was imperative that McLeod should get some inquiry. During the remarks of the leader of the House, he stated that the ticket McLeod was charged with forging was altered to read,

instead of Cranbrook to Torbay Junction, West Leederville to Torbay Junction. I want to say that is news to me. It cannot be found on any file in any Government department of the State.

The Minister for Works: It is on the file.

Mr. MUNSIE: Tickets 394 and 399 were altered to read from West Leederville to Torbay Junction but these are not the tickets that McLeod was dismissed for forging. The ticket he was dismissed for forging was 467 and that ticket he has never seen. The authorities have point blank refused to show it to him and he has never been able to get it from the Railway Commissioner. I want to refer briefly to one other statement. The leader of the House mentioned that various Ministers of Railways have dealt with this subject and it is quite possible for anyone to make a mistake and I contend that the member for Boulder made a mistake, when he stated that the ticket had not been put in as evidence.

The Minister for Works: The file was laid on the Table.

Mr. MUNSIE.: The ticket 467 which McLeod was dismissed for forging no one can get any information about.

The Minister for Works: It would be on his notice of appeal.

Mr. MUNSIE: Yes, but they refuse to say where it came from.

The Minister for Works: Did they produce the ticket?

Mr. MUNSIE: Yes, to the shorthand experts but not to McLeod. It was shown to the shorthand experts to say whether it was McLeod's handwriting or not. The member for Boulder when Minister for Railways, in closing the discussion makes this statement, "Let me assure you, however, that the ticket was not put in as evidence against you," and he underlines "evidence" and "you." As a matter of fact, I have here a complete printed copy of the evidence before that board of inquiry and let me say that the member for Boulder was mistaken when he said that the ticket was not put in evidence. As a matter of fact after the handwriting experts had sworn that that was McLeod's handwriting on those tickets, 18 specimens were handed to them. Six of each of those specimens were numbered privately by the chairman of the appeal board, Mr. Roe, and he gave the experts until the next day to examine them. The questions they had to answer were as to which ones were written, which were traced, and which were forged. The three experts went into the box, and not one answered correctly a single question. That is proved by the evidence. So far as the board of appeal is concerned, such an appeal is of no use where the liberty of an individual is at stake, because the witnesses before such a board can refuse to answer questions. The leader of the House has made a good deal out of the statement supposed to have been made by Mr. Roe that it was a Scotch verdict of "not proven." I have a letter here which was sent to Mr. Roe, and Mr. Roe replied on the 21st April, 1915, as follows:—

> Referring to my conversation with Mr. Bryant about the appeal case, I remember telling him that I had been terribly worried over the appeal as it was such a complicated case, and have no recollection whatever of the other part, that is, making the statement referred to. I certainly would not have taken on this case had I deemed you to have been a guilty man.

There is Mr. Roe's own statement.

The Minister for Works: What did Mr. Roe tell Mr. Bryant, the secretary of the Association?

Mr. MUNSIE: I have a copy of the correspondence which passed between Mr. Bryant and McLeod and the department, and if the hon. member wants to know I can look it up. I cannot remember what was written. If there is a suspicion that McLeod is a guilty man he has no right to be a station-master in this State. He should certainly be given a chance of proving whether he is innocent or guilty. I made the statement when I moved for this Royal Commission that District Superintendent Davies had suppressed an important letter, and the leader of the House led hon. members to believe that such was not the case, as that letter was on the file. I am well aware of that fact, but the point I made was that Davies had, or believed he had, sufficient evidence to warrant him suspending McLeod. Immediately after the suspension, McLeod wrote a long letter to the Chief Traffic Manager, the late Mr. Neil Douglas, and, to comply with the railway regulations, he posted that letter to his superior officer, Mr. Davies. A fortnight later, when McLeod was dismissed from the service the Chief Traffic Manager had not received the letter.

Mr. Johnston: The hon. member has stated that Mr. Davies always desired that the matter should be investigated.

Mr. MUNSIE: In his own interests Mr. Davies should have pressed for an inquiry, because it was more against Mr. Davies than it was against McLeod. The letter was suppressed by Mr. Davies and when it came before the appeal board the question was put to Davies, "Did you receive a letter on such and such a date from McLeod containing a statement of his case, and asking for a full inquiry"? and Mr. Davies replied in the affirmative. The next question was, "Did you send that letter on to its proper destination, the Chief Traffic manager"?—and Mr. Davies admitted that he had not. When asked why, he said that he wanted to see what McLeod's next move would be. That is not the way to treat a man. McLeod believed during his suspension that Mr. Neil Douglas was considering his appeal for an inquiry, but all the time Mr. Davies was holding up the letter, and before the Chief Traffic Manager knew anything about it McLeod was dismissed. For at least two years those concerned in the case, and myself included, were led to believe that there was only one man in this State who knew who handed the ticket in question to the department. I do not believe that the ticket was ever travelled on. The man who was the only one who knew was the late Mr. Neil Douglas, and he admitted that the man who handed him the ticket was a leading business man in this State, and it was said that a definite promise had been made by Mr. Douglas that that man's name should not be divulged. Afterwards Mr. Douglas died, and the secret died with him. McLeod asked that inquiries should be made. The belief was that Mr. Tuke was the man who forged the ticket. McLeod had issued two tickets from Torbay Junction to West Leederville to Mr. Tuke and his wife, and on the day the false ticket was supposed to have been used Mr. Tuke and Mrs. Tuke's mother returned on those tickets, and when the third man came along with a ticket from West Leederville, McLeod wired to the station-master at West

Leederville asking him whether he had issued a blank paper ticket from West Leederville to Torbay Junction within the previous few days, and the reply came back, "No." Before the inquiry a gentleman admitted that he had purchased a ticket from a man who was standing on the platform.

The Minister for Works: The mother-in-law's ticket was issued at West Leederville, and Tuke purchased it for her.

Mr. MUNSIE: Apparently the Minister for Works has information which we could not get before the inquiry.

The Minister for Works: It is here on the file.

Mr. MUNSIE: Is it ticket 467?

The Minister for Works: No.

Mr. MUNSIE: With regard to the late Mr. Douglas, for two years we were led to believe that it was impossible to get the secret from him as to who handed the ticket in. Still we find in the evidence before the appeal court that Mr. O'Connor who was chief clerk to the Chief Traffic Manager, admitted that the ticket was not handed to Mr. Douglas, but was handed to him by a prominent business man of this State. Mr. O'Connor, who is still here, was asked to say who handed him the ticket, but he pointblank refused to give an answer. Someone comes along and hands that ticket to an officer of the Railway Department, and that officer refuses to hand it in. How can McLeod prove where that ticket did come from, unless he can get hold of the man who actually put it in? If we could compel the person in question to admit the name of the individual who handed it to him, the Commissioner could then go further and compel the individual to say where he got it.

The Minister for Works: Is not Mr. Neil Douglas who died, the man who knew?

Mr. MUNSIE: He is not the only one who knew. Mr. O'Connor, chief clerk, said in his evidence before the board that the ticket was not handed to Mr. Neil Douglas, but handed to him personally by a prominent business man in the State. He was then pressed to say where he got it from, but he point blank refused to give the information. He gave his reason for that as being that it might defeat the ends of justice so far as the department was concerned. If he had ground for that then he could not have ground for it now, four years afterwards. I hope the House will agree to the appointment of this Royal Commission for the purpose of clearing up the case once and for all.

Question put and a division taken with the following results—

Ayes	21
Noes	16
Majority for	5

AYES.

Mr. Angelo	Mr. Jones
Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Munsie
Mr. Collier	Mr. Pickering
Mr. Davies	Mr. Rocke
Mr. Durack	Mr. Teesdale
Mr. Green	Mr. Troy
Mr. Griffiths	Mr. Walker
Mr. Harrison	Mr. Willcock
Mr. Holman	Mr. O'Loghlen
Mr. Johnston	(*Teller.*)

NOES.

Mr. Broun	Mr. Pilkington
Mr. Brown	Mr. H. Robinson
Mr. Draper	Mr. R. T. Robinson
Mr. George	Mr. Thomson
Mr. Hickmott	Mr. Underwood
Mr. Maley	Mr. Veryard
Mr. Mitchell	Mr. Willmott
Mr. Piesse	Mr. Hardwick
	(*Teller.*)

Question thus passed.

ORDERS POSTPONED.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [5·53]: I move—

"That Orders of the Day Nos. 2 to 11, inclusive, be postponed until after the consideration of Orders of the Day, Nos. 12, 13, and 14."

Hon. P. COLLIER (Boulder) [5·54]: I do not think it is competent for the Minister for Works to move this motion.

Mr. SPEAKER: I would point out that these are now Orders of the day, and do not come into private members' business.

Hon. P. COLLIER: Yes, they have now become Government property. I suggest to the Minister, however, that he should give us an opportunity of discussing these motions.

Mr. SPEAKER: I would draw attention to the fact that if we had not reached the Orders of the Day before five o'clock we would have had to extend the time for dealing with private member's motions, for we are only allowed two hours for that purpose. We disposed of private members' business, and reached the Orders of the Day before five o'clock.

Hon. P. COLLIER: The Minister is within his rights in moving for the postponement of these Orders of the Day. Whilst they are Orders of the Day they were originally part of private member's business. The leader of the House should afford members an opportunity of considering these motions until, say, the tea adjournment.

Question put and passed.

BILL—LAND TAX AND INCOME TAX.

In Committee.

Resumed from the previous day: Mr. Munsie in the Chair, the Attorney General in charge of the Bill.

Clause 3—Grant of land tax and income tax for the year ending 30th June, 1919, and subsequent years:

The ATTORNEY GENERAL: Hon. members will see an addendum to the Notice Paper, and also the statements showing the income taxes payable in the several States and under this Bill. Before referring to the statement I should like to clear up section 3 of a non-contentious matter. I would like to move an amendment, the effect of which is to delete certain words. By allowing these words to remain in the section we get a continuous tax. Exception has been taken to this. I do not know of any place which has such a permanent tax, the usual constitutional rule being to bring down every year a taxation measure. The object of the introduction of this clause was to get over the difficulty which had been created by section 20 of the Assessment Bill, which provided for a different method of collecting the tax than the customary method, that is

to say, the collection of the tax through the employer during the currency of the year from the wages or salary of the employee from day to day. This provision has now been excised from that Bill. Apart from constitutional reasons, therefore, there is no other reason for the words remaining in clause 3, and I move an amendment—

"That the words 'and for every subsequent year ending the 30th June until Parliament shall otherwise provide' be deleted."

Hon. W. C. Angwin: They will not do any harm if they are left in.

Amendment put and passed.

The ATTORNEY GENERAL: Before moving the amendment on the Notice Paper, I would invite the attention of hon. members to the schedule I have placed before them. This has now been printed, and the objection of the member for North-East Fremantle will be removed. I have also taken advantage of the interval to alter the South Australian table according to reports from South Australia which reached here on Saturday. The Tasmanian reports also reached us lately, and the table has been altered so far as that State is concerned. The information contained in this schedule will, I think, prove of great value to hon. members. From the notes I have appended to the columns it will be observed that in New South Wales the tax on property is one-third greater than the tax on income, while in Victoria the tax on property is double the rate of the tax on income. Queensland has increased its rates and the reason I have not given the higher rates is that, under a sliding scale, they vary from 10 to 50 per cent. Both in South Australia and Tasmania there is an increased rate for income from property. In our case we have made no differentiation.

Hon. P. Collier: Can you say what the increased rates are for the Commonwealth?

The ATTORNEY GENERAL: I cannot give those rates yet, nor can I calculate them. They are most abstruse. Until the Commonwealth Bill is finished, there is no use in attempting to understand the rates.

Hon. P. Collier: The Commonwealth rates given in this schedule are the existing Commonwealth rates, which are being increased?

The ATTORNEY GENERAL: The Commonwealth rates vary. They are being increased somewhat; but what the increases are I do not know. The only other thing I want hon. members to carry away refers to the request made to me last night that I should make a calculation as to what these taxes would yield.

Sitting suspended from 6·15 to 7·30 p.m.

The ATTORNEY GENERAL: To continue the statement I was making before tea: I think it will be admitted that all the information possible in regard to taxes and taxation is fairly compressed into the table before hon. members. Last night I gave hon. members the total amounts, and in case members wish to make a note of the figures, I will repeat them. The rates in the Bill will produce £225,000, while the rates shown in the column will produce £200,200. But I told hon. members that the amendments I proposed to make would bring in an amount similar to the £225,000. The equalising clauses will, I am advised, bring in from £20,000 to £25,000 extra. Add that sum to the £200,200 and we get the precise amount the Treasurer estimated to receive under the Bill. I hope hon. members will enable me to greet the Treasurer on his return with the information that, although the Bill has undergone some little change, yet he as Treasurer will receive the same amount that he would have received had he carried his proposals through, and will receive it in a way equitable to rich and poor alike.

Hon. P. Collier: The hon. member is not submitting his amendments at this stage?

The ATTORNEY GENERAL: No; because another member wishes to deal with paragraph (a), while my amendment is to paragraph (b).

Hon. J. MITCHELL: Paragraph (a) refers to the taxes imposed on land. I move an amendment—

"That after 'one' in line 1, the word 'half' be inserted."

I wish to give the Government an opportunity for saying what is intended in regard to that double land tax for the half of 1917. By the wording of the section in the Act the Commissioner is entitled to collect a full year's land tax. I want to know if that is what the Committee wishes the Commissioner to do, whether the Committee is willing to double the tax for the six months, making the taxpayer pay 3d. for a 2½ years period, whereas ordinarily the amount would be 2½d.

Hon. P. Collier: You cannot very well rectify it in this Bill.

Hon. J. MITCHELL: If we halve the tax for this year and allow the Commissioner to collect a penny on the six months it will amount to the same thing.

The Attorney General: That will hardly do in view of the Assessment Bill, which reduced that 1d. to ½d. in respect of improved lands.

Hon. J. MITCHELL: I have thought of that. It is a difficulty, I admit. We could accept the assurance of the Government that they will properly interpret the wish of the Committee which passed the provision imposing half the ordinary tax. The Government could instruct the Commissioner to that effect.

The Attorney General: The Government cannot give away money which the Committee has appropriated as tax, except by a resolution of the House.

Hon. J. MITCHELL: The Government could carry such a resolution.

The Attorney General: But would this be the proper way to effect it?

Hon. J. MITCHELL: I know of no other way. I realise the trouble. The improved land would not receive any benefit at all. My amendment would not achieve my object to the full. Unimproved land is charged the full 1d., but there is a reduction of ½d. on improved land. I would like to hear what the intention of the Government may be in regard to the collection of tax for that six months. Will the Minister submit a resolution to the Committee to rectify the error?

The ATTORNEY GENERAL: The difficulty I see is that once the Committee passes a tax the Government have no power to remit any part of that tax. The Government are bound to carry out such law as is passed by the House. I for one respected the will of the Committee when they told us last night that Clause 2 was to go. If Clause 2 is to go there is a good deal to be said for the argument of the member for Northam. At the same time, the Government do not propose to take any step to cut down a tax which the Committee has already passed. The Treasurer must necessarily assume that when the Committee passed the provision in November last, which in effect fixed the land tax, the Committee knew what it was doing. I think if Clause 2 had been brought up at the same time it would have been passed also, and would not have been lost, as it was last night, for the arguments that were used last night against the clause would not have been effective six months ago. I ask hon. members to leave this particular tax alone. It is the regulation tax that has been imposed on land for some time past. It is only one halfpenny on improved land; that is the difficulty. If we alter this tax to one half penny for unimproved land we put the unimproved land on the same plane as the improved land.

Hon. W. C. Angwin: No; the unimproved land gets relief under the Assessment Bill.

The ATTORNEY GENERAL: It is for the Committee to say whether it is intended that the tax be as set out in the Bill, or to cut it in half. Twenty per cent. of the land pays on the unimproved value and 80 per cent. pays under Section 10. I know the Treasurer said that although there was a little inequality about it the House had adopted the tax with its eyes open. I must oppose the amendment.

The MINISTER FOR WORKS: From 1st June to January 31st, 1916, the Commissioner was collecting 1d., and the Commissioner tells me he was not so much concerned about the period as to who was the owner on the particular date of the closing of the period. The owner of the land on the 30th June, 1916, had to pay 1d., the owner on the 30th June, 1918, if the Bill passes, will have to pay 1d. It seems that for 2½ years 3d. has been collected instead of 2½d., as it was thought in the Bill. If members turn to the proviso in the Assessment Act of 1917, they will see that it reads, "Provided that the first assessment under this Act shall be based on the income." It does not say income and land value. The proviso simply deals with the income for the half-year ending 30 June, 1917. I do not know whether it was intentional on the part of the Government or not, but it is for members to make up their minds whether the half-yearly assessment will apply to the land tax as well as the income tax.

Hon. P. COLLIER: So far as the question of a reduction of the land tax is concerned, I certainly, in ordinary circumstances, would not vote for it. As a matter of principle, I am bound to support the point raised by the member for Northam. The Committee last night deliberately, after a full debate, decided that the principle of charging the double tax for a stated period was not a sound one. If the principle holds good with regard to incomes, then it holds good equally with regard to land tax. If the amendment is carried it will mean that for the year ending 1919 the farmers will only be charged half of the amount of the tax to compensate them for the extra they were charged for in 1917. It will be impossible to adjust any overpayment where the land has changed hands, but very little land is changing hands just now. I read in this morning's newspapers that another place is likely to amend the Dividend Duties Bill to bring it into conformity with this Bill, and if an adjustment is to be made in regard to dividend duties and the income tax, as a matter of justice the same thing should apply to those who pay the land tax.

Mr. MALEY: I have studied the debates when the previous Act was passed, and I find nothing to support the contention of the Attorney General. If it was just to abolish Clause 2 last night to remove the imposition of the double tax, it is only just that the same thing should apply to the land tax.

Hon. P. COLLIER: Does the member for Northam intend to press his amendment? I do not think this is the best method of achieving the object he has in view. If the Government accept the vote of the Committee as the desire to equalise these things, they may find another way of doing it by bringing in a short amending Bill to the Act of last year. But the hon. member's amendment is the only course open now. The Government might consider the question with a view of bringing in a short amending Bill.

Hon. W. C. ANGWIN: We are doing wrong to reduce this tax. The Bill provides for the year ending 30th June, 1919, and anything that has been done wrongly was done during the time the member for Northam was in office. Already this session we have passed a land tax and an income tax for the year ending 30th June, 1918, and I do not think anyone thought the Taxation Department would have adopted any new principle as far as the land taxation was concerned than they adopted in regard to the income tax.

In 1917 we passed an Act which contained a proviso dealing with assessments for the year ending 30th June, 1918. In other words we altered the period of the close of the year from the 31st December to the 30th June. It was the intention of Parliament that only a half year's tax should be collected. Instead of that the Department were charging the whole year for the six months. No one thought at that time that the full year's tax would be charged.

Mr. Maley: You overlooked it.

Hon. W. C. ANGWIN: The hon. member was here as well. The intention of Parliament was certainly that only six months' tax should be paid. The Bill before us provides that the land tax is payable for the year ending 30th June, 1919, and we should not alter it.

Hon. J. MITCHELL: If hon. members will turn to the last Land and Income Tax Act

they will find this—"Provided that Section 56 of the said Act shall not apply to the Land and Income Tax to be levied and collected for the financial year ending 30th June, 1917." This shows that the tax must be paid in two instalments. Obviously when the tax is proposed for six months it cannot be paid in two half-yearly instalments. It was understood that the tax on the land would be for only six months.

Mr. Draper: That proviso which you read appears in every taxation measure which has been passed.

Hon. J. MITCHELL: I have never seen it in a taxation Act before. The House knew it was intended to impose just the half year's tax. The Attorney General knew that the intention was to collect half the tax. When it referred to incomes we omitted to arrange that the incomes at the higher gradations should apply. If the member for West Perth will turn up the debate on the subject he will see that no mention of previous Acts was made. It is obviously wrong to impose double taxation on land for a period of six months. The principle we disapproved of yesterday cannot be approved of to-day. Unless Ministers will assure me they will introduce some measure which will give relief I will press my amendment.

Mr. BROUN: There is not the slightest doubt that under the amending Act of 1917 the Commissioner has been given power to collect the full rate for the half year on the land. I am somewhat surprised that when the Bill was introduced no mention was made in regard to this double taxation. Last night the House threw out Clause 2 so as to prevent what we considered an injustice being done. We did not think it right to impose a full year's tax for the half year. In my opinion we are quite justified in asking for some redress in this direction, and having half of the amount of the land tax which has been paid refunded in some way. I will support the amendment which will be the only way to overcome the difficulty, and although it will apply under this Bill during next year, we will be able to include that amount which we should not have paid in the first instance.

Hon. P. COLLIER: While I am anxious to assist the member for Northam in the object he has in view, I am not satisfied that this is the way to do it.

Hon. J. Mitchell: No more am I, but I do not see any other way.

Hon. P. COLLIER: I confess the hon. member is in a difficult position if he is not getting assistance from the Government. I do not like the idea of reducing the amount of the land taxation.

The Attorney General: Nor can we very well refund what has been collected.

Hon. P. COLLIER: Instead of moving the amendment in the form the member for Northam has done, to reduce the amount of the tax from 1d. to ½d., would it not be better to add a proviso to paragraph (a) saying that one-half of the amount chargeable for 1919 only shall be collected and then we can leave the figure as it is. That will attain the same end the hon. member has in view, and it will be preferable to reducing the figure.

Mr. Broun: You can put up the figure in the following year.

Hon. P. COLLIER: Once we cut the figure down there may be a hesitation on the part of some people to raise it again.

Mr. Maley: Never in connection with taxation.

Hon. P. COLLIER: If the committee cuts down the amount from one penny to one halfpenny and to one farthing respectively, next year when the Bill is to be re-enacted there may be opposition to the amounts being increased.

Mr. MALEY: I welcome the suggestion of the leader of the Opposition. If the amendment of the member for Northam is carried we shall find that we shall be taxed on our income instead of on the land. The income tax will be the greater of the two and we shall obtain no redress. Under the suggestion of the leader of the Opposition we shall obtain redress.

The MINISTER FOR WORKS: I find on page 2121 of "Hansard" of 7th March, 1917, that Sir Edward Wittenoom stated in another place—

> I gather that further returns will be made up to the 30th June, for six months taxation, and in future we shall furnish a return for twelve months income from that date.

That is the idea that I have. Then the Colonial Secretary on page 2208 said—

> Now, before any further steps can be taken and before taxpayers can be compelled to furnish any additional return another Act imposing a land and income tax for the financial year, 1917-18, will have to be introduced, and that Act will have to make a proviso satisfactory to both Houses of Parliament in regard to the period from June to December, 1916.

The question was again referred to on page 2210, where the Colonial Secretary says—

> It was never intended that 12 months' taxation should be collected over a period of six months.

That is all I have to say.

Mr. PILKINGTON: This seems to me rather an awkward way of getting rid of what seems to be a wrong. If it is correct to say that the double land tax was charged by mistake in former legislation, surely this is a matter which should be put right by legislation dealing with the Statute which requires to be rectified. The amendment of the member for Northam is a rough and ready method of compensating for this alleged wrong. It will not give relief to the right people, and perhaps will give benefit to the wrong people. It is not a right way to gain the end which the hon. member requires. Income tax is payable over a certain period for which the income is concerned. Consequently, with regard to income tax we must have a certain period, and the income tax varies according to whether the period is long or short. In the case of a land tax, the tax is charged in regard to the ownership of land on one single day, namely the last day of the year that is being dealt with. Unless special provision is made the land tax would remain the same. I

protest against rectifying an error by muddling this Bill, which will only cause a confusion and give a different significance to the Act than is intended.

The ATTORNEY GENERAL: I am opposed to touching the Bill at all. The old tax has been imposed, collected, adjusted and fixed, and to give a refund of the taxation would mean thousands of adjustments. My suggestion to the House is to leave the thing alone, and go on as we are.

Hon. J. MITCHELL: In order that we may get rid of this rough and ready manner of adjusting a wrong, I will adopt the suggestion of the leader of the Opposition, but first would like to withdraw my amendment.

Amendment by leave withdrawn.

Hon. J. MITCHELL: I move an amendment—

"That a proviso be added to Subclause (a) as follows:—'Provided that one half the amount of the tax shall be remitted to all taxpayers who have paid land tax imposed by the Land and Income Tax Act, 1917.'"

The MINISTER FOR WORKS: If the Committee carries that amendment it will need to be altered a little more. There are still a number of assessments for the land tax to be sent out. Words should be added to this effect, "Persons who have paid or do pay within a prescribed time after the assessment is delivered to them."

Mr. MUNSIE: The question has been raised that during last year it was the intention of the Act that only half of the year's land tax and income tax should be paid.

The Minister for Works: That is correct.

Mr. MUNSIE: I gather that the farmers have paid the full year's land tax.

The Attorney General: Every one has done so; the assessments have been made out.

Mr. DRAPER: On a point of order. Is the amendment which the member for Northam proposes a proper amendment which can be inserted in this Bill? The Bill is not to amend the previous Act of Parliament, which it would do, but solely to impose a land tax and income tax for the year ending 30th June, 1918. The amendment has nothing to do with the imposition of a tax, but it does try to amend the Act which has already been passed by both Houses of Parliament.

The CHAIRMAN: If the point of order raised by the member for West Perth is raised under Standing Order 391, I am bound to rule that the amendment of the member for Northam is not relevant to the subject matter of the Bill.

Hon. J. MITCHELL: My amendment having been ruled out of order, I think that, if the Government will give an assurance of their assistance in having this matter submitted to the House by way of resolution on Parliament reassembling in July next, we might let the clause pass as printed.

The Minister for Works: Whatever action is taken, should be taken on this Bill. What you suggest would be worse.

Mr. PICKERING: In view of the general opinion that this tax is not a just tax, and in view of the Acting Treasurer's attitude, which has been towards leniency, I move an amendment—

"That in paragraph (a), after 'one,' line 1, there be inserted 'half.'"

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

Ayes	14
Noes	23
Majority against ..	9

AYES.

Mr. Broun	Mr. Maley
Mr. Chesson	Mr. Mitchell
Mr. Collier	Mr. Pickering
Mr. Griffiths	Mr. Troy
Mr. Harrison	Mr. Walker
Mr. Hickmott	Mr. O'Loghlen
Mr. Holman	(*Teller.*)
Mr. Johnston	

NOES.

Mr. Angelo	Mr. Nairn
Mr. Angwin	Mr. Pilkington
Mr. Brown	Mr. H. Robinson
Mr. Davies	Mr. R. T. Robinson
Mr. Draper	Mr. Rocke
Mr. Durack	Mr. Teesdale
Mr. George	Mr. Underwood
Mr. Green	Mr. Veryard
Mr Jones	Mr. Willcock
Mr. Lutey	Mr. Willmott
Mr. Money	Mr. Hardwick
Mr. Munsie	(*Teller.*)

Amendment thus negatived.

The ATTORNEY GENERAL: Referring to the schedule furnished to hon. members to-day, I have to make two corrections in the line referring to the income of £2,000. For "£65" should be substituted "£111 13s. 4.," and the rate, instead of being 10s. 4d., should be 13s. 4d. I now move an amendment—

"That paragraph (b) be struck out."

According to the estimate of the Commissioner, the tax will bring in a sum of £200,200. In order to enable me to make up the estimate which I gave last night, of £225,000, it will be necessary to pass a further amendment, which appears on the Notice Paper, and what I described last night as the equalising clause. The Dividend Duty Act imposes a duty of 1s. 3d., whilst the taxation under this Bill runs up to 2s. 6d., in the pound. Obviously, under those circumtsances, persons holding shares in companies, and especially persons with large incomes, would escape taxation. The equalising clause would, according to the estimate of the Commissioner, yield another £20,000 or £25,000, thus making up the total of £225,000. I do not think that without repeating myself, I can use any other words that will commend the tax to hon. members.

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

"That the following be inserted:—'(b) An income tax on the income chargeable of all taxpayers, as follows:—At the rate of twopence in respect of ever pound sterling of income chargeable plus an additional rate thereon of .006 of a penny for every pound

sterling by which the income chargeable from all sources exceeds £100. Provided that the rate in the pound shall not exceed two shillings and sixpence. Provided also that where the income chargeable from all sources of any taxpayer who is married or has a dependant amounts to £157, and no more, the tax payable by him shall not exceed one pound. Provided also that the minimum amount payable by any taxpayer for land tax or income tax shall be two shillings and sixpence.'''

Hon. P. COLLIER: I think I am justified in saying that as a result, perhaps, of the many journeyings of the Bill to the mill, and also perhaps as the result of the clarifying effects of discussion, we can now claim that we have evolved something in the nature of an equitable scheme of taxation. The only blot I find upon it is in regard to the tax to be paid by persons in receipt of £200 per annum. Apart from that, the proposed taxation is about as fair as we can arrive at, having regard to the differences of opinion held by members. I still think the Government are proposing to extract too much from those in receipt of the lower salaries. Just consider some of the increases: In the report of the Taxation Commissioner for 1917, on page 4, will be found a column which sets out the number of taxpayers and the amounts paid. Comparing these with the proposed schedule, we find that persons in receipt of incomes between £200 and £300 last year numbered 6,210, and paid £2,240. Under the proposal before the Committee those persons will pay an increase of £20,000. That of course is apart from the amounts to be gathered in from those in receipt of salaries under £200, in respect of whom we have no data to go upon, although it has been suggested that their contributions will reach £80,000. Last year 3,303 persons were in receipt of incomes between £300 and £500, and they paid a total of £8,605. This year they will pay a total of £21,201, or an increase of £12,000. Those in receipt of salaries between £500 and £700 last year numbered 11,091, and paid £6,128. Under the proposed scale they will pay £14,471, or an increase of £8,000. Those having salaries between £700 and £1,000 numbered last year 744, and paid £6,762. Under the proposal they will pay £15,893, or an increase of £9,000. And so on up to those with incomes of £5,000, who, the hon. member says, will pay a total of £64,000. The proposed scale is an immense improvement on the one submitted under the Bill as originally introduced, in that it lessens the amount of the proposed tax on the lower incomes and increases it on the higher. Taking the figures placed before the Committee, it will be seen that on incomes from £200 to £375 the rate is only slightly less than that which would have been payable under Mr. Gardiner's Bill, but on incomes from £375 to £1,500, the amount which will be paid is considerably less than would have been paid under Mr. Gardiner's Bill, while on incomes from £1,500 upwards the amount is greater. But again I call attention to the fact that whilst the latest figures show that in South Australia and Tasmania salaries under £200 are taxed, in none of the other States is any tax paid on incomes of that amount. I propose to move an amendment on the amendment, with the object of seeing if I cannot induce the Committee to allow the exemption of £200 which has hitherto prevailed to stand under this new measure as well. I move an amendment on the amendment—

'''That the following proviso be added:—'Provided also that income tax shall only be chargeable on the amount of income in excess of £200.'''

My amendment will take us back to the present Act and fix the exemption at £200. I am opposed to the principle in the Bill having £156 exemption for a married man, but when it goes £1 over that amount the tax is payable on the whole of the £157.

The Minister for Works: Was not this question discussed on the Assessment Bill?

Hon. P. COLLIER: Of course, and if the Attorney General can move an amendment in another Bill, surely I can move this exemption.

The Attorney General: We have already discussed this matter on the Assessment Bill though.

The Minister for Works: You are bringing the matter up again.

Hon. P. COLLIER: I am asking the Committee to repeat the vote they gave last week on this matter. I am firmly of opinion that if this Bill becomes law it will bring in an amount greatly in excess of the amount which the Attorney General estimates, a sum of £225,000. I think we shall find next year instead of £225,000, something in the neighbourhood of £350,000. I know that Ministers and officials always base their estimates on the most conservative side and I believe they have been ultra conservative in this matter. We have practically increased the tax by 150 per cent. It is the highest in the Commonwealth. Probably in Tasmania and South Australia, it may be a little higher, but in all the other States the income derivable from property is subject to an additional tax.

The Minister for Works: Very wrong too.

Hon. P. COLLIER: I think it is right and if the Government had adopted that principle in this Bill there would have been no need to gather in the large body of taxpayers in receipt of incomes below £156 a year. It is a remarkable thing that every State in the Commonwealth, including the Commonwealth itself, has adopted that principle.

The Attorney General: It is proposed next year to consider that after the Commonwealth taxation is passed.

Hon. P. COLLIER: In the meantime we are imposing this taxation on the low incomes of the State and once having recognised the principle and gathered the money in, the amendment will not be in the direction of relieving the people from this tax.

Mr. Teesdale: It is said there is no machinery to collect it.

Hon. P. COLLIER: If that is so I do not know why the House has been so strongly fighting this matter. The whole defence of the Government has been the need for revenue. The abolition of the exemption was justified only on the ground that the Government required this extra revenue. There is a means by which this extra revenue can be obtained,

by conforming to the principle accepted by all the other States of the Commonwealth making an additional impost on incomes derivable from property, which is from 15 to 50 per cent. I desire to move the amendment which I have read.

Mr. Maley: I rise to a point of order. I raise the point which was raised by the member for West Perth just now.

The CHAIRMAN: I must rule as far as the hon. member's point of order is concerned, the subject matter does come within the scope of the Bill.

The MINISTER FOR WORKS: I rise to a point of order The question which the hon. member raises under his proviso has been already dealt with in the Bill to amend the Land and Income Tax Assessment Act. If what the hon. member puts forward is carried, it simply means that the whole of these taxation Bills will require to be re-cast, because the arrangements have been made on the basis that the exemption has been done away with. I submit that the hon. member is out of order in introducing this question of exemption in another Bill when the matter has already been dealt with this session.

The CHAIRMAN: The leader of the Opposition desires to insert an amendment that has already been decided. I must rule that the question raised by the leader of the Opposition has already been dealt with under the Land and Income Tax Assessment Bill and it cannot be revived.

Hon. P. COLLIER: I move an amendment—

> "That in line 3 of the proviso, "£157" be struck out with a view of inserting other words."

This is not the same amendment which I just moved and it will not achieve the object I had then in view. The amendment will mean that the tax payable by anyone in receipt of wages not exceeding £200 will not exceed £1. The figures are to meet the objection that at the present time where a person who is in receipt of £157 will pay £1 11s. 10d. a year in tax while the person in receipt of £156 will be exempt.

Point of Order.

The Minister for Works I think the object of the hon. member is exactly the same as he put forward in the amendment which you, Mr. Chairman, ruled out of order.

Hon. P. Collier: It is a different thing altogether.

The Minister for Works: I contend that the ruling which the Chairman gave a few moments ago applies to this amendment also. The clear object of the hon. member is to reinstate the exemption of £200 which was dealt with in the Land Tax Assessment Bill which has been passed.

The Chairman: I am compelled to say that the leader of the Opposition is within his rights in moving this particular amendment because it is not on all-fours with the previous decision I gave.

Dissent from Chairman's Ruling.

The Minister for Works: I desire to dissent from your ruling.

[The Speaker resumed the Chair.]

Mr. Stubbs: The Minister for Works has handed me the following:—

> I dissent from the ruling of the Chairman on the ground that the amendment moved by the leader of the Opposition is in substance the same as the previous question which was ruled out of order, and also in accordance with Standing Order 176.

The leader of the Opposition moved to strike out the amount of £157 from the proviso with a view of inserting other words. I held that the hon. member was quite within his rights in moving such an amendment.

The Minister for Works: I would like to explain the matter which was previously ruled out of order by the Chairman.

Hon. T. Walker: I submit that the only point of order for the Speaker to consider is whether the leader of the Opposition is in order in moving to strike out "£157" with a view of inserting other words.

The Minister for Works: I gave as my reason for dissenting from the Chairman's ruling that the amendment moved by the leader of the Opposition was identically the same as the one which just previously the Chairman ruled out of order. The leader of the Opposition moved that "£157" should be struck out and he stated that he desired to insert "£200." I pointed out that that very question had been dealt with in the Land and Income Tax Assessment Bill and that Clause 2 of that Bill dealt specifically with the £200 exemption. Therefore, the hon. member was out of order because the matter had been discussed and dealt with. I contend that his present amendment is only a colourable alteration of the amendment which the Chairman only just previously ruled out of order. Standing Order 176 says—

> No question shall be proposed which is the same in substance as any question which, during the same session, has been resolved in the affirmative or negative.

I contend that the amendment which the hon. member is attempting to get through is the same in substance as that which was ruled out of order.

Hon. T. Walker: It is only confusing issues to make reference to another point of order.

Mr. Speaker: I am not taking into consideration any point of order which I have not heard from the Chair.

Hon. T. Walker: The point is whether or not it is permissible for the leader of the Opposition to move the deletion of these words. On general principles the House can amend anything which is submitted to the Chair, and the only question which the Chair has to consider is whether an hon. member is in order in deleting certain words. Clearly that is always in order. There is no comparison between the point raised by the Minister for Works, and that raised by the amendment moved by the Attorney General limiting the amount of tax at a certain stage of income where there are

dependants. That amendment is surely open to still further amendment. This Chamber can always lessen taxation and reduce the burden upon the people. I submit that the member for Boulder is in order in moving for the deletion of these words.

Mr. Stubbs: The Minister for Works contends that this is an amendment to substitute £200 for £157 and that this amendment would have the effect of restoring the £200 exemption. That is not the case, as the incomes up to £200 would, I contend, not be exempt, but would be limited to the sum of £1.

Mr. Munsie: This is the first time in the discussion that we are endeavouring to make exemption at all for married people or people with dependants only. It is competent for anyone to move, if they fail in getting all, in the direction of getting half of what they want.

Mr. Speaker: I do not follow the reason laid down by the leader of the House, in which he says it is the same in substance as the previous question, which was ruled out of order and also in accordance with Standing Order 176. The point in dispute, I believe, is in this paragraph, "Provided also that where the income chargeable from any source, if the taxpayer is married or has dependants, amounts to £157 and no more, the tax shall not exceed £1." An amendment has been moved to strike out "£157," with a view to inserting other words. That amendment has been ruled out of order, and the Chairman's ruling has been dissented from. I must support, and uphold the Chairman's ruling in this matter.

Committee resumed.

[Mr. Stubbs resumed the Chair.]

Point of order.

The Attorney General: I rise to a point of order. We have passed a Bill for an Act to amend the Land and Income Tax Act of 1907. Clause 2 reads—

> Provided also that if the "income chargeable" from all sources of any person who is married shall not in the year next preceding the year of assessment exceed £156 such income shall be exempt from taxation.

The House is very determined on that principle. Standing Order 177 provides—

> A resolution, or other vote of the House, may be read and rescinded; but no such resolution or other vote may be rescinded during the same session, except with the concurrence of an absolute majority of the whole House, and after seven days' notice.

Does not the amendment proposed have the effect of altering that clause in the Assessment Bill that has already been passed and that being so, is not the amendment out of order?

The Chairman: The Attorney General has risen to a point of order on the amendment proposed by the leader of the Opposition. The point of order reads as follows:—"The proviso of Section 2 of the Assessment Act Amendment Bill deals with the same subject matter as the amendment proposed by the leader of the Opposition, and is an amendment to alter that proviso." Is the Attorney General's contention that the amendment would be inconsistent with the Assessment Bill already passed?

The Attorney General: Yes.

Hon. T. Walker: The Assessment Bill already passed has nothing to do with the amendment. This clause of the Assessment Bill limits the exemption. The amendment moved by the Attorney General does not affect the limit of exemption but it does limit the amount of taxation, which is a different thing. If the leader of the Opposition is out of order with his amendment, so is the Attorney General.

The Attorney General: I am not altering the limit, but the amount.

Hon. T. Walker: The Attorney General is keeping the limit where it was before for exemption, and so is the leader of the Opposition, but the Attorney General is limiting the amount of tax which should be paid when £157 is reached. The leader of the Opposition wants to limit the tax that it is proposed to place upon the people. But the exemptions are not touched. Now we are doing what we have a perfect right to do, move amendments in a question submitted. The question is submitted to us for the first time, and therefore the amendment of the leader of the Opposition is in order.

Mr. Holman: I think there is no possible doubt about the amendment of the leader of the Opposition being perfectly in order. The assessment measure dealt with the question of a general exemption of £157 for married people and people with dependants. The amendment of the leader of the Opposition does not affect that principle at all. It is open to any member to move an amendment for the striking out of £157, and the insertion in its place of £500 or £600 or any other amount. The raising of such trivial points of order merely means holding up the business of the Committee.

The CHAIRMAN: I rule that Mr. Collier's amendment is in order.

Committee resumed.

Hon. P. COLLIER: My object in moving the deletion of the figures is to insert "£200." Then the maximum amount payable by any married person, or person with dependants, in receipt of an income under £200 would be £1.

Mr. Holman: Move to insert £210, and that will exempt the £4 a week man.

Hon. P. COLLIER: That could be moved later. Under the amendment of the Attorney General, a married person with a chargeable income of £160 a year would pay £1 11s. 6d., whilst under my amendment he would pay only £1. My object is to see that married persons, and persons with dependants, who are in receipt of incomes of £200 or less, shall not pay more than £1 per year income tax. The proposition is much less reasonable than the one I should like to see carried; however, the majority of the Committee are not with me in that. I am not asking for anything which has not been conceded practically throughout Australia. In New South Wales, Victoria, and Queensland, such per-

sons are entirely exempt. Under the Federal taxation they pay £1, and therefore my amendment will bring us into line with the Commonwealth in this respect. Single persons without dependants would have to pay as already provided. I am not worrying about them so much, because they are in a much better position than married people are to pay under this Bill. I hope the Committee will grant the slight modification of the tax proposed in my amendment.

The ATTORNEY GENERAL: Under the scale as it now exists, and subject to the increased exemptions, permitted under the Assessment Bill, the very man whom the leader of the Opposition wishes to benefit is already free from taxation.

Hon. P. Collier: Oh, no!

The ATTORNEY GENERAL: Absolutely free. A married man with an income of £226 a year, and supporting three children, and paying £5 in rates and £5 for insurance, would be left with a chargeable income of only £156, and therefore would pay no tax whatever.

Hon. P. Collier: What about a man on £4 a week, with two children?

The ATTORNEY GENERAL: There would be £40 for the children, £5 for rates, £5 for insurance; and if he has £2 for other outgoings, he will pay no tax at all. This scale has been commended by the leader of the Opposition, who says that it is equitable because it imposes so much less on the working man and so much more on the man at the other end.

Hon. P. Collier: I said that with a reservation, namely, that the reduction of the exemption was the one blot on the schedule.

The ATTORNEY GENERAL: The tax affected by the hon. member's amendment would be £2 3s. 4d. If the amendment is carried that tax will be £1. In other words it will have been cut in halves. If this is to be cut in halves, others will want the same consideration, and where will be our taxation? The scale is a systematically ascending one, and the thing for the Committee to do is to accept it or reject it.

Mr. ANGELO: In the existing Act we have the £200 exemption. But the tax imposed on the middle and wealthy classes in that measure is fairly reasonable. Had that been continued we might have allowed the exemption of £200 to continue. On the Esplanade on Sunday last, most of the speakers acknowledged that increased taxation was absolutely necessary. Under the new proposal the tax on incomes from £500 to £1,000 has been doubled, while the tax on the richer men with incomes up to £5,000 has been nearly trebled. We who represent the squatters have not raised any objection, although the tax on the squatters has been trebled. I appeal to members oposite to carry out what they proposed on the Esplanade, and let us all pay some portion of this necessarily increased taxation. The proposed reduction would mean so very much less revenue that the Bill might just as well go out. We have heard that the wage-earner has to pay considerably higher for his commodities. I have here "Knibbs" for 1916, which shows that from 1915 to 1916, the value of the sovereign increased by only 11d.

Hon. P. Collier: But take 1916 as against 1914.

The Attorney General: What is your argument against that?

Mr. ANGELO: My argument is that in 1916 the average increase of wages per week amounted to 4s. 11d. These figures are for Western Australia in both instances. So on a basis of £3 per week there is an advantage of 2s. 2d. out of the 4s. 11d.

Mr. Munsie: There are thousands of workers who have not had one penny increase.

Mr. ANGELO: We who represent the richer men have agreed to very great increases, and I ask hon. members opposite to agree to the small increase imposed on the workers.

Mr. HOLMAN: The amendment represents only a very mild request. I admit that the schedule is the best we have had presented to us; with the exception of the exemption it is worthy of commendation. The opposition put up has brought forth some good results. But surely we can now show some little consideration to a class already heavily burdened. The quotation from "Knibbs" is incorrect, because there has not been an increase of 4s. 11d. per week amongst the workers of Western Australia. In many instances there has been no increase at all, while in others it amounts to only a few pence a week. There have been practically no increases in the mining community nor amongst timber workers. If all the statements in "Knibbs" are on a parity with those quoted by the hon. member they are entirely misleading, for the increases have not been granted to the workers of Western Australia. It is only a mild proposal and I am surprised the Government did not accept it.

The Attorney General: I have accepted a lot of suggestions from the Opposition side.

Mr. HOLMAN: And they have improved the measure considerably. There is a large section of the community receiving only £200 a year. The working man on the goldfields will be taxed. The miners are getting a little bit over £4 a week ,and they would not obtain much exemption under the Bill as it now stands.

Amendment (to strike out the words) put, and a division taken with the following result—

Ayes	21
Noes	16
Majority against ..	5

AYES.

Mr. Angelo	Mr. Nairn
Mr. Broun	Mr. Pickering
Mr. Brown	Mr. Piesse
Mr. Draper	Mr. Pilkington
Mr. Durack	Mr. R. T. Robinson
Mr. George	Mr. Teesdale
Mr. Griffiths	Mr. Thomson
Mr. Harrison	Mr. Underwood
Mr. Hickmott	Mr. Willmott
Mr. Maley	Mr. Hardwick
Mr. Money	(*Teller.*)

NOES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Mitchell
Mr. Collier	Mr. Munsie
Mr. Davies	Mr. Rocke
Mr. Green	Mr. Troy
Mr. Holman	Mr. Walker
Mr. Johnston	Mr. Willcock
Mr Jones	Mr. O'Loghlen
	(*Teller.*)

Amendment thus negatived.

Clause put and passed.

Clause 4—Sec. 56 of No. 15 of 1907 not to apply:

The ATTORNEY GENERAL: This clause should be struck out as being consequential.

Clause put and negatived.

New clause:

The ATTORNEY GENERAL: I move—

"That the following be added as a new clause:—'4. Notwithstanding anything contained in the Land and Income Tax Assessment Act, 1907, to the contrary—(1) If the 'income chargeable' of any person, together with income received by him in respect of the dividends of a company liable to pay duty under the Dividend Duties Act, 1902, exceeds in the aggregate £2,267 during the year ending the 30th day of June, 1918, income tax shall be payable by such person on the amount of such aggregate income, but he shall receive credit for the duty payable under the Dividend Duties Act, 1902, in respect of so much of his income as is derived from a company as aforesaid. (2) If any person is, during the year ending the 30th day of June, 1918, in receipt of income derived from dividends within the meaning of the Dividend Duties Act, 1902, and from no other source, and such income, after all deductions allowed by law, exceeds £2,267, he shall be liable to pay income tax on such income, but he shall receive credit for the duty payable under the Dividend Duties Act, 1902, in respect thereof.

I have already explained to members that these two sub-clauses are added for the purpose of equalising the incidence of taxation under the Dividend Duties Bill which we have passed; the tax levied on dividends is 1s. 3d. in the pound. The tax that we have just passed in the preceding clause amounts from 2d. to 2s. 6d. Previously many persons earning incomes from companies were paying the lesser tax and unless an equalising tax of this description is brought in, it will be unfair. The amount of revenue to be derived from these two clauses will amount to £20,000 or £25,000 which will bring the total of taxation to the same amount which the Treasurer estimated to receive under his own schedule. The figures under 2,267 occur at the stage in our graduated scale where the private individual will pay the 1s. 3d. tax the same as a company. The amendment I suggested before has a different figure. The reason of the figures is that it is the point in the scale where the amount charged on companies is reached. In support of this I say that there is no State in Australia where the rate charged on the individual is higher than the flat rate of a company and it would be most unfair if it were so. If any person because he surrounds himself by a certificate of a company would be able to halve his taxation, having already done so, is able to escape taxation, surely nobody will be found who will be content because a man who is within the parchment enclosure should pay one half the tax as the man who retains his individuality does.

New clause put and passed.

Title, Preamble—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments and the report adopted.

BILL—GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

Council's Message.

Message received from the Legislative Council stating that it did not agree to the amendment made by the Legislative Assembly, on the amendment of the Legislative Council, for reasons which were set out in the schedule.

BILL—SPECIAL LEASE (GYPSUM).

Council's Amendments.

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

In Committee.

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

No. 1. The Schedule, the proviso.—Add to paragraph (d) the following words:—"with power to the Minister for Lands or any other officer appointed by him to inspect the books of account or records of the lessee from time to time, and to make extracts therefrom."

On motion by Mr. Piesse, amendment agreed to.

No. 2. Preamble.—Strike out the word "grant," in line six, and insert "lease."

On motion by Mr. Piesse, amendment agreed to.

[The Speaker resumed the Chair.]

Resolutions reported, the report adopted, and a Message accordingly returned to the Council.

House adjourned at 10.35 p.m.