Legislative Assembly.

Thursday, 9th October, 1913.

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

PAPER PRESENTED.

By the Minister for Mines: Order-in-Council authorising manufacture, importation and sale of explosive "sabulite."

QUESTION—BANK CLERKS AND MATRIMONY.

Mr. E. B. JOHNSTON asked the Premier: 1, Has the attention of the Government been drawn to the sworn evidence given in the Arbitration Court by the general manager of the Western Australian Bank to the effect that that bank's regulations prohibit its clerks from marrying unless they are in receipt of a salary of £200 per annum? 2, Are the Government aware that other banking institutions operating in Western Australia impose a similar regulation on their employees? 3, Is it true that some clerks after periods of ten, fifteen, and even twenty years' service in banking institutions are not in receipt of £200 per annum, and consequently are not permitted to marry even at ages between 30 and 40? 4, As regulations prohibiting or restricting the marriage of adult persons are against public policy and opposed to the best interests of the State, and as the mariage laws are under State jurisdiction, will the Government cause the cancellation of this regulation by introducing an amendment to the existing marriage law, providing that any bank director or other employer who directly or indirectly prevents a man of 21 years of age from marrying shall be liable to imprisonment for three months without the option of a fine, as suggested in the Federal Parliament by the hon. member for Capricornia (Mr. Higgs)? 5, If not, what action do the Government intend to take to protect bank clerks and their fiancées from this unwarrantable, unnecessary, and injurious interference with their private lives?

The PREMIER replied: 1, Yes. 2 and 3, I am not officially aware that the circumstances are as stated. 4, It is doubtful whether an amendment of the marriage laws would effectually remedy the matter under notice. The regulations referred to appear to constitute a "condition of employment," and the difficulty might be more satisfactorily overcome if those concerned formed themselves into a union, and approached the Arbitration Court, which deals with all matters affecting wages and conditions of employment. 5, Answered by the foregoing.

Mr. E. B. Johnston: Could you not amend the proper law?

QUESTION—WHEAT EXPORT FROM GERALDTON.

Mr. NANSON asked the Minister for Railways: 1, Is he aware that an exceptionally large quantity of wheat for export is expected to be sent to Geraldton for shipment during the approaching shipping season? 2. What provision is being made by the Railway Department to permit of this wheat being expeditiously and economically handled on the Geraldton jetty and in the railway yards?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, Every possible provision, with the space available, is being made. The question of elevators for use on the jetty, in addition to the steam appliances, is being considered. So far, it has not been found practicable to work an elevator on the jetty owing to the fact that it would block up some of the lines of rails which are used for standing wagons on.

QUESTION—YANDANOOKA ESTATE.

Mr. MOORE asked the Minister for Lands: 1, When does he propose to throw open the land already surveyed on the Yandanooka estate? 2, What price does he propose to place on this land? 3, Will he expedite the settlement of this area, as settlers are desirous of fallowing their prospective holdings?

The PREMIER (for the Minister for Lands) replied: 1, As soon as the formalities in connection with the title are settled. 2, The prices have not yet been fixed. 3, Yes.

QUESTION—RAILWAY FACILITIES, DALWALLINU.

Mr. MOORE asked the Minister for Works: 1, In view of the promises made to the Dalwallinu settlers that their produce from 1911 crop would be carried to market by rail that season, and the railway not yet being completed, will he cause the construction trains to carry back loading to Wongan at a reasonable rate? 2, If so, what rate will he charge for wheat per bushel, and hay and chaff per ton? 3, Will he cause a ramp to be put in at Dalwallinu, or conveniences supplied for unloading heavy machinery, which is already arriving at that centre?

The MINISTER FOR WORKS replied: 1, The Public Works Department are now carrying traffic between Wongan Hills and Dalwallinu. 2, The rate for some years on wheat, chaff, hay, etc., for distance equal to that from Wongan Hills to Dalwallinu, or *vice versa*, has been 16s. 4d. per ton, exclusive of bush haulage, demurrage, or other charges by the Working Railways. A revision of this rate, both for this railway and the Merredin-Wickepin line, is now under consideration. 3, Orders have already been given to erect an outside loading platform at Dalwallinu.

QUESTION—RAILWAY PROJECT, BUSSELTON-MARGARET RIVER.

Hon. FRANK WILSON asked the Premier: 1, Is it his intention to redeem the promise he made to a deputation in 1911, and repeated during last session of Parliament, to bring down a Bill for the construction of a railway from Busselton to Margaret River? 2, If not, why not?

The PREMIER replied: 1 and 2, Yes, but authority to survey this and other proposed lines will first be submitted for parliamentary approval. Much disappointment is felt when parliamentary approval to construct a railway is obtained so far in advance of possible construction, and it is not the intention of the present Government to continue this policy. Bills will be submitted for authority to survey proposed lines from time to time, and this will prevent an unnecessary number of surveys owing to disputes regarding routes, as in the past, and at the same time afford an assurance to settlers that the Government will provide railway facilities in the district covered by the survey as early as possible.

Hon. J. Mitchell: Are you not going to make trial surveys?

The PREMIER: Now take it sitting down.

QUESTION—HARBOUR ACCOMMODATION, FREMANTLE.

Mr. CARPENTER asked the Premier: 1, Has his attention been called to the following statements appearing in the *West Australian* on Monday last, namely, "That the great vessels of the White Star line decline to make use of the port of Fremantle; that the s.s. "Ceramic" could not be accommodated there; that by 1915 two large vessels of the Blue Funnel line will have to pass it by?" 2, Is it true that either the s.s. "Nestor" or "Ceramic" were unable to call at Fremantle owing to lack of harbour accommodation? 3, Has the White Star or any other shipping company declined to send its ships to Fremantle for a similar reason? 4, Are the Government aware that larger boats are now being constructed for the Australian trade, and are steps being taken to provide adequate harbour accomodation for them at Fremantle?

The PREMIER replied: 1, Yes. 2, It is true there is not sufficient water in the

inner harbour at Fremantle to at all times accomodate the steamers "Nestor" and "Ceramic" when those vessels are loaded to their maximum draft. The "Nestor" however, visited Albany on a lighter draft than ships which have used the inner harbour at Fremantle. 3, The "Nestor," on her last voyage from Australia to Europe, made a special call to Western Australia, and was sent to Albany because the Fremantle harbour authorities were unable to guarantee that the inner harbour at Fremantle could take the ship at all times on her maximum loaded draft. 4, The Government have been informed that still larger ships are likely to be built for the Australia-Europe trade; and the harbour authorities have drawn the attention of the Government to the necessity for increasing the depth of water in the inner harbour. The Government have now under consideration the question of deepening the entrance channel and portion of the inner harbour to 36ft., sufficient in area to berth large ships.

QUESTION—RAILWAY, WICKEPIN-MERREDIN.

Mr. MONGER asked the Minister for Works: When does he propose to hand over the Wickepin-Merredin railway to the Commissioner?

The MINISTER FOR WORKS replied: Merredin to Bruce Rock will be handed over before the end of the year. Owing to efforts of the department being concentrated in the laying of rails on other lines under construction it is not expected that the remainder of the line from Bruce Rock to Wickepin will be handed over until August, 1914.

Mr. Monger: When?

The MINISTER FOR WORKS: August, 1914.

QUESTION—RAILWAY DEPARTMENT ADMINISTRATION.

Mr. LANDER asked the Minister for Railways: Is there to be a change in the management of our railways by—1, The appointments of Mr. Hume as Assistant Commissioner; 2, Mr. Evans as Chief Mechanical Engineer; and 3, Mr. Shaw as Works Manager?

The MINISTER FOR RAILWAYS replied: No.

BILL—SUPPLY (No. 2) £1,025,000

All stages.

Message from the Governor received and read recommending appropriation in connection with the Bill.

Standing Orders Suspension.

The PREMIER (Hon. J. Scaddan) moved—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and of Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

Hon. FRANK WILSON (Sussex): The Premier was good enough to mention to me a few minutes ago that he intended asking for further supplies. I should have been better pleased if he had explained his reasons for it on this motion, if it were possible, because we have been looking forward to hearing the Budget speech from him for a considerable time now, indeed I think it was over a month ago that we were to have had it delivered. I presume if we continue waiting until next month we shall hear something about it. I believe the Premier intends to make an effort to deliver it next week.

The Premier: It will be delivered next week.

Hon. FRANK WILSON: I hope this effort will be sucessful.

Mr. Heitmann: He could not get out of your groove in two years.

Hon. FRANK WILSON: The Premier promised not only to get out of the groove, but that such a thing would not occur, and he said it was not necessary to wait beyond the end of July for the Budget. I do not wish to take up time by repeating all the Premier's promises

or even by suggesting any opposition to the granting of Supply because I know that it is necessary that the Treasurer should have legal command of money to pay the liabilities of the State. It is an understood thing that when the Budget has not been prepared in time Supply will be granted to enable the Treasurer to appropriate the revenue. I wish the Premier would explain to the House why he has not been able to get his Budget down and say definitely when he proposes to deliver it before we agree to the suspension of the Standing Orders to pass this Bill through all its stages.

The PREMIER: The reason why it is necessary to obtain further Supply is that until such time as the Estimates are passed through their final stages, the Treasurer is not authorised to draw on the public account. Even if I submitted the Budget to-day I would have to obtain Supply.

Hon. Frank Wilson: Exactly, if you are short.

The PREMIER: I have asked for Supply to carry me over this month which I think will be sufficient time for the purpose of passing the Estimates. I informed the hon. member prior to introducing the motion that I would bring down the Budget this day week. Most hon. members are aware that the pressure of visitations during the last few weeks has prevented me from paying strict attention to the Budget. The leader of the Opposition knows that the Treasurer has to concentrate his thoughts for some time on his Budget if he is going to give satisfaction to the House and to the country, and I have not been in a position to do that on account of the broken weeks we have experienced owing to these visitations. Nevertheless, I propose to bring down the Budget on Thursday next, and will give the leader of the Opposition all the information he requires, and enough to think about for a few days. In the meantime, I must have Supply for the purpose of carrying on the service.

Question put and passed; Standing Orders suspended.

In Committee of Supply.

The House having resolved into Committee of Supply, Mr. Holman in the Chair,

The PREMIER (Hon. J. Scaddan) moved—

That there be granted to His Majesty on account of the service of the year ending 30th June, 1914, a sum not exceeding £1,025,000.

He said: It is not necessary to explain more than I have done that this is for Supply to carry over to the end of the month, by which time the Budget will have been submitted in order to obtain Parliamentary authority for the appropriation of these moneys.

Hon. Frank Wilson: It seems a large sum.

The PREMIER: It is really a little more than is required, and is being asked for in case of accident.

Hon. FRANK WILSON: The sum of £525,000 from revenue is more than an average monthly expenditure, and if this amount is for Supply for only this month it seems to be a large sum to expend. The sum of £500,000 from loan is at the rate of £6,000,000 per annum. I do not suppose we are spending money at that rate at the present time, especially as this is a time of stringency, when we cannot get the railways we want constructed, and cannot even get Bills brought forward according to a reply which the Premier a few minutes ago made to a question which I put to him. Perhaps the Premier will explain why the expenditure is likely to be so excessive this month. Hon. members will see that this is equal to an expenditure of something like £12,000,000 per annum from loan and revenue. So far as loan is concerned there may be extra indents to meet, but the expenditure from revenue should not represent such a heavy sum for one month. The Premier informs us that we will get the Budget next week and I am quite satisfied that his statement that he will give me something to think about for a few days is true. Possibly it would be better if he gave me a week or two. I know the Budget has been exercising his mind for

months, and that he is feeling uneasy about it. I sympathise with him in his trouble and regret that it is my duty to go further than sympathise and to criticise him. Perhaps I will give him something to think about after I have spoken in reply to his Budget Speech. However, we are now dealing only with the matter of temporary Supply and perhaps the Premier will tell us why he is asking for a sum of £525,000 from revenue and half a million from General Loan Fund, when according to his own statement it is only to cover the expenditure for the present month.

The PREMIER: The hon. member will appreciate the fact that the figures submitted are round figures and are not calculated to the exact amount. When the Under-Treasurer approached me, I told him to obtain sufficient to carry over the month because the possibility was that the Estimates would occupy at least a month from date before being passed right through, and I did not desire to ask for further supply if it could be avoided. The hon. member himself has given another reason why there is likely to be some little time occupied in dealing with the Estimates. The Budget will be introduced on Thursday next, the 16th October, and I expect that the leader of the Opposition will ask for an adjournment until the following Thursday, or at any rate, until the following Tuesday for certain, which will be the 21st October, before he has discussed it, and then I suppose it will take a fortnight before the general discussion is concluded unless we apply ourselves to the Budget and deal with no other business. By the time we pass the departmental votes in detail the month will be well on. That is why the amounts were fixed at the sums named.

Hon. Frank Wilson: Will this carry you on into next month?

The PREMIER: I think it will, if necessary.

Question put and passed.

Resolution reported, and the report adopted.

In Committee of Ways and Means.

The House having resolved into Committee of Ways and Means, Mr. Holman in the Chair,

The PREMIER (Hon. J. Scaddan) moved—

That towards making good the Supply granted to His Majesty for the service of the year ending 30th June, 1914, a sum not exceeding £525,000 be granted from the Consolidated Revenue Fund and from the General Loan Fund £500.000.

Question passed.

Resolution reported, and the report adopted.

Supply Bill introduced, etcetera.

In accordance with the foregoing resolutions, Supply Bill introduced, passed through all its stages, and transmitted to the Legislative Council.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Read a third time and *passed.*

BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

Report of Committee adopted.

BILL—MINES REGULATION.

Report of Committee adopted.

BILL—FISHERIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th October.

Hon. J. MITCHELL (Northam): I have looked into this measure submitted by the Honorary Minister, and it seems to me that several of the provisions are very good indeed. I see the Minister provides that waters can be closed against fishing of any kind. This may be very necessary because the Minister should take power to protect special kinds of fish against capture. How he is going to

do this I do not know but I suppose in Committee he will tell us how it can be done. The weight of the fish is no longer to be important; it is the length. Fishermen will have to take a 2-ft. rule with them when going out fishing.

Hon. W. C. ANGWIN (Honorary Minister): It is easier to carry a 2-ft. rule than scales.

Hon. J. MITCHELL: Yes. A fisherman must take a 2-ft. rule with him because some of the fish might be less than 13-in. in length. How the Minister is going to prevent fish less than a foot long getting on a fisherman's line, I do not know. When net fishing the small fish can be put back into the water, but I do not think it would be right to put back fish which have been caught by the hook; it would be wrong in some cases because fish caught in this way are sometimes mutilated in being taken off the hook. We know that Acts of this kind have to be reasonably administered, and I take it that the Commissioner, when he sees the member for South Fremantle fishing from the wharf, and catching a fish that is less than the length provided in the schedule, he will see that he does not bring it on to the jetty. I believe it is wise to take power to close waters against fishing of any kind, which the Minister does when he takes power to close waters against line fishing as well as against net fishing. Many of our waters have been closed against net fishing and are now producing a plentiful supply of fish. I visited Nornalup Inlet some time ago, and this place has been kept for line fishing. I believe now that the very best fish to be found in the State can be caught in Nornalup Inlet. If the Minister can improve fishing for the angler, he will have achieved something. There are some drastic provisions in the Bill, and one is in Clause 8, which provides that any boat, hook, line, or implement kept for the purpose of taking fish found in closed waters can be forfeited and, of course, sold and the proceeds handed to the Government. In the concluding words of the clause there is some protection, but it seems rather drastic to be able to seize a boat, uness it contains a fishing line or some implement for the purpose of taking fish. If the Minister desired to close the waters near Perth, or a portion of the waters near Perth, against fishing, and anyone tied a rowing boat up to the bank, that boat can be taken and forfeited, and of course sold, unless the owner of the boat, or the person using it, can prove that it was not used for fishing. The boat itself cannot commit any offence; still, we can deal with this clause in Committee. I shall be pleased then to hear what the Minister has to say in regard to that matter. It is a strange thing, in a State like this, that fish is so dear, with the enormous coast line that we have and with the nature of the population. It is strange that fish is so scarce. Can the Minister tell us why it is so? Some time ago, just before leaving office, the late Administration appointed a fisheries inspector. I believe he has done good work, but I should like to hear from the Minister something more as to the question of the fish supply. The Administration engaged the services of a trawler, and it was promised by the Honorary Minister, and other Ministers, the Colonial Secretary in particular, that we should have cheap fish.

Mr. SPEAKER: The Bill does not provide for a discussion of that principle.

Hon. J. MITCHELL: The Bill provides against the taking of fish, so that has a very great deal to do with the fish supply.

Mr. SPEAKER: The hon. member cannot discuss the policy of the Government on a Bill of this character.

Hon. J. MITCHELL: Can I not discuss the question of the advisableness of the Government having the right to improve the fish supply?

Mr. SPEAKER: The hon. member will continue his remarks and I will tell him when he is wrong. He will be wrong if he refers to the policy of the Government in regard to the fish supply.

Hon. J. MITCHELL: I think, in discussing the question of closing waters, we might discuss the question of the taking of fish by the Government or any per-

son. If the waters are closed, the Government's promise of a cheap fish supply cannot be carried out.

Mr. SPEAKER: The hon. member can discuss the closing of waters but not the policy of the Government in respect to the provision of cheap fish.

Hon. J. MITCHELL: I do not need to discuss a policy which has been abandoned by the Government, but to discuss the allowing of other people getting fish, so that we may have a cheap fish supply. We know that the fishermen who now supply us have had no trouble in obtaining fish from time to time, but fish is always dear. It is the difficulty of catching fish sometimes, but can the Minister, who has had the advice of his expert, tell us why fish is so dear? Can the Minister tell us whether he can make provision in the measure to assist the people in the metropolitan area to get a cheaper supply of fish? We are told there is an abundant supply of fish around our coast. We have waters that are well stocked and I suggest that the Minister should take into consideration the question of taking fish from these well-stocked waters and preserving them in some way by having them smoked and then supplied to the people. I realise that smoked fish is not more than a substitute for fresh fish, but the people of the State should be well supplied with fish. We want to encourage the industry. If the Minister will take my advice he will look into the question of putting down fish preserving works, not necessarily canning works, because fish that cannot be used immediately are better smoked than canned. The energies of the Government will be well directed towards this end. The people are looking for cheap food and this is one means of providing it. I believe that at Shark Bay in the North there is an abundance of fish. Along the coast in some places you can get fish very easily; it can then be smoked and supplied to the people. I do not wish to disturb the Minister by suggesting that he should add another industry to those they have already brought into existence, but we should have an opportunity of discussing this question of the fish supply on a question of this kind, especially as we have a Fisheries Department with an expert. I welcome any amending Bill that tends to improve legislation on the statute-book. If legislation cannot be enforced, and it does happen that legislation is passed, although we may have the best draftsmanship, which cannot be enforced, these errors should be rectified. The Minister brings down small measures at times to improve existing Acts and we should allow them to be improved. This Bill is one which we may accept without question. I do not wish to question any clause in the Bill except the provision as to the seizing of boats in closed waters, and I should like to ask the Minister to take into consideration the suggestion I make, that he should provide an opportunity, if not by himself by the head of his department, of allowing the fishermen of the State to take fish from well stocked waters, which to some extent have been neglected, and have them smoked. It is a scandal that the people are asked from day to day to pay the price they have to for the various smoked and preserved fish obtained from English waters, when we have a large coast line and most of it carrying fish. The member for Albany (Mr. Price) no doubt can supply a lot of useful information in this regard. I believe he is an expert fisherman and can tell us the quantity and quality of the fish you can obtain in his electorate. The Minister might have consulted the hon. member in this matter before bringing down the measure, so that it could include some provision to enable the Minister to give encouragement to any one who smokes fish and supplies it to the people at a cheap rate, certainly cheaper than we can expect the fish of the old lands to be smoked and sent out to Western Australia.

Mr. GEORGE (Murray-Wellington): I presume that a number of the provisions which have been embodied in this Bill have been inserted on the advice of the experts of the department, but while we have the measure before us, I think it would not be out of place for me to draw the attention of the Minister and the House to a question to which I have referred on many occasions during the last

18 or 20 years, and that is the desirability of seeing that the old established fishermen of this State shall be protected against the undue and unfair competition that they experience from those who are commonly termed dagoes, and others who are known as Japs. My friend, the member for South Fremantle has included in his electorate a portion of the State which was formerly in my electorate. I refer to Rockingham, and he will bear me out when I say that the old established fishermen at Rockingham and Mandurah have had to suffer great difficulties, in fact their livelihood has been materially interfered with, by the license which has been allowed to the class of fisherman to whom I have referred. It is common knowledge that at Rockingham the dago fishermen have destroyed millions of immature fish. They use nets of smaller mesh than those which the white men are permitted to use, and when they draw their nets they do not even take the trouble to shake out into the sea the immature fish which they have caught. The immature fish have been seen lying in tons on the shores of Rockingham and they have been allowed to perish instead of being thrown back into the sea.

Mr. Lander: Where are the inspectors?

Mr. GEORGE: That is a question I want the Honorary Minister to find out.

Mr. Underwood: They are looking after the kangaroos.

Mr. GEORGE: That is immaterial. The question is that inspection is wanted there, and if inspectors are out after kangaroos or after the member for Pilbara, it is time that the department took some action. So far as my knowledge is concerned there have been complaints during the last 12 or 15 years of the trouble which has been experienced from the Japanese fishermen, and while there have been a number of prosecutions of white men, the Japanese have managed to escape, both from prosecution and interference. These men are not troubled by the hours or the manner in which they work.

Mr. Munsie: I am pleased to hear that you are up against the foreigners in some way.

Mr. GEORGE: When they are interfering with the livelihood of our own people as they are doing in this case, and the member for South Fremantle can bear me out, I think I should be wanting in my duty if I were not up against them and up against them hard.

Mr. Munsie: You did not give us much support on the Mines Regulation Bill.

Mr. GEORGE: I am giving it now and I want the hon. member to support me. At Mandurah the Japs have made it quite impossible for the white men to put out their nets. There have been a few big fights there and I am surprised that the white men have been able to contain themselves in the manner that they have done after having found that their livelihood has been interfered with by these foreigners. These men are not of much use to the country and I want to draw the Honorary Minister's attention to that fact. I think I have said quite enough on this matter, and if it is that there are not enough inspectors in the service to look after the foreigners properly, I sincerely hope the Minister will see his way to appoint more. Down at Rockingham, when I represented that district, the position was pretty bad, and I expect it is the same now.

Hon. W. C. Angwin (Honorary Minister): I think the courts have more to do with it than the inspectors.

Mr. GEORGE: Let the courts do their duty; we cannot have the livelihood of our people interfered with in this manner. If the inspectors do not do their duty, the Minister can deal with them, and if the courts will not do what we expect of them, there are means by which we can bring the matter under their notice. The position is most serious for the white men who are engaged in the industry, the men whose fathers settled in the place to which I have referred, and brought up their sons to carry on the industry, and now that we find they are being interfered with in the manner I have related, I am certain every hon. member in this House will support whatever action may be taken to bring this state of affairs to an end. There are several clauses in the Bill which may

bear a little amendment in Committee, but on the particular subject on which I have addressed my few remarks, I feel very strongly, and I know that in regard to it I have the support of the member for South Fremantle. A great wrong has been done to the white people who have been engaged in fishing, and it is up to us to see that something is done to remedy that state of affairs.

Mr. BOLTON (South Fremantle): I heartily support the second reading of the Bill mainly on the ground that it gives to the Chief Inspector much needed greater powers.

Mr. Underwood: Do you think he will use them?

Mr. BOLTON: I am hopeful that he will, and if he does not I shall use my voice to some effect. I am of opinion that up to date not sufficient power has been given to the Chief Inspector. I have frequently come into contact with that gentleman since he has taken charge of the Fisheries Department, and I believe that he has done a great deal of good, but if he is given more power I am sure that he will do even a greater amount of good. The member for Northam asked the Honorary Minister to point out how people were to get cheaper fish, or to point out why fish was so scarce and so expensive. The member for Murray has told the House why fish is scarce and expensive. It is the destruction of immature fish which is responsible for the scarcity and the high cost. This destruction has depleted our waters, which were teeming with fish until a few years ago. I had occasion, on a recent visit to Rockingham, to bring back with me half a sugar bag of immature fish, largely small flounder, which were not more than two to three inches across. I got into touch with the Chief Inspector and I handed the fish to him, and that officer sent inspectors down to Rockingham to catch the offenders. Those men were prosecuted, and in connection with that prosecution an effort was made to have their cases heard in Perth. The officers of the department prefer to have these matters dealt with by Mr. Roe, because that gentleman understands the fishing industry and the danger these foreigners are to the industry. The inspectors were unsuccessful and the cases were heard in Fremantle, and the offending fishermen were fined only a few shillings. It is no exaggeration to say that there were dozens of baskets of immature fish at the time I visited Rockingham. The same thing is going on to-day. On any night one cares to go down there, starting from the old baths, along the beach to Rockingham, he will find the beach strewn with immature fish two or three inches in length. Then we are asked by way of interjection, where are the inspectors. I say it is utterly impossible for the inspectors to catch these men. The Greeks sleep on their boats, and at all times they are ready to up anchor and be off. The differences between the Greek and the white fishermen are very acute indeed. I have had occasion to wait on the Chief Inspector and draw his attention to the danger that the Greek fishermen are. The white men are being driven right out of the industry, and to-day, the old fishermen—starting with the Willis family—who together numbered 100, have been reduced to 22. It is impossible for the white men to compete with the Greeks, because of the manner in which the Greeks work. Wherever there are two white fishing boats, it will be found there are four Greek boats, and the Greek boats are always about shepherding the whites. It is almost impossible for the white fishermen to drop their nets without the Greeks coming over their ground, and everyone knows that once fish are disturbed they are driven away, and the Greeks take care that they drive them to where other Greek boats have cast their nets. Then it is next door to impossible for a white fisherman to make fast to the jetties because the Greeks are all there. The Chief Inspector knows of this, and he knows also that immature fish are being destroyed by the ton. He knows that the white fishermen at Rockingham have no chance against the Greek boats because the latter follow them wherever they go. I have presented a petition to the Chief Inspector and have waited on him a dozen times and asked him to take action, but I have come

to the conclusion that he has not sufficient power. At first I was prone to blame that officer for not having sufficient backbone, but I soon found that what he wanted was additional power. Under this Bill he will be given a chance of doing something in the direction of improving the condition of the industry and making the lot of the white fishermen bearable. It was suggested that three miles of coast line should be rented or leased to three or four white fishermen, and that a similar adjoining distance of coast line should be leased to the Greeks, and that the boundaries should be defined. The Chief Inspector, however, did not think that that would be possible, because there would not be a visible line, and it would be difficult to determine the boundaries unless buoys were put down—this and other difficulties prevented the suggestion from being carried out. I can only repeat that immature fish are being destroyed by the ton every month. The Chief Inspector requested Inspected McKenna, of the Police Department, to take the matter up, and that officer had three members of the police force patrolling the beach, but finally even he had to report that he could not do anything. The Greeks are too cunning, and will not allow themselves to be caught. They sleep on their boats, and as soon as the signal is given it is only necessary to up anchor and away. It was thought that the position would be improved when the Chief Inspector was provided with a motor launch, but then he found that he could not be everywhere with that launch. These men have a certain code of signals, and they seem to know exactly where the inspectors are, and in various ways they are able to defy the authorities. It is a shame that the white men who have been fishermen all their lives should be driven out of their calling today. They find it is quite impossible to compete against the Greeks. I have been told by them that it will lead to bloodshed, and I confess that I have said to them, the sooner the better. Then the Government will realise that there is really something in the complaints which have been made. A number of white fishermen who were engaged in the industry until last season, have had to turn to lumping on the wharves, because they found it quite impossible to earn a living while the Greeks had practically a monopoly of the industry, not only of the sale, but catching the fish. So far as this Bill is concerned, I believe that its passage will give the Chief Inspector additional power, and then I expect that some drastic alterations will take place. I have not blamed the Chief Inspector in the past because I am convinced that he has been quite helpless. I do not care whether the position means international warfare. It is time that the Government stepped in, and if the inspectors will do what is expected of them after the passage of this Bill, I am certain that everyone will be satisfied that there is justification for whatever action may be taken against the foreign fisherman.

Mr. S. STUBBS (Wagin): I desire to support this Bill, because it is to give the inspector increased power. For nineteen years I have resided in this State, and I believe I am right in saying that I followed angling as keenly as any person in the community. I listened attentively to the remarks of the members for Murray-Wellington and South Fremantle in regard to the outside fishing. I had no experience of sea fishing; my fishing was only in the streams, but nineteen years ago it was a common thing to take train from Perth to Pinjarra and by conveyance proceed down the Murray River five or six miles, and in a couple of hours, with a rod and line, probably hook one hundred black bream, varying in size from one and a-half to three pounds. Today, any good angler will sit in a boat from daylight to dark and probably catch not more than three fish. Now, there must be some reason for the depletion of the waters when that state of affairs exists, and in my opinion it is absolutely due to the facts stated by the two preceding speakers. Surely if we desire to retain in our waters the magnificent fish that in years past abounded there, we must do something to prevent the wholesale destruction of small fish that is taking place at the present time. It

may interest members to know that on the banks of the Murray River there were three Japanese occupying one-roomed cottages, and one of the Japanese, who had only been there three years, went away to Japan about two years ago with a fortune of £375, made in less than three years by fishing in the waters of the Murray River. I will not say that he and his compatriots caught fish illegally, but I do know that they were sending up seven or eight baskets of fish to every one that the white men sent up, notwithstanding that the white men were competent fishermen, although I will admit that they did not work the same hours as the Japs. I am an honorary inspector of fish, and have been for many years, and I know that until recently there was a clause in the old Act which said that people must not fish in closed waters with fixed engines. Now these very same Japs used to defy the law. They had a line stretched for about a mile along the deep part of the river and on each end was an oil drum; from this line they had little bits of line suspended at intervals and baits attached, and at 11 or 12 o'clock at night the anglers who were on the river would find the Japs coming along with muffled oars and taking the fish off those lines. Now, what chance had any shoal of fish that came in from the estuary to go up the river and spawn? I say that the depletion of these waters has come about through the illegal manner in which the Japs used to catch the fish. I welcome the Bill for the reason that it will give increased powers to inspectors, and, as the member for Pilbara said, I hope that the chief inspector will see that the provisions contained in the measure are carried out, and that a stricter surveillance will be the order of the day in connection with the fishing industry in this State. If we allow the waters to be depleted of the splendid fish they contain in the manner that seems likely, it will be only a question of time when the River Murray and other streams running into the Indian and Southern Oceans will be entirely barren of fish. I hope the Minister will endeavour to see that the inspectors will carry out the duties entrusted to them in an efficient manner. I do not desire to say that they are not doing their best now, but the extra powers contained in this Bill will enable them to be more strict in regard to the catching of fish in closed waters. I trust they will be watchful also of those other men who ruthlessly destroy immature fish.

Hon. W. C. ANGWIN (Honorary Minister), in reply: I do not know that there is anything more I can say, with this exception: that the chief inspector has found a great difficulty in enforcing the provisions of the present Act. It has been almost a matter of impossibility to carry on prosecutions owing to the drafting of the present Act, but this Bill is drafted more clearly, it does not overlap as the existing law does, and the chief inspector is of opinion that this measure will relieve the difficulties he has had to encounter up to the present. There is no doubt in my mind that the Fisheries Act has proved abortive in many instances, but I was of the opinion that some regulations had been drafted under the Act to get over the difficulty that the member for Murray-Wellington and the member for South Fremantle referred to. I know that only a few months ago the chief inspector met the fishermen at Fremantle for the express purpose of discussing this very difficulty, and I understood that some regulations were made which would get over a good deal of the trouble experienced in the past. Perhaps the chief inspector has since found that the powers under the present Act do not enable him to enforce the regulations in the manner he desired, but he is confident that, with the powers given in this Bill, he will be able to administer the Act better in future than it has been administered in the past. He has already stated—

> So far as Sections 8 and 9 are concerned in the 1905 Act, they are very far from clear in some respects and overlap each other in that they both provide for the closing of waters and restriction of methods of catching fish, and at times it has been found very difficult to take legal proceedings for

offences against the Act. Subclauses lettered 8 and 9 of Clause 4 of the amending Bill are now very clear and they remove the difficulty.

Those are the inspector's words in regard to the Act, and I am confident he has seen that this Bill has been prepared in such a manner as will give him the necessary power to carry out what was desired when the Act was passed.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1, 2, 3—agreed to.

Clause 4—Substitution of new sections for Sections 8, 9, 10:

Mr. GEORGE moved an amendment—

That after "prohibit" in line 1 of the proposed new Section 8 the words "any or" be inserted.

If this amendment were agreed to it would give the Minister power to deal with the class of persons to whom the member for South Fremantle and he had referred. If the inspector wished to close any waters or to prohibit certain persons from interfering he would be able to do so.

Mr. BOLTON: Both the Greek and the English fishermen were licensed. The chief inspector could refuse a license, but not without giving a reason. The amendment should be carried because it would give the inspector power to prohibit any or all persons from taking any fish, and when it could be proved, as it could be, that the Greeks interfered in the manner that had been described, the chief inspector would exercise the power given by this clause, and there would be no further bother.

Hon. W. C. ANGWIN (Honorary Minister): The clause read, "The Governor may, by proclamation, prohibit all persons, etc." The word "all" would include "any." The position was that so long as a person complied with the Fisheries Act he could not distinguish between them, but immediately a person did not abide by the Act then he had an opportunity to refuse a license. So long as the Act was carried out, would it be wise or right for the inspector to say to someone, "No, you shall not fish in this place, but I shall allow someone else to fish here"? If, however, a person contravened the Act, the inspector had an opportunity of preventing him at any time. The difficulty in the past had been, not so much in the fishermen, but in the action they had been taking in their fishing. A large quantity of fish under size had been taken and thrown on the beach, but it had not been possible to take any action. The inspectors had been down on the beach watching all night, and had taken cases to the court, where the fines had been such as to be almost ridiculous.

Mr. Bolton: That is so.

Hon. W. C. ANGWIN (Honorary Minister): The court had not seen fit to give effect to the Act in a way that would assist the inspectors, and it had been very disheartening for men to have watched on the beach all night, and, after they happened to get a case, to find that their work had really gone for nothing. No one had realised that better than the chief inspector, but it was believed that he would have in the present Bill all the powers which he required to carry out the Act properly.

Mr. GEORGE: What he sought to do was to give power to whoever represented the Government to prohibit people from fishing who had no right to fish. The clause said "all persons," but it might not be desirable to prohibit all persons. It might be desirable to prohibit some persons. No latitude was given here to the inspector at all. He (Mr. George) wanted to prohibit people who did not care a twopenny hang for Western Australia. So far as the fish industry in this State was concerned, and fish selling, the Honorary Minister would have great difficulty in finding a shop that was not run by Greeks or dagos, and it was not to their interests to preserve the fish so that other men might come in. The object he (Mr. George) had in view was to stop Japs, dagos, and Greeks from interfering with the livelihood of other fishermen, and to prevent them from carrying

on practices which they had been carrying on for years, and which had had the effect of breaking up the competition of white fishermen. The destroying of millions of immature fish, just spawned, was a crying scandal; it had been going on for years, and the reason why we had not got the supply of fish which we should have was that they had been killed in their infancy, and he believed purposely, by those people who had not been as regardful as they should be for the preservation of them. If the Honorary Minister could see his way to insert the words proposed in the amendment he would have the power to prohibit those people right away.

Hon. W. C. Angwin: The amendment does not do it.

Mr. GEORGE: That was a matter on which he differed from the Honorary Minister. If the Honorary Minister could see his way to accept the amendment it would clinch the question, so far as giving power to the inspectors was concerned.

Mr. BOLTON: If men were caught destroying immature fish by the ton, as they were doing to-day, instead of the inspector having the right as at present to bring them to court and have them fined 5s. or 10s., he should have the right to prevent them from taking any fish whatsoever. The insertion of the words proposed would get over the difficulty. Some Greek fishermen had been fined time and again, and had paid the paltry few shillings they had been fined for breaches of the Act. Not only would the amendment provide against these breaches of the Act, but would also operate as a warning to Greek fishermen in other respects where several of their boats unfairly disturbed some other boat during fishing operations. The words proposed in the amendment were necessary, and would not make the clause ridiculous. Discretionary powers should be given to the chief inspector.

Hon. W. C. ANGWIN: This portion of the Bill dealt entirely with closed waters or specified waters. The hon. member wished to deal with individuals, and not with waters at all. Section 15 of the principal Act gave all the power that was necessary. The inspector had found it difficult at the present time to take proceedings under that Act, and there was no doubt that when matters were made more clear through the medium of this Bill he would take other steps which would enable the Act to be administered much better than it had been in the past. Section 15 of the prinicpal Act said—

> The granting or refusal of a boat license or a fisherman's license shall be in the discretion of the officer appointed to issue licenses; but if any person shall think himself aggrieved by the refusal of a license he may appeal to the Minister, who may, if he thinks fit, direct the license to be issued.

Mr. George: That has been in power for years, but has been no good.

Hon. W. C. ANGWIN: Under that section, if a person did not abide by the conditions laid down in the Fisheries Act and regulations the inspector had full power to refuse to issue a license.

Mr. Bolton: Ten days after a license is issued a person may break the regulations, but the license is still in force for 11 months and a fortnight.

Hon. W. C. ANGWIN: It was not possible in regard to closing a certain water and say, "We are going to prevent a certain individual from going there." "All persons" meant in this clause any persons.

Mr. GEORGE: There might be specified a particular portion of the sea-coast along which, within a certain specified time, no one should take fish. What he wanted was to get a prohibition against the people that the law to-day had not been able to reach. This was the opportunity for us to try and remedy the known defects, and they could be remedied in this clause. If the Honorary Minister would agree to submit a new clause, which would meet the requirements, that would satisfy members. The Minister might give an assurance that he would do this. It could be done in this Bill and should be done.

Hon. FRANK WILSON: The addition of the proposed words to the clause

would hardly answer the purpose, because, after all, that clause did deal with prohibiting people as a whole fishing in certain waters, and we could not allow one person to fish in these waters and prohibit another person from doing so. What we wanted to do was to prohibit those people who defied and persisted in defying the law. The Act of 1905 contained that provision in Section 42, which allowed for the suspension or cancellation of licenses in certain cases. It seemed to him that the power was already there, but that the administration had been weak.

Mr. Bolton: It is difficult to convict.

Hon. FRANK WILSON: The amendment suggested by the hon. member would not give any greater power than that already contained in the Act. We wanted to be in the position to take away the license of the man who did not fish fairly, and that power was to be found in Section 42 of the Act of 1905. Therefore, it would be well not to insert the suggested amendment.

Mr. GEORGE: The leader of the Opposition, like some other members, could not see the strength of the position.

Mr. Thomas: Insubordination.

Mr. GEORGE: No. Members on the Opposition side voted and talked as they pleased. Section 42 of the Act of 1905 had never been put into force. The destruction of immature fish had been going on for years, and there had been no convictions and there had been no attempt to obtain convictions. He was desirous of putting something in the Bill which would give the Minister power to do this.

Hon. W. C. ANGWIN (Honorary Minister): Section 42 of the Act of 1905 provided that where a person holding a license had twice within a period of six months been convicted, he should be liable, in addition to any other punishment, to suspension or cancellation of his license. The hon. member's desire might be met by the insertion of a new clause in the Bill which would amend Section 42 by deleting the words "within a period of six months." The effect of that would be that a license could be suspended after an offender had been convicted twice.

Hon. J. MITCHELL: The Minister ought to exercise control through the issue of the licenses. The Minister ought to be competent to say, before issuing a license, whether the applicant was the right person or not to hold a license.

Hon. Frank Wilson: You cannot refuse a license to a respectable applicant.

Hon. J. MITCHELL: The Minister could refuse where he had had experience of the man and where it had been proved that the man was undesirable. It seemed, however, that it was difficult to prove that a man was undesirable. We had been told, however, that the men who transgressed were known, and, moreover, that they were not the old West Australian fishermen.

Mr. Bolton: They must be caught in the act before they can be convicted.

Hon. J. MITCHELL: The position ought to be that when the Chief Inspector was satisfied that a man was undesirable, he could refuse that man a license. He had the power to cancel a license after conviction; he ought to be able to exercise the power to refuse a license if he thought the applicant was undesirable.

Mr. GEORGE: As the Honorary Minister was prepared to amend Section 42 in the direction he had indicated, that would get over the difficulty. He would therefore withdraw his amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 5, 6, 7—agreed to.

Clause 8—Forfeiture of boats, nets, etc., found in closed waters without owner:

Mr. GEORGE: Under this clause there was a possibility of the State being put to considerably more expense than was desirable. It provided that when any boat, net, etc., was found by an inspector in closed waters without any person in actual possession, that inspector could cause the thing so found to be taken before a justice. Where was the sense of taking a boat—for that was what was meant—before a justice? Why should it not be possible for an inspector to mark

that boat, and then anyone who used that boat could be made liable.

Mr. S. STUBBS: If the suggestion of the hon. member was adopted any person who purchased a seized boat innocently might be penalised.

Mr. George: My point is why should we take the boat before a magistrate?

Sitting suspended from 6.15 to 7.30 p.m.

Mr. S. STUBBS: The member for Murray-Wellington (Mr. George) had declared that it was not necessary to provide that a boat, with the nets found in the boat, should be brought before a magistrate before being confiscated. The hon. member was under the impression that all that was necessary was for the inspector to brand anything seized, whereupon the brand could be taken as *prima facie* evidence that the article so branded was the property of the Crown. He was of opinion that the clause was a good one, and should be agreed to as printed.

Mr. GEORGE: The hon. member had not grasped the meaning of his (Mr. George's) remarks. Under the clause anything seized by the inspector would have to be taken before a magistrate. In his opinion it would be sufficient if the inspector were to mark whatever he seized, and it would then be competent for the owner of the boat, or of the nets, to make his proper claim to have the brand removed. In any case, it was a matter which probably could be provided for by regulation.

Clause put and passed.

Clauses 9, 10—agreed to.

New clause—Amendment of Section 42:

Hon. W. C. ANGWIN (Honorary Minister) moved—

That the following be added as a new clause:—"Section 42 of the principal Act is hereby amended by the deletion of the words 'twice within the period of six months' in lines 1 and 2."

At present it was provided that if any person within a period of six months was twice convicted of an offence against the Act, he should be liable to have his license suspended or cancelled at the discretion of the Minister. There was no necessity to provide for the second conviction, because a person might be convicted of one serious offence which would justify his license being dealt with by the Minister.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—LAND VALUATION.

Second Reading.

Debate resumed from the 7th October.

Mr. TURVEY (Swan): I must confess at the outset that I was somewhat surprised at the opposition offered to the Bill, and more astonished still at some of the remarkable statements made, particularly by the leader of the Opposition and by the member for Northam (Hon. J. Mitchell). The member for Northam said that an appeal could not be lodged each year unless some alteration had been made in the register. If the hon. member had studied the Bill he must have seen that provision is made for an annual appeal by the owner of the property, notwithstanding that no alteration may have been made in the register during that particular year. The hon. member also stated that he approved of the Bill on the score that it would mean a greater uniformity in lands valuation. Later on the hon. member said that the Bill would not do a tap of good, except to provide positions for civil servants. The hon. member showed inconsistency in referring to some good which the Bill would do, and subsequently declaring it would do no good at all. He concluded his remarkable misstatements regarding the Bill by appealing to the Premier to give consideration to the landholder, and more particularly to the struggling settler. That is an oft-repeated cry from some members in Opposition, but there are some hon. members opposed to the Government who nevertheless recognise that the Government have done all that is possible to assist the landholders in every direction, and that the policy of the Government is

not to in any way interfere with, or hamper, or place restrictions upon, the genuine settler on the land. In fact the assistance which was rendered by the Government during the past two seasons—and I venture to say the assistance would have been given by a Liberal Government if they had been in power—is sufficient to show the disposition of the Government towards the landholders, the settlers on the land, and it was unworthy of the member for Northam by inference to suggest that consideration had not been given to the struggling settler. The leader of the Opposition said the kernel of the Bill was in the resumption clause. He made this statement after having remarked that he had not studied the Bill; and he further went on to say that the operation of the Bill would cause a revolution in land valuation, and in land values throughout the State, adding that the clause which deals with the fixing of values for land resumption would depreciate the securities of our country. One need only consider what has taken place in connection with some of the resumptions, particularly in respect to city property, during the past few years. I remember that when the Public Works Act Amendment Bill was before the House reference was made to certain resumptions. Since the leader of the Opposition has declared that the clause which deals with the fixing of values for land resumption will depreciate securities in our country and revolutionise land values, perhaps it would be well to refresh the minds of hon. members regarding some of those resumptions which the Government found it necessary to make for public purposes. Among others, one case was cited of land in the metropolitan area, the owner's value of which, for taxation purposes, was fixed at £1,000. When the Government found it necessary, in the interests of the people of the State, to resume that property, the compensation claimed by the owner—notwithstanding that he himself, who should know the value, had set it down at £1,000—from the Government was £10,030, and that for the unimproved value alone. In another case, also within the metropolitan area, the owner of a piece of land which the Government required for public purposes, had set upon that land for taxation purposes a value of £350, and when the Government desired to resume that piece of land the owner set down the unimproved value of it at £1,382. Then again, we had another glaring case where another owner also within the metropolitan area, set down for land taxation purposes the value of his land at £1,930. When the Government desired to resume the land his price was found to be £8,000. So I do quite agree with the leader of the Opposition in so far as he says the Bill will revolutionise land values. It will revolutionise them in cases where the Government desire to resume. It will protect the people of the State when it protects the Government from being fleeced in the direction in which they have been fleeced in the past, and if for no other reason I welcome the introduction of the Bill. The member for Northam, and I believe the leader of the Opposition also said it would be quite possible for the Government to resume land on values that were fixed five or ten years previously. Now a study of the Bill should have shown to hon. members that the owner of a piece of land has the right to object annually to the valuation, and if the Government resume under the Public Works Act of 1902, on values that had been fixed five years previously then it is the owner's fault, in so far as that owner, by not objecting, silently acquiesces in that valuation. The owner has the right to object annually, and, further, provision is made in the Bill that for land resumption purposes a special valuation may be made by the valuer general. I notice that the leader of the Opposition, when he was informed by way of interjection from the Premier that the owner had the right to object or appeal every twelve months, said that such was not the case, and he quoted as his authority the member for Northam and the member for Murray-Wellington. I am sure that if those hon. gentlemen carefully read the Bill through they will find that the owner of the land has the right to object annually to the valuation.

Mr. George: I said that.

Mr. TURVEY: The leader of the Opposition stated that the hon. member said otherwise, and further, that to resume at values fixed by a Government official would be confiscation with a vengeance. It is not to be expected that the hon. gentleman would allow a Bill dealing with land values to pass through this Chamber without introducing that bogey of confiscation. The valuer general and his deputies, under this Bill, may be Government officials, and it surely must be recognised by hon. members that the fact of having a valuer general will contribute to consistency and uniformity in land valuation, which does not obtain to-day. If we take the operations of some of our roads boards, we will find that the boards are continually changing their valuers. They may appoint a gentleman for whom they have the highest regard and who they believe is capable of fixing the correct value of land within that roads board district. But that gentleman's services may not be available in a year, or two or three years' time, with the result that somebody else is appointed who has an entirely different opinion regarding the value of the land, and an entirely different method of arriving at the unimproved value; so that we can take it for granted that if this Bill became law we would then have a more uniform system of valuation, and I venture to say, a system that would be welcomed by almost every roads board throughout the State. Provision is also made in the Bill that copies of the register for each particular district shall be forwarded to the respective districts, and these copies shall be open for public inspection; and rightly so, because amongst other things they would have the effect of being of considerable assistance to intending purchasers of land in that district. Of course one can quite understand the Bill meeting with a certain amount of opposition from those who believe in undervaluing their land for taxation purposes, but by the man who is acting honestly and putting the true value on his land I venture to say this Bill will be welcomed. Provision is also made for a supplement to be issued by the valuer general at any time within the limits of the annual valuation, and each time a man's land value is affected a notice is sent to him and a supplement is sent to the district. A further provision is that districts are proclaimed from time to time by the Executive Council. It can be readily understood that it would be impossible to bring this Bill into operation over the whole of the State at once; therefore, from time to time these districts will be proclaimed. I notice that objection was taken by some members on the Opposition side to the fact that the Bill did not operate over the whole of the State at once, but with the vast area we have in this country it would be almost impossible for that to take place. Every opportunity is given to the owner of land to appeal against these valuations. In the first place after receiving notice of the valuation placed upon his land the owner may lodge an objection with the valuer general within sixty days. According to the terms of the Bill, the valuer general then considers the objection that has been raised by the owner of the land. If he believes the objection to be a valid one the necessary alteration or amendment is made, but if it be not so the owner has the right of further appeal. That is to say, if the valuer general's decision does not meet with the approval of the owner it is accepted as final unless the owner appeals, in which case his appeal is taken to a court of review; so that we have there a second appeal. In this case he is asked to appeal to the court of review within three weeks, and that court of review may state a case to the Full Court of the Supreme Court. Therefore, we have a third appeal for the owner who is dissatisfied with the value placed on his land. It is necessary to make that third appeal within four weeks. Thus ample protection is given to those who object to the value placed on their land. I mention this because several speakers on the Opposition benches in discussing the Bill declared that opportunity was not given to the owner to object, whereas he has the opportunity to object within sixty days to the valuer general, and after that to a court of review within three weeks of the decision, and should he desire to take a case to the Supreme Court he may do

so within four weeks. In perusing the accounts of various roads boards I notice that one particular roads board paid £121 last year to have a valuation of lands made within its district. I think there are 120 roads boards alone operating in this State, and if by the introduction of this measure we can save to the local governing bodies that expenditure I think the Bill will be welcomed by the roads boards throughout the State. Apart from that the municipalities would also fix their rating on the values that are arrived at under this Bill; so also would the health boards throughout the State, and so, too, I believe, would the Agricultural Bank take the valuations. It is a remarkable thing that so far as the land resumption cases to which I have referred are concerned, the court, in considering those claims, absolutely refused to take any notice whatever of the valuations placed upon the land by the owners, and from the figures quoted to-night members will see that the court was acting wisely in doing so. One can see the force in the remarks of the leader of the Opposition when he stated that the introduction of this measure, and particularly the clause relating to the fixing of land values for resumption, will revolutionise land values throughout the State. Now the action of the court justified in every respect those remarks by the leader of the Opposition, and I am sure that when the people of the State fully realise that the Government are asked to pay through the nose, as it were, for land which is required for public purposes, then those of them who are acting honestly with the money of the State will also realise that this Bill must indeed mean a big saving to the State. From the manner in which it has been received by the Opposition so far, I have very grave doubts as to the fate of the Bill, but I believe that once the people of the State have the opportunity of becoming fully acquainted with its provisions, they will recognise that those who are opposing it are doing so because of their belief that some of those who have been fattening in the past through the very fact that fictitious values have been placed on their land, will be compelled to be honest and declare the real value of their land. Therefore, those who are opposing the Bill from that point of view will, at a later date, have to answer to the people of the State for their actions in that direction.

The PREMIER (in reply): I must at once say that I am not surprised at some of the criticism levelled against this measure by members opposite. When introducing the Bill I particularly pointed out that one clause would probably cause a good deal of discussion, and that something might be said on either side with regard to the desirability of having it in this Bill. That is the clause which deals with the resumption of land, but I ask hon. members not to imagine that the Bill was framed merely for the purpose of dealing with a matter of that kind. The principal object of the measure is to bring about a uniformity of valuation for taxation purposes, particularly by the central Government and the local authorities, and at the same time to enable those values to remain on a basis that they might be used satisfactorily by the various Government institutions, and perhaps by others who are making loans on the security of property held by the persons whose land would be valued. It is evident from the speeches made that there is absolute unanimity in the belief that we should have one system of valuation, and I hold that this Bill in the main provides the best and perhaps the only system that can be satisfactorily introduced into Western Australia. The hon. member for Northam (Hon. J. Mitchell) who led the opposition to this measure, commenced by saying that in moving the second reading of the Bill, I asserted that the measure was similar to an Act in operation in New Zealand. I want to inform the hon. member that he did not correctly repeat the statement I made. I did not say that the Bill was similar; I said this measure was of a similar nature to an Act in operation in New Zealand, which Act had proved beneficial in its effects. I could draw the hon. member's attention to quite a number of clauses in this Bill which are almost word for word with sections in the New Zealand Act and, with the exception of those

matters which must vary in order to comply with the different conditions prevailing in Western Australia as compared with New Zealand, the Bill is of a similar nature. It is true that the clause providing for resumption is not the same as prevails in New Zealand; in fact the New Zealand Act does not provide for valuation for compulsory resumption, but there are other provisions which I have omitted from this Bill and which I unbesitatingly say are more drastic against the owners of property than any clause in this Bill, and I further venture the remark that had similar clauses found a place in this Bill, hon. members opposite would undoubtedly have had a great deal more to say against the measure than they have had. The hon. member for Katanning (Mr. A. E. Piesse), I think, stated that the Opposition would be prepared to accept such clauses.

Mr. A. E. Piesse: No.

The PREMIER: I listened carefully to the hon. member, and I think by way of interjection we asked the hon. member whether he would be prepared to support such clauses in the Bill, and I understood that he replied in the affirmative.

Mr. A. E. Piesse: I said that the New Zealand sections were less harmful than these clauses will be.

The PREMIER: The hon. member is compromising. It was he who drew attention to the sections in the New Zealand Act.

Mr. Heitmann: He said they were more admirable.

The PREMIER: I have no objection to such clauses being placed in this measure, but I am doubtful whether the hon. member would be able to obtain the support of those on his side if we endeavoured in Committee to get them inserted.

Mr. A. E. Piesse: There is no necessity.

Mr. Heitmann: You do not desire the Bill at all.

The PREMIER: I think that is the position. There is no gainsaying the fact that at present we have different systems of valuation which vary from time to time, due to the fact that there is no one charged with the responsibility of studying the question of land values. In the Taxation Department, we at times undertake valuations of property in different centres, and on every occasion we have to select different persons, and those different persons, while being sworn valuers, have but very little knowledge of land values as they should be understood for taxation purposes. We want a system under which somebody will be held responsible for properly valuing land and for studying the question so that not alone will the owner receive fair consideration, but the State as well. We have definitely decided that a certain proportion of the revenues required for the purposes of government shall be raised by means of land taxation, and we also provide that the local authorities shall obtain practically the bulk of their revenues under this method. Therefore it is essential, not alone in the interests of the owner, but in the interests of the local authorities and the State that when made the values upon which taxation shall be paid shall be on an equitable basis and not equitable merely from the point of view of one locality but from the point of view of the whole State, and even from the point of view of local government taxation each local governing body shall levy its taxation for local government purposes on similar lines to adjoining authorities, and thus bring about uniformity. We cannot do this under the present system. When moving about the country I have heard numerous complaints against one local authority using one method and another local authority, with its boundary just across the road from those who complained, using a different method and employing different persons with different ideas as to how to arrive at valuations which they contend are unfair, either to one or to the other. That system can only be overcome by charging some department having responsible officers and a properly trained staff to consider the question of land values to make these valuations throughout the State. The hon. member for Northam asserted that, were this Bill in operation, it would cause securities to suffer. I want to contend that such

would not be the case. It would, on the other hand, cause securities to be sounder than they are at present. Hon. members know that many institutions lending money on property in different parts of the State have to depend on persons when they are uncertain from the evidence obtainable whether such persons are really competent to make such valuations in order to give the institutions satisfactory security for the money proposed to be lent, and quite a number of institutions have suffered severely in consequence. But if they could go to a Government institution having proper persons to make these valuations, they would more readily lend and at less expense to the owners of property than under existing conditions. If a person desires to borrow money the lender will not pay the cost of ascertaining that the security is satisfactory and that there is a fair margin of safety; the owner has to find that. This measure will provide a system whereby they could get the values as ascertained by the Valuer General, and much more easily and with more safety obtain money from the financial institutions.

Mr. S. Stubbs : Might not the Valuer General make an error ?

The PREMIER : Certainly he might, but we have made provision in the Bill to adjust errors. If an error is made by any of the officers or by the Valuer General himself, there is nothing to prevent him from adjusting it at any time, and if in the opinion of the owner a mistake has been made from the point of view of a fair valuation, he has a right to appeal against the valuation when made and every 12 months thereafter. The experience of New Zealand is that after the values stood the test of several years' appeal, they became standard values, not only for taxation and rating purposes, but for trustees and lending institutions. Let us take the position of people purchasing land. There is quite a number of land agents who obtain options over estates, frequently in or near the city of Perth. They then subdivide the land but are not very anxious to place it on the local market for sale. They usually go away into the goldfields or country districts, and by so arranging their plans lead people to believe that the land is in a centre of great value at the present time or one likely to be of greater value a few years hence. They obtain big prices for it and frequently a great proportion of it goes back into their own hands, but they have obtained a deposit on it, and when a person, having paid a deposit on land which he considers very good, makes inquiries from some one in Perth who ought to know, and finds out that he has been what may be termed "had," he allows the vendor to collar the deposit without saying anything further. I could of my own knowledge, if necessary, refer to cases where this has been brought under my notice by people on the goldfields and people in other parts of the State. If this Bill were passed into law we would provide an opportunity for people to satisfy themselves from a Government institution having officers charged with the duty of adjusting values on a fair and equitable basis as to whether the land being submitted for public subscription was based on a fair valuation, or whether the scheme was merely a money getting one for the vendor, and not a fair deal for them.

Mr. S. Stubbs : They can get that now from roads boards and municipalities.

The PREMIER : That is not so. The real position is quite the opposite. Roads boards in many instances apply to the Taxation Department for the values placed on the holdings in their areas. Quite a number of such instances have come under my own notice.

Mr. Lewis : Some of the values are very low.

The PREMIER : Yes. Local authorities in some instances ask that the Taxation Department might give them the values to adopt in lieu of making a local valuation. Sometimes it is claimed by them that it is difficult to get a local valuer who properly understands values, and who would be able to make them satisfactory to the ratepayers in the area, and application has consequently been made to the Government

to supply the values to them. The hon. member for Northam said the system under the Bill would raise the cost of valuation. I want to claim that the result would be the very opposite. Of course from the point of view of the valuation department the cost in the first instance might appear to be heavy, but once the valuations were made the cost would be very light, and even in the first instance it would be lighter than is the aggregate cost to the central Government, the local authorities and the owners of property under the different systems in operation at the present time. It must not be forgotten that municipalities and roads boards almost invariably make annual valuations which cost a considerable sum of money and notwithstanding that fact, there is, I suppose, not a single financial institution in the country which is prepared to accept the valuations arrived at by local governing bodies.

Mr. A. E. Piesse: You would have to make annual valuations under this measure.

The PREMIER: No, not necessarily.

Mr. A. E. Piesse: To keep up with the value of improvements.

The PREMIER: That can be arrived at from the taxpayers' declarations. There is a provision that the Valuer General may give notice that the values fixed for the previous year shall apply for another term.

Mr. A. E. Piesse: Would it be fair to fix your value for resumption on that?

The PREMIER: Yes, because the owner immediately has the right to appeal against the value being continued for another term, either on the ground that the value is too low or that it is too high, and while we give the owner that opportunity we cannot complain very much. What happens at present is that valuations are being made every year by valuers going over exactly the same ground without altering the values to any appreciable extent. At the cost of the community the valuers go around and the same values are arrived at. Even from the point of view of land tax, taxpayers know very well that it would be much more satisfactory if the value was arrived at on a satisfactory basis by such a method as this, where the taxpayer has the right of appeal, than to be worried every year as to what will be the value placed on his holding next year. Here is a condition that will permit him to know that unless there is considerable alteration one way or the other that the valuation once fixed shall be made for a number of years. It was never intended under this measure to bring the whole State under the operation of such an Act at once. It would be impracticable in the first place and too costly in the second, but we have a great part, the greater proportion of the State as a matter of fact, already valued, which could be used at the outset, and we could do as we are doing to-day for taxation purposes: make these valuations in the districts from time to time, until eventually the whole State is brought under the Act and a satisfactory uniform system is in operation. Much of the data can be compiled from particulars that are already in the Taxation Department and municipal and roads boards offices, and adjustments can be made from year to year. The hon. member for Northam (Hon. J. Mitchell) objected that the cost of annually appealing would be too great except for large holders. While we give the holder the right of appeal, it is not likely that he is going annually to appeal, and thus run the risk of losing his deposit for frivolously appealing year after year, but I think he would be prepared to accept the judgment given when he once appealed. It must not be forgotten that even now under the Local Government Act, the ratepayer has a right of annual appeal, but he does not appeal every year because he has that right; and the same thing applies under the land tax provisions, that he has that right of appeal, but does not appeal every year. We give the provision for appeal by an owner, but no one will assert that because he has that right he is going to use it and lose money year after year by being so foolish as to appeal against something which he has no right to appeal against. The hon. member for Northam contended that the valuation of a per-

petual lease should be as for all freehold. That was a matter which was brought under my notice after the Bill had been drafted and printed, and I am making the provision by means of an amendment, which was placed on the Notice Paper before the hon. member spoke about it, in order to have this matter properly adjusted. The hon. member objected that the appeal would be costly, because the valuation must be made in detail. We do provide that it "may" be made in detail, not that it "shall." The Bill provides for the capital or improved value and where necessary, the annual value, to be shown in the register, but no greater accuracy will be required than is required by local bodies every year for rating purposes; it is only in cases of resumption and like cases that special accuracy will be essential, and power is given then to specially revise the valuation. I had in mind when I made provision for resumption of land as under this Bill, that it would not be practicable to make valuations in that detail which is essential for resumption purposes, and thus I have provided that the Valuer General himself may, when resumptions take place, cause a special valuation to be made, when every detail will be considered, and I want to tell this House it is not likely when a resumption does take place that we would compel the owner to accept the value as fixed at any previous period, but that a special valuation would be made if the owner so requested.

Mr. S. Stubbs: Is that in the Bill?

The PREMIER: It is not in the Bill, but while it is not definite that it "shall," at the same time where the word "may" is used in such a nature, it is really the same as the word "shall," and the Valuer General may make such a revision.

Hon. H. B. Lefroy: Will the Premier point out where that is?

The PREMIER: In paragraph (d.) of Clause 20. That clause states—

> (1.) In addition to the foregoing provisions, for the revision of the register, the Valuer General may, of his own motion, from time to time, and at any time during the currency of any register, make all such alterations and amendments therein as are necessary in order to correct the valuations and entries therein, wherever they are found to need correction in consequence of . . . (d.) A valuation as of the date or as of a day near the date when any land was taken or is intended to be taken under the Public Works Act, 1902, be necessary or advisable.

Mr. Wisdom: Where is it at the request of the owner?

The PREMIER: I am not putting there that the owner shall direct the Valuer General to do it.

Mr. Wisdom: You say he might request.

The PREMIER: The clause is so worded that the Valuer General "may."

Mr. Wisdom: "May"?

The PREMIER: The Valuer General is a Government servant and a servant of Parliament, and Parliament has never yet expressed a desire to deal unfairly with an owner of property where that property is resumed for public purposes. But all we desire is that the dealing shall be fair between both.

Mr. S. Stubbs: There is a section of this community that thinks that no one should own land at all.

The PREMIER: The hon. member must speak for himself on that matter. That may be so, but I do not know that. I do know that there are a great many in the community who desire to own property but cannot, and that may be what has caused the hon. member to imagine that, but after all, it is only a matter of how the hon. member interprets the owning of property. I contend that a person owning a lease from the Crown is just as secure as a man owning a parchment under freehold.

Mr. S. Stubbs: The financial institutions do not think so.

The PREMIER: They may not. We are not dealing with financial institutions, but citizens of the State. I attach more importance to citizenship than to financial institutions, although both, of course, are necessary. What I am trying to deal with is this particular clause. I want to assure the House that what hon. members desire is intended in the clause.

if it is not as explicit as desired. I mean to be absolutely fair to the man whose land is being resumed, and if it can be shown that it is not as desired, and the value fixed on a fair basis, we can make such an amendment to the clause as will bring that about, but I hold that the provision is already there. That of course disposes of the objection that we could not make valuations in such detail as would be necessary. I admit at once it was never intended that we should make the valuation in such detail for ordinary purposes as would be required for resumption purposes, and that very clause with that subclause to it, was made for that very purpose of allowing detailed valuation to be made when resumption was to take place. A detailed valuation when resumption takes place is necessary, more so than for the purpose of a loan. If a person makes an application to a financial institution for a loan they make a general valuation.

Mr. A. E. Piesse: In detail.

The PREMIER: Not anything like the detail that is required for resumption purposes. No one could expect it, and, as has been asserted, it would be so costly that a financial institution would never undertake the task. I hold that if we make it on a general principle, and the departmental officers are charged with the responsibility of making these valuations on a set basis, the financial institutions will be pleased to accept their valuations for the purpose of loans. The hon. member for Northam asserted that people who may lose their land by resumption should be properly and fairly treated. I want to re-echo that statement and claim that I have never yet, nor has any other member in this Chamber that I know of, expressed any other opinion. If a person's land is resumed for public purposes, the public must compensate him for the land resumed. We could not expect him to receive one penny less than the true value.

Mr. A. E. Piesse: In some cases they do not get that, as in connection with new railways.

The PREMIER: I am not prepared to accept that.

Mr. A. E. Piesse: They do not get paid for clearing.

The PREMIER: At any rate, I am continually signing authorities for the Treasury to pay, until I ask myself where it is going to end. In the country districts as well as the city they get compensation for the land resumed. I also want to point out that I hold the opinion that the owner of property which is being resumed by the Government, while obtaining a fair deal, ought to remember that the State which has to pay the compensation should also get a fair deal. It must not be forgotten that the owner of property to-day, whether it is going to be resumed in the future or nor, is called upon to bear his fair share of the cost of government. We must not forget that the State is unanimous in the desire to provide a thorough education for our children, from the primary schools right to the University; and while that is the case we must have the money to do it. We cannot provide all the schools that are required from time to time, provide the teachers, and meet the requirements of the secondary or technical school and University unless we have the money to do it, with the result that we must tax our people to provide it. It astounds me sometimes to hear people always urging the Government to do more, and immediately we say we are prepared to do it if they will find the money and pay the cost of it, they seem to imagine it can be done by merely waving a magic wand. To-day the cost for administrative purposes of primary, secondary, and technical schools is somewhat about £300,000 per annum, and that money earns nothing. There are practically no fees or payments of any kind whatever. That £300,000 must be found by direct taxation or overcharges for services rendered in other directions. We have provided that a certain amount of that money required for such a purpose shall be provided by land tax.

Mr. S. Stubbs: A great part of it.

The PREMIER: Not such a great amount of it after all. I want to make this statement, that one property owner has no right to pay on what is a fair basis while another by some trickery pays

on a basis which is not fair to other property owners. If we are going to have land taxation, let us have it on an equitable basis for all land owners, and do not let us permit the man who introduces sharp practices to defeat the object we have in view of causing all property owners to pay on that equitable basis. What do we find? We find to-day that there are quite a number of persons who deliberately understate the value of their land. A man who deliberately understates the value of his land for taxation purposes and immediately he imagines resumption is going to take place, deliberately runs the value up to 500 per cent. more, is either trying to rob the State or was robbing the State when he was paying his taxation. One of those two things happens. I have here a small return of just a few cases of where this has been put into operation. I could, if necessary, mention the particular firms and the persons who are responsible for this, but I do not propose to do so. I only desire to prove my argument; I do not want to be personal. In one case a certain property, not yet resumed, but where resumption was anticipated, was valued at £4,000, and that value was fixed by the owner himself. The Taxation Department, after satisfying themselves in regard to the property, accepted the amount as a fair value, but in the following year, when the owner heard that resumptions were going to take place, he jumped up that value in his return to £20,000.

Mr. Thomas: Pretty tough.

The PREMIER: What is happening? Either the owner was absolutely dishonest when he put in his first year's valuation, or else the value of the land in that locality had gone up at a phenomenal rate. Either the owner was endeavouring to rob the State when he thought the land was going to be resumed, or he had been robbing the State when he was paying taxation on the first valuation that he gave.

Mr. Monger: There is nothing extraordinary in that increase. I have seen £50 Government allotments in Kalgoorlie sold for £1,500.

The PREMIER: That is quite possible, but I can assure the hon. member that in this case such a thing could not possibly have occurred. As a matter of fact, the member for Northam asserted that land values have gone down.

Mr. Monger: In some cases.

The PREMIER: Here is evidence that it has gone up. There is no gainsaying the fact, and hon. members will agree with me, that in the case I have quoted there was a deliberate attempt to cause the general taxpayer to pay more than what was a fair value for the land on the second occasion, or on the first occasion the owner deliberately understated the value.

Mr. Wisdom: Is not the taxpayer protected by the court in the case of resumptions?

The PREMIER: Yes, but I can assure the hon. member that if a property owner, before resumption took place, could cause the Taxation Department to accept the value he put on his land, it would be a magnificent argument for him to go to the assessment court with, and say that the department had accepted the £20,000. In some cases where we actually resumed, a similar thing took place, but the Taxation Department absolutely declined to accept the fictitious value. Notwithstanding that fact, the assessment courts have given nearly as much as the owners tried to get the Taxation Department to accept for taxation purposes, or at any rate they have given something between the two amounts. I could quote a number of other cases. There is one, it is only a small one it is true, where the value submitted was £5,650, and in the following year, when resumption took place, or rather just prior to resumption—and it appeared that the owner obtained inside information about the resumption—the value of the property was jumped up to £8,000. This was another case which was afterwards proved to very much exceed the true value. I could go on repeating other instances to show that the owners of property undoubtedly endeavour to rob the State by undervaluing for taxation purposes, and subsequently, when resump-

tions are proposed, abnormally increasing the value. While we should be fair to the property owner, it must not be forgotten that our duty is equally to the general taxpayer, and under the existing system the general taxpayer does not get a fair deal. Moreover, I might say that to-day the property owner has everything to gain by appealing against the offer of the department, and nothing to lose. He might be satisfied with the amount offered as being fair, but it seems that if he appeals to the assessment court, the costs of the appeal are charged against the Government, and consequently against the general taxpayer.

Mr. Harper: Make it a local court of appeal.

The PREMIER: I do not think that would be much better. I am afraid that the people in high places forget that the burden against the Government is the burden against the general taxpayer, and the general taxpayer has no right to be levied in costs when the Government have acted in his behalf. I hold that the costs of the appeal should be borne by those who have moved the court and moved it unfairly.

Mr. S. Stubbs: Halve the costs.

The PREMIER: I do not think that would be fair.

Mr. Wisdom: Do not the costs go with the verdict?

The PREMIER: No. I could quote one or two cases of recent date where the owners obtained exactly what had been offered, and notwithstanding that fact, the costs went against the Government. Evidently the Government is a good old milch cow, and should be made to pay always. But I repeat that it is the general taxpayer who pays, and I am afraid that that is frequently lost sight of. The member for Northam stated, and other members who followed him repeated the statement, that there was no provision in the Bill for an annual appeal. For the life of me I cannot understand why hon. members do not take the precaution to read the Bill before accepting a statement such as that made by the member for Northam, and repeating it after him. When commencing to criticise the Bill the member for Northam declared that he was surprised that when I submitted a measure of this kind I did not fully acquaint myself with its provisions, and did not give more particulars to the House. I want to admit that there may have been something in that remark, but, coming from the member for Northam, it does not carry much weight, because I remember, when he occupied a seat on the Treasury bench, he introduced measure after measure and gave little or no information to the Chamber, and in some cases when he did give information it was of little value. We asked for it and his reply was "There is the Bill, if it does not do any good, it will not do much harm." That might have been all right from the hon. member's point of view; at any rate he became noted for this statement, and whenever he failed to give the House the information that was asked for, he was twitted with the remark, that if the Bill could not do any good it would not do much harm. I hold that I know the provisions of this measure, and when I gave to the House the main principles of it I stated that there was the right of appeal. I repeat now that there is in this Bill provision for a property owner to appeal against valuations. Hon. members will find, on looking at Clause 13, that it provides that the Valuer General shall deliver, or send by post, to every owner of any land comprised in the register, and to any trustee, attorney, or agent in the State, of any such owner, a copy of the notice of valuation and form as soon as may be after the first publication, together with a memorandum referring by number or otherwise to the valuation of such land in the register. That is the provision after the first valuation had been made. That must be done in the first instance. As soon as a district is brought under the operation of this measure, a property is valued and the owner must be notified. If hon. members will turn to Subclause 2 of Clause 15, they will find that it provides "For the purpose of compiling any supplement, such and the like powers may be exercised by the Valuer General

and other officers as may be exercised in and about the compilation of the register." Then again, in Clause 19 it says, "The provisions of this Act relating to a register compiled pursuant to proclamation shall apply, *mutatis mutandis*, to every such new addition." So that all the provisions that apply to the first register shall apply to all. One of the conditions is that the owner shall receive notice, and the Bill provides that if any addition or alteration is made to the register affecting an owner's property, the Registrar General shall notify that alteration or addition. Does any hon. member want more than that? The Bill further provides that whether an alteration is made or not, we give power, as I have already stated, for the Valuer General within one month after the commencement of any year—and the year for the purpose of this measure commences on the 1st July, so that in July it permits him by notice published in the *Government Gazette* to declare that any register shall be subject to any modifications included in the supplement referred to therein, or that the register shall continue without modification. A property owner will know that if he receives no notice during the month of July, that there has not been any alteration made in the value of his property, but if an alteration has been made he must receive that notice. Even if he does not receive a notice he still has the right to appeal against the value fixed in the previous year. I do not know what other protection the property owner wants: there is none we can give him, unless we permit him to appeal month by month instead of year by year. Of course there is another point as well. I want to be candid enough to admit that this does away with the existing method of appeal under the Land Act, which permits an appeal to be lodged 30 days after the claim for land tax has been made. That has been found to be rather a source of annoyance to the department during a period when it is essential they should be obtaining the taxpayer's contributions to the general fund, instead of hearing appeals. We therefore fixed it at a period of the year to suit the taxpayer as well as the department. After he has made an appeal, there is no difficulty in sending out the assessment notice and receiving the amount of the tax. The member for Northam also asserted that the object of the measure was to receive additional land tax. That, of course, is an absurdity. I explained when introducing the Bill that it had nothing to do with taxation, except from the point of view of fixing values for that purpose. It does not increase or decrease taxation by the central Government, or taxation by the local authorities; it merely fixes the value. If it means that we will obtain additional land tax it will only be because up to date the land owners have been understating their values. That is the only way by which we can obtain additional tax. Then the hon. member says that land sometimes decreases in value. That must also be admitted. Land has decreased in value in some parts of the goldfields. Some of the towns on the goldfields are almost *non est* to-day, and whereas previously the value of land was high, now in one or two isolated instances you could not sell the property if you wished to. Naturally the Valuer General will be charged as part of his duty to take that into account: and if he does not take it into account, then the owner has the right of drawing his attention to it every year, and thus making provision for the reduction of the value previously fixed.

Mr. S. Stubbs: He can do that now.

The PREMIER: Yes, and we do not propose to remove that right. So, if the Valuer General overlooks the fact that any particular land has depreciated in value, the owner of the land will have every opportunity of reminding him of it. Objections have been urged against the constitution of appeal courts. I want a method which will be simple and not too costly, and at the same time satisfactory to all concerned. I want a court that will do justice to both parties, that is, to the general taxpayer and to the individual property owner. But I want it on something of a uniform basis, and that is why I fixed the constitution of the

court as it appears in the Bill. However, it is a matter which we can well discuss in Committee, and if any more serviceable method can be discovered, any constitution likely to be more serviceable to the parties concerned, the local authorities and the taxpayer, I will have no objection to considering it, although I admit that I believe the procedure here proposed is likely to be found the most satisfactory available if we want a uniform system of valuation. It has been asserted that the members of the appeal court should have the local knowledge essential to arriving at correct land values. I, for one, do not believe that it is necessary to have local knowledge.

Mr. B. J. Stubbs: It may be of assistance.

The PREMIER: It may be in some instances, but after all it is only a matter of providing an umpire. The court can get all the information it requires. The owner will furnish it with information on the one hand, and the valuers on the other, and so long as we have a fair-minded man it is not essential that he should have local knowledge. He can demand all the necessary local knowledge from those appointed to give expert evidence on behalf of either the owner or the department. If local knowledge was required in respect to land values, it would be required in respect to many other things also, and would serve to break down the constitution of our courts. What we require is a man above suspicion, who will give proper consideration to the evidence adduced before him by both sides, and act as umpire between them. A man with local knowledge might be prejudiced.

Mr. Monger: Can you find a man above suspicion?

The PREMIER: Yes, easily. I will submit myself for a start. Moreover, I am convinced that 50 members of this House are above suspicion.

Mr. Thomas: You are pulling their legs.

The PREMIER: No, I am not. I am merely waiting for someone to deny it. However, if we get a person who is fair-minded sitting on a court of appeal, the lack of local knowledge will not prevent his giving a fair verdict in matters affecting land values. A person with local knowledge may have local prejudices, and having those local prejudices he may not deal fairly in such cases, either by the owner or by the State. But I am convinced that a court constituted as proposed will assure a fair deal both to the State and to the property owner. Personally I think it is undesirable that we should call upon a judge of the Supreme Court to hear disputes in respect to values of less than £500. I will not mind much if that amount is raised somewhat. I had to make a start somewhere, and I considered £500 an amount, at all events, approximating the point where it becomes advisable to call in a judge to decide the issue.

Mr. A. E. Piesse: It will be very costly.

The PREMIER: The member for Murray-Wellington (Mr. George) objected to the provisions of Clause 26, excluding minerals, etcetera, in estimating the value of the land, and alternatively declared that timber also ought to be mentioned. The hon. member should be aware of the fact that it is impossible to accurately discover the value of the minerals in any particular block of land. Even if it was desirable that we should fix the value of the minerals, he would be a person very much sought after by gold-mining companies and others who could tell them definitely the value of the minerals on their properties. Such a man would command a very high salary. The same thing applies to oil, coal, and other deposits. But we ought not to forget that, with the exception of very few Crown grants issued in the early days, no rights to minerals are given when a Crown grant issues. And even where it has previously issued, under the right to mine on private property provisions, we practically take away those old rights from the owners. To-day for all practical purposes the Crown is the owner of all minerals, and to any person who desires to do so the Crown gives the right to go on any private land and mine. Of course the owner receives compensation in the event of his

land being taken for mining. But it must not be forgotten that timber can be valued, and that when we sell the land we sell the timber on it. In fact there have been many instances of persons taking up land merely for the timber on it; and after they have taken the timber off and disposed of it they have allowed the land to fall back to the Crown by refusing to pay taxes on it. They have obtained from the land all that they took up the land to obtain, and therefore they no longer require the land. So it will be seen that timber is a totally different proposition from minerals. It is interesting to note that members opposite have only now discovered how wrong it is not to include minerals when fixing the value of the land for resumption purposes. It is only in respect to resumption that hon. members have noticed this. They have never claimed in the past, for instance, when we were dealing with the Land Tax Bill, that we should add minerals to the value of the land, nor did we hear a word from hon. members when exactly the same provision was inserted in the Roads Act of 1911. It is only in respect to resumption that they would have the value of minerals added to the value of the land. As I have stated, under the right to mine on private property provisions, if it is found that there are minerals contained in the land the owner gets compensation if his land is taken for the purpose of mining, and that is as much as the owner can claim. I do not know of any other point of any value which has been made. The member for Moore (Hon. H. B. Lefroy) asserted that the sting was in the tail of the Bill. The sting he found in the tail was that when valuing land we did not include the value of the windmill and the well.

Hon. H. B. Lefroy: It is a fixture.

The PREMIER: The windmill is not a fixture. I see quite a number of windmills near my place, apparently good strong fixtures in the evening, and when I awake in the morning some of them have gone, a puff of wind has carried them off.

Hon. H. B. Lefroy: Houses are blown down sometimes.

The PREMIER: No one in his wildest moments could imagine that a windmill is a fixture as applied to land.

Hon. H. B. Lefroy: Under the Land Tax Assessment Act it is an improvement.

The PREMIER: I have nothing further to say by way of reply. The measure is for the purpose of bringing about uniformity in valuation, and outside of the one or two points I have mentioned—which are fair subjects for discussion in Committee—is, I believe, one that will commend itself to the House. It is not of a party nature. No one could assert that any party is pledged to it to any extent whatever, except that I am pledged this much, that I want to see the general taxpayer receive some consideration as against the individual property owner. But I do not wish to do anything which will operate harshly against the property owner in the event of the State stepping in and resuming his property. If, when in Committee, it can be shown that any provision in the Bill is likely to operate harshly, I will be prepared to consider the making of a necessary amendment. I hope the Bill will pass the second reading and receive fair consideration in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Holman in the Chair, the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—*Interpretation*:

Hon. H. B. LEFROY: Improvements in relation to land were defined as including, "all material placed and the result of all work effected on the land whereby the value thereof is increased, but does not include any chattel which has not become a fixture." Despite the Premier's contention he maintained that a windmill was a fixture. The Premier said that windmills blew down, but so did houses and fences, yet they were recognised as fixtures. Under the Land Tax Assessment Act windmills were recog-

nised as improvements, and they ought to be similarly recognised in this Bill. He would like the Premier to assure the Committee that there was no intention to exclude windmills from improvements. Often it would cost more to remove a windmill than to erect a new one, and if land were resumed and cut up for closer settlement the man who secured the block with the windmill on would get it for nothing, or at most, a merely nominal price, because the owner could not take it away.

The PREMIER: If resumption of land took place the windmill was also resumed, but it might not be required any more than a table or bed in the house, and it could be just as easily taken away. The desire to value improvements was not only from the point of view of resumption, but also for local and State taxation. If a windmill was not a permanent addition to the land it did not add value to the land.

Mr. George: It helps in working the land.

The PREMIER: It was the water that helped the land. Compensation for windmills was not given when pastoral leases were resumed. Payment was only made for improvements that added permanent value to the land, such as buildings, wells, and dams. The well and the water it contained added value to the land, but the windmill did not.

Mr. George: Is fencing an improvement?

The PREMIER: Certainly, because it added value to the land, but a windmill did not and it could be removed at any time and replaced by some other system.

Mr. GEORGE: Assuming the Government were resuming a farm for irrigation or anything of that sort, did the Premier wish the person who had brought the land into an improved condition to go out with any loss at all? The Premier had stated that when resumption took place the owner should be fairly compensated, and if he was to be fairly compensated he should not lose. A windmill did assist the land to bring forth its fertility.

The Premier: So does a horse.

Mr. GEORGE: And so did an ass. If he had resumed land for irrigation purposes the Premier would say that the owner could take away his windmill, but he could not take it away without expense in pulling it down and carting. Had the State a right to say to that man that whilst it took his land because it wanted it for public purposes, it would give him compensation for the land and certain improvements, but would compel him to incur certain loss in removing a windmill? Surely the owner should be entitled to at least the cost of removal, and it cost a fair amount to take down a windmill without damage.

Mr. S. STUBBS: In buying a pastoral property on which were a number of wells equipped with windmills, would the Premier say that those mills were not valuable and were not to be taken into account in the valuation of the property? The moment the windmills were pulled down the value of the land was depreciated until some other means of pumping the water had been substituted. If the Government resumed a property in the city and there was an engine in a cement bed, that engine was part and parcel of the property and had to be paid for. An ordinary 10-ft. windmill would cost about £45 erected, and it would cost nearly as much to remove it as to buy a new one.

Mr. HARPER: One could not erect machinery on a farm or anywhere else and then take it down without losing money by so doing. Any plant depreciated by removal. The Premier contended that the well and the water were the improvements, and not the windmill, but of what value were they without the machinery with which to utilise them? An allowance for the windmill ought to be included in the resumption price because every time machinery was removed its selling value decreased. In all fairness this improvement should be taken into account and should be allowed at its full value where it stood.

Mr. B. J. STUBBS: The anxiety of the Opposition that owners of windmills should pay their fair share of taxation was refreshing. The number of windmills

to be resumed would be infinitesimal compared with the number which would have to pay taxation.

Hon. H. B. Lefroy: Taxation would not be on the improved value, but on the unimproved value.

Mr. B. J. STUBBS: This measure would determine the value for all purposes. The Premier should accept the advice of the Opposition.

Hon. H. B. LEFROY: The question was one of principle. The member for Subiaco said an owner's taxation would be affected. Presumably the hon. member had no land to tax and did not know how the measure would operate. Members of the Opposition were at one in regard to the question of uniform valuations, but when land was resumed under the Public Works Act, the valuation in the register would have to be considered as the true and correct value. Taxation was based on the unimproved value, but when the question of resumption was involved the improved land had to be taken, and that value would have to be fixed as it appeared in the register. Therefore due credit should be given in the register for all improvements affected on the land. A windmill was a fixture, and should be valued as an improvement. Under the Land Tax Assessment Act windmills were recognised as improvements. If improvements reached a value of £1 per acre, the owner could claim a half reduction of the tax; otherwise there would be no need to state the improvements on the land. That being the case, why should windmills be excepted under this measure?

The Premier: If the court holds that your view is right, it will be satisfactory to the owner.

Hon. H. B. LEFROY: The court could only give a decision in accordance with the measure.

The Premier: The measure does not state that a windmill is not an improvement.

Hon. J. Mitchell: Yes it does.

Hon. H. B. LEFROY: The measure laid down certain rules for valuation and no regard was to be had to any machinery affixed to the land. He was directing attention to the point now, so that when Clause 26 was reached the Premier would not be able to say that he should have raised the objection before. It was our duty to consider these details and leave no loophole for anyone to say that we had acted unjustly. If land was resumed, it would not be just to take a windmill without paying compensation for it.

The Premier: We could not do it.

Hon. H. B. LEFROY: The measure stated that no regard should be had for any machinery affixed to the land. The clause dealing with resumption stated that if any fresh element had arisen it should be taken into consideration, but if the windmill was affixed when the register was compiled, it would not be a fresh element. It could be considered to be a fresh element only if it had been erected after the register was compiled. The court would have to read this measure in conjunction with the Public Works Act, and the register was to be considered to be a true and correct valuation. If the Premier would give an assurance that provision would be made to meet his objection he would be satisfied.

The PREMIER: The hon. member was inconsistent in his arguments. If a windmill was a fixture, it would come under the definition.

Hon. H. B. Lefroy: Clause 26 upsets it.

The PREMIER: Not at all. That could not affect the Public Works Act, and neither could this measure except as regarded Clause 41. The hon. member had argued only from the point of view of resumption, and Clause 41 dealt with the use of valuations in resumption cases. Under the Public Works Act the court had already held that a windmill was a fixture and had to be compensated for, and this clause did not affect the position. In regard to anything that was included in the valuation under this Bill, and was included under the Public Works Act, when a resumption took place the Public Works Act would prevail.

Hon. H. B. LEFROY: Then would the Premier be prepared, in Clause 26, to strike out these words, as one Act would upset the other?

The Premier: No, one does not upset the other; we are not valuing purely for resumptions.

Hon. J. MITCHELL: What he understood the Premier to say was that the owner would get the valuation of his land under this measure and would get any damages he was entitled to under the Public Works Act.

The Premier: Absolutely.

Hon. J. MITCHELL: The hon. member for Moore was right in saying that this Bill was contradictory to the Public Works Act. If the position was as the Premier said, there was no need for Clause 26, as taxation was on unimproved value, and it was only when the Government resumed that the question of these fixtures need be considered. It was undesirable that legislation should cause confusion.

The Premier: There is no confusion.

Hon. J. MITCHELL: The Premier, for taxation purposes, merely wanted to get the unimproved value of the land.

The Premier: That is not the only object of the Bill; the valuation is for all purposes.

Hon. J. MITCHELL: The owner was primarily concerned in the question of taxation, and we wanted uniformity in regard to the unimproved value of land. We were also seriously concerned with the question of resumption, and that was why members objected to this definition. It would be as well for the clause to be postponed and the question dealt with when the Committee reached Clause 26.

The PREMIER: There was no need to postpone the consideration of the clause. There were several provisions in the Bill which safeguarded the interests of the owner. Clause 41 was definite and perfectly clear that the valuation could not conflict with the Public Works Act. In another clause dealing with the purposes of the valuations that were made, the right was given to vary the valuation, if necessary. The Bill did not permit the Government to resume land, only to value the land. The Public Works Act was the Act which gave power to resume, and this measure could not conflict with the Public Works Act in that respect. The position to his mind was perfectly clear, but he would go further and consult the Crown Law Department to ascertain if what he said was correct, and if it was not he would be prepared to recommit the Bill.

Hon. H. B. LEFROY: The assurance given by the Premier, that he would consult the Crown Law officers to see that land owners were protected in this matter could be accepted.

Clause put and passed.

Clause 3—Districts:

Hon. J. MITCHELL: The question of districts was important, as valuations would only be made as districts were proclaimed. He realised that this was a necessary provision, as naturally the whole State could not be valued at one time; but he would like to hear what was the Premier's intention in regard to this work. It would be unfair to delay a general application of the Bill, if it passed, as if there was delay for any length of time in connection with the country lands of the State, the valuation would be based on totally different conditions. If valuations of adjoining districts, such as York and Beverley, were made 12 months apart, unfairness might be done to one or the other. Actual valuations would not, of course, be carried out, but so long as they were uniform that was all we could expect. To have them fairly equal we must have the valuation of similar districts more or less at the same time.

Mr. A. E. PIESSE: No doubt it was the desire of the Government to have the boundaries of these districts so arranged as to work in with the local authorities, as otherwise the use of these valuations would be very greatly discounted.

The PREMIER: The position was that already valuations had been made on a fairly satisfactory basis in certain districts, with boundaries practically the same as those of the local authorities, and the intention was to proclaim these earlier and to continue that which had been commenced in the Taxation Department until eventually all the more important districts could be included.

Hon. J. Mitchell: But you have not got the improvements.

The PREMIER: Yes, in a large measure.

Hon. J. Mitchell: Not valued.

The PREMIER: To some extent valued as well. It was not very difficult to arrive at in many districts, but in a few it was more difficult. The desire was to apply the measure so far as possible in conformity with the existing districts of the local governing bodies. If the work proceeded too quickly we would not get what we desired—that was a uniform system of valuing. If we appointed different persons in different districts, and appointed a great number, we should have just the same difficulty as existed at present between the local governing bodies. The desire was to get men really trained in this work, so as to get uniformity. It would be done as quickly as was possible and practicable, at the same time ensuring to the Government and the taxpayer that the person undertaking the work was capable of doing it.

Mr. Harper: You will have a lot of difficulty in getting proper men.

The PREMIER: It would be possible to get the men all right. But he did not propose to put the measure into operation so quickly as to mean much in the way of added expenditure. It would certainly mean more, but, he thought, even then, it would easily pay for itself. Last year valuations for taxation purposes were made in several centres and the adjustment of values was such as more than paid for the expenditure, and he thought the same thing would apply if it was extended a little.

Hon. J. MITCHELL: If the Bill became law he hoped that the Premier would see that the lands of the State were valued as speedily as possible. The extra cost would not matter. There would have to be a staff of valuers, and it would be as well to have a fairly large staff going for twelve months rather than have a smaller staff and spread the work over a period of two or three years.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Appointment of Valuer General and other officers:

Hon. J. MITCHELL: Would the Premier give an idea of his intention in regard to the appointment of a Valuer General? It would be a difficult position to fill, and probably a man like Mr. Paterson would be perfectly satisfactory as Valuer General, particularly when dealing with the broad acres of this State. The appointment of this officer was of the utmost importance, and the Premier should secure the services of a man who was not only an experienced accountant but also one who knew the State. Western Australia would probably be the most difficult country in the world to value and as the district valuers may not be experienced men the appointment of the Valuer General and his deputy should receive careful consideration.

The PREMIER: It was not possible to give any information at that stage in regard to the appointment that would be made. As a matter of fact the question had not received any consideration. The appointment would be made from applications which would be invited, and the best man would be chosen for the position. The present Government were notorious for the good appointments they had made and that system would continue?

Mr. Harper: You will not make an appointment like that of Chinn?

The PREMIER: The present Government did not appoint Chinn.

Mr. A. E. Piesse: Will you take the officers of the present Taxation Department?

The PREMIER: Not necessarily. The Government had no one in their mind; the desire would be to get a man who was thoroughly competent to undertake what would be a very responsible position.

Mr. Lewis: Will this create a new department?

The PREMIER: Not for some time. It would be unwise to make any reference to any particular person at that stage. Applications would be invited and dealt with from the point of view of

getting the best possible person to fill the post.

Mr. HARPER: The appointment of this officer was certainly of very great importance. The Valuer General ought to be even above Parliament, and he should occupy a position like that of the Auditor General, so that he should not be subject to the directions of the Treasurer of the day. If he were a Government officer he might be instructed to raise valuations to suit the requirements of the Treasurer. That was the position which existed to-day; the Government had appointed valuers and they had put up valuations to the highest prices that had been realised, and these had been classed as the unimproved value—the biggest absurdity that ever existed. Every Government would be hard up for money and up would go the valuations according to the Treasurer's requirements. The Valuer General, under the Bill therefore, should not be subject to the dictation of the Treasurer. He should be in the position to carry out his duties fearlessly and fairly.

Hon. J. MITCHELL: What made him ask for information in regard to the appointment of this officer was because of Subclause 2 which declared that an office under this Act could be held in conjunction with any other office in the public service. From the Premier's remarks it might be thought that the Valuer General would hold some other appointment. That would be unfair to the people because the Valuer General must have time to give consideration to every valuation sent along, and he must also be a specially qualified officer.

The PREMIER: The hon. member for Pingelly could not have been serious in his statements because some of them were positively absurd and contrary to fact. The Government had made quite a number of valuations in different parts of the State, and it was absolutely incorrect to say that instructions had been issued that the values should be put up. He had never seen a valuation, and neither had he ever questioned one. The hon. member stated that a hard-up Treasurer might direct that the value should be put up. The Commissioner of Taxation had been allowed to appoint his valuers, and the Government had approved of his recommendations in each instance, and never had that officer been asked to submit a valuation to the Government. Those matters should be left entirely to the responsible officers, and unless he (the Premier) was of opinion that the Commissioner of Taxation was exceeding his duties he would never dream of interfering.

Mr. FOLEY: Various measures which were becoming law ended in the formation of new departments, and when the office of Valuer General was being filled the Treasurer might take into consideration the advisableness of utilising the services of an officer who might now be in the employment of the State. He was not saying that the men in the service at the present time were not doing a fair amount of work for the money they received, but the Treasurer ought, if it was at all possible, to select an officer now in the service to fill this position. The State would thereby save a good deal.

Clause put and passed.

Clause 6—agreed to.

Clause 7—District Valuers:

Hon. J. MITCHELL: In New Zealand it was provided that the district valuers should have a knowledge of the district. There was no such provision in the Bill, although members had been told that it was based largely on the New Zealand measure. The Premier should realise the importance attaching to the office of district valuers. The Premier would have to pay a fair remuneration for the work to be done. It was desirable to impress upon the Premier the necessity for engaging competent officers. The best men obtainable should be appointed, and they should be well paid. It was essential that all the valuations should be fair, and consequently it was of the utmost importance that the officers should be highly competent men.

Mr. A. E. PIESSE: It would be admitted that it was almost impossible to get a Valuer General with a thorough local knowledge of every part of the State. If the measure was to be successful the Valuer General would have to de-

pend very largely on the district valuers to assist him in arriving at a correct valuation. These district valuers should have fairly wide areas to control. For instance, one should have the Great Southern district, with its peculiar characteristics, and another the South-West. If the valuations were to be of any practical use they would require to be fairly accurate.

The PREMIER: Undoubtedly the district valuers should be men of good knowledge and should have each as wide an area as posible under his control. The values of town lands and of country lands were two totally different propositions, and to expect one man to have a thorough knowledge of both was to ask too much. The Great Southern, with its peculiar distinctive features, should be under one district valuer, while town properties should be under another. As to the expense, it had been proved in New Zealand that the proposed system was much cheaper than the method we were at present employing here of having so many separate valuing bodies. The Government were endeavouring to do their best for the community by reducing the cost. While the cost centralised in the proposed new department might look heavy, yet, as a matter of fact, it would be much lighter than the cost under existing methods.

Hon. J. MITCHELL: The valuation in New Zealand was one thing, and in Western Australia another. Here we collected, roughly, £46,000 per annum, while in New Zealand the amount collected was 12 times as much. Some of the land in New Zealand reached nearly £100 an acre in value, and the Dominion being small the total valuation cost very much less than it would in Western Australia. Here the country land was not yet of very high average value per acre, while the State was enormous in area; so whilst we would collect nothing like so much as was collected in New Zealand, the cost of collection would be very much higher. When the valuation was completed, in all probability it would be very useful, and then some money might be saved. But he questioned whether the Premier could conveniently find the money with which to meet the cost of this great work, a cost which would probably stagger the Premier when he realised its extent.

Clause put and passed.

Clause 8—Preparation of registers of land values:

Hon. J. MITCHELL: The Premier would find it a little difficult to exclude machinery from the improvements, especially in the City, where machinery frequently formed a large part of the value of the premises. Did the Premier think it necessary to take power, as prescribed in the proviso, to omit from the register any of the many particulars mentioned in the clause?

The PREMIER: There was nothing at present to show that the provision would be required, but as power was taken to prescribe that any other particulars might be added, he had thought it wise to provide also for omitting any of the prescribed particulars if found desirable.

Hon. J. Mitchell: Then you will not have uniformity.

The PREMIER: Yes, uniformity would be secured just the same. He moved an amendment—

That the following stand as Subclause (5): The validity of a register shall not be questioned on the ground of any error or omission therein or therefrom or by any reason of non-compliance with any rule of procedure prescribed by this Act or any regulation made thereunder.

It was absolutely essential in compiling a register of this kind that it should not be questioned simply because of an error which could be adjusted. It would never do to permit anyone to question the validity of the register because of an error made.

Amendment passed; the clause as amended agreed to.

Clause 9—agreed to.

Clause 10—Copies to be kept for public inspection:

Mr. WISDOM: The provision for the payment of a fee for examining a register was hardly fair. He did not see why owners of land should have to pay to ex-

amine a register of their own valuations. He suggested that this fee might be done away with. There was no such provision in existence at the present time, and the registers in connection with local governing bodies were accessible to the ratepayers or owners.

The PREMIER: There was no objection to making provision that an owner might inspect that portion of the register dealing with his own property. But it would be unwise to allow all and sundry to go along and inspect the register out of a spirit of inquisitiveness. The register must be public to some extent, but it should not be too public.

Mr. Allen: The owner would get a copy of the valuation.

The PREMIER: The owner would get all these particulars, and rather than throw the door open to allow the general public to go in and examine the register, it would be better for the owner to pay a small fee.

Hon. J. MITCHELL: The general public should not have access to the register. They were able to see the taxation returns at the present time, that was undesirable. Clause 13 provided that notice should be sent to each owner, but in order to get the full particulars he must examine the register and even if the fee was a small one, he would not like to pay it each year in order to keep in touch with his valuations. In country districts the mails were uncertain, and the Bill provided that objection must be lodged within 60 days; therefore, he thought that owners should be allowed to obtain free of charge the particulars in regard to their own properties. This would not inconvenience the Government, because the register would be kept by the local authority. The general public on the other hand should pay a fairly stiff fee for examining the register in regard to other people's valuations. As all lenders of money would have to make this search, and they would charge the fee up to the owner of the property, any amendment of the clause would have to be done carefully. At the present time the banks were permitted in the Lands Department to make a search in regard to conditional purchase land free of charge, because they were acting for the owner. People who made a business of lending money had been in the habit of visiting the Lands Department to discover where people were borrowing in order that they might find good investments, but that practice had been put down by the imposition of a charge. He suggested that the owner and the financial institutions should be able to inspect the register free of charge.

The PREMIER: If there was a real desire that the owner should be able to discover the particulars of the valuation as it affected his own property, the difficulty could be got over, without allowing him access to the register, by giving him the right to apply to the Valuer General for the details affecting his own property. But if he were given the right as an owner to consult the register, he might go there ostensibly to look at the particulars of his own valuation, but really to look into somebody else's affairs or to obtain particulars regarding a property he thought of buying. When the first assessment was made, the owner would be notified, and he would also be advised of any alterations.

Mr. Wisdom: I disagree with you.

The PREMIER: If that was not so, an amendment would be made on recommittal to ensure that the owner was notified, but he should not be allowed to turn up the register in a spirit of inquisitiveness regarding other people's properties.

Mr. WISDOM: The owner did not get the particulars in the register. The Bill provided that the Valuer General should publish a notice of the register in the prescribed form in the *Gazette*. But was it to be assumed that that form would contain all the particulars? If so, where was the privacy? And if the form did not contain all particulars, the owner must examine the register in order to ascertain how his valuation had been made. It was unjust to ask owners to pay a fee in order to see the particulars of their own valuation, but he agreed that it was absolutely undesirable that owners or the public should have access to other people's valuations.

The PREMIER: An amendment of Clause 13 by adding the words "containing

the particulars as shown in the register" would meet the case. He was prepared to make that amendment.

Hon. J. MITCHELL: Clause 10 said that copies of the register should be open to public inspection on payment of the prescribed fee, from which he inferred that information could be obtained by an owner in regard to his own land without payment. But who was to receive the fees? Would the local authorities with whom the register was kept, and who supplied an official to take charge of it, retain the fees, or would they go to the Crown?

The Premier: The Government will get the fee, of course.

Hon. J. MITCHELL: But the local authority in districts would have charge of the register. It would be fair to give the local authority the fee.

The PREMIER: This was a matter for adjustment. If the Government asked the local authorities to do the work, they would probably ask for the fee.

Clause put and passed.

Clause 11—Notice of compilation of register to be published:

Mr. WISDOM: The time within which an objection could be lodged was taken from the publication of the notice in the *Government Gazette*. As a large number of people did not see that paper, it would be fairer to date the time from the sending of the notice.

Hon. J. Mitchell: It has to be published in a newspaper also.

Mr. WISDOM: As a notice had to be sent, the time allowed should date from that notice instead of from its publication.

The PREMIER: There was a mistaken idea with regard to the value of the *Government Gazette*. It was true that not many people read it but it was sent out regularly to newspaper offices and they published the portions of interest to their particular districts, and the public thus obtained the information through the newspapers. The valuation would be complete before the notice was published, and the sending and the publication of the notice would occur simultaneously.

Mr. WISDOM: There was a danger that many owners might not see the notice, and it would be fairer to date the time from the sending of the notice. Clause 13 provided that the notice should be sent out "as soon as may be." That was indefinite and did not bear our the Premier's statement that it would be simultaneous with the publication of the notice.

Clause put and passed.

Clause 12—Objections may be made:

Hon. J. MITCHELL: If a valuation was wrong the owner could go to the Valuer General and arrange the matter with him. That was a good provision, but why should the owner be called upon to pay a deposit of £1 to £10? If they came to terms the deposit would be returned, but if the case went to the court, the deposit might be returned or otherwise dealt with, as the court decided. The court costs would probably have to be borne by the owner, and it was not usual to ask for a deposit when the owner ran the risk of having to pay court costs.

The Attorney General: This is to prevent frivolous objections.

Hon. J. MITCHELL: The risk of having to pay the court costs would prevent frivolous objections.

The Premier: Not in the first instance.

Hon. J. MITCHELL: Yes, there would probably be representation by counsel and considerable expense would be involved, so that there was not likely to be any frivolous objection to a valuation. A deposit was unnecessary and Subclause 2 should be deleted.

The PREMIER: An objection by an owner might lead to the Valuer General having a revaluation made, and if that was done at some expense it was desirable to protect the State against having numerous revaluations in frivolous cases and on the ground that there was everything to win and nothing to lose. If an alteration was made the deposit would be returned, and if the matter was taken to court, the court had the power to order its return whether the case was a good one or not. He was satisfied that the Valuer General would in the first instance make an alteration if the case was a

really good one, but all and sundry should not be permitted to come along and practically demand a review of their valuations at no cost to themselves. If we were going to allow persons to demand that sort of thing without making a deposit, we would have them come in great numbers, and it would mean a tremendous expense. Again, it might be used for the purpose of deferring payments. In all the circumstances it would be better to have a deposit made.

Mr. A. E. PIESSE: Confusion lay in the fact that this Bill was putting the Valuer General in the position of a court of review in the first instance. There should in the first place be no fee deposited. Under the Roads Board Act where an appeal was made to the court of review a fee had to be put up by way of guarantee that the appeal was not frivolous; but in the first instance of an objection being made to a valuation it would be absurd to ask a man to put up a deposit.

The PREMIER: The trouble was that we would have numerous appeals being made to the Valuer General if there was everything to win and nothing to lose. What he wanted to prevent was as many cases as possible going to a court of review. He wanted the owner and the Valuer General to arrive at a satisfactory conclusion in this matter if possible. The reason why a deposit was wanted was to prevent frivolous cases going to the Valuer General. We must not permit all and sundry to come along and practically insist upon revaluation. The deposit would prevent that being done unless there were fair grounds.

Mr. A. E. PIESSE: There would be no need for the Valuer General to make a revaluation in case of an objection of that kind. The proper course would be for the Valuer General to put up his valuation and issue his notice in accordance with the Act, and if the owner objected he had right of appeal to the court of review. A mistake was made in having a provision that the person first had to appeal to the Valuer General as it would be useless for him to appeal from Cæsar to Cæsar. If the appeal was to the court of review the owner could make a deposit.

Hon. H. B. LEFROY: There might be a palpable error, but before the owner could make any objection he would have to deposit a sum of money. Where land owners found now that there was some palpable error they were always met courteously by the Land Tax Department.

The Premier: So it would be here.

Hon. H. B. LEFROY: But they would have to pay the fee, although there might be a palpable error.

The PREMIER: Such a thing could be adjusted without paying a deposit.

Hon. H. B. LEFROY: One could not open his mouth without paying a fee.

The PREMIER: The objection of hon. members opposite was frivolous. No one knew better than the hon. member for Moore that the provision would not have the application which hon. members had been trying to apply to it, that if there was any objection to an entry in a register a deposit had also to be made. It was nothing of the sort. The entry in the register had nothing to do with the valuation, except as a record of the valuation having been made. The clause only applied in the case of an objection being made to the valuation, and that for an objection to a valuation a person must make a deposit, but if persons found there was an error in the method of arriving at the valuation, or in the entry, they could draw attention to it. No Valuer General would dream of asking for a deposit because someone drew attention to a wrong entry having been made or an error having crept in somewhere. The clause was worded plainly; the words "with every objection to a valuation" were clear.

Hon. J. MITCHELL: If one wished to object to any details in the register it had to be done by lodging a deposit.

The Premier: Where does it say that?

Hon. J. MITCHELL: The Premier had declared that when the Opposition objected to the lodging of the deposit, that the objection was a frivolous one, but it was clear that if anyone wished to object to anything in the register a de-

posit had to be lodged. The Premier wanted a deposit lodged for setting right something which was wrong.

The Premier: I never said that, and the hon. member should withdraw it.

The CHAIRMAN: The hon. member must withdraw the remark.

Hon. J. MITCHELL: There was no objection on his part to withdrawing anything he had said. The Premier, however, had remarked that he did not want frivolous objections lodged, nor did he want objections coming in in wholesale fashion.

The Premier: It is not frivolous to have what is wrong set right.

Hon. J. MITCHELL: It should be the desire of the Government to have what was wrong set right, but it was ridiculous the way in which the Premier was behaving. Even his own members were showing what little regard they had for him by remaining outside the Chamber. It would rest with the Valuer General whether he made a fresh valuation or not. The owner did not ask for a fresh valuation. He was not allowed to do so. The Premier stated that a deposit was wanted to cover the cost of revaluation, but the deposit should not be wanted. It was his intention to vote against the clause, and he would divide the House on it. All through the Bill owners were being penalised. The clause was absolutely unnecessary.

The PREMIER: The clause was harmless, and, therefore, there was no need for the hon. member to vote against it or divide the House. As a matter of fact it was essential for the protection of the interests of the general taxpayer, and he challenged the hon. member to show where there was anything in the Bill to prevent wrong being set right. A deposit would merely be required when a genuine objection was lodged, and unless that provision was in the Bill there would be a double expense in making valuations. The minimum mentioned in the clause might be too high, and he would agree to strike out that so as to have only the maximum. In some cases, however, it ought to be higher than the maximum of £10. He did not desire to refer to a remark of the hon. member in regard to the action of the Ministerial supporters in absenting themselves from the Chamber more than to say that it was the hon. member himself who was the cause of their absence.

Mr. Thomas: His dreary loquacity would drive any one out.

Hon. J. MITCHELL: The member for Bunbury required to be kept in order. It was his intention to move a new clause to this Bill which would give the owner the right to ask for a valuation on the payment of a fee. That would get over the Premier's trouble. To save time he would read the proposed new clause.

The CHAIRMAN: The hon. member would have to wait until the other clauses had been dealt with.

Hon. J. MITCHELL: In the meantime he would object to the clause, and would certainly vote against it.

The PREMIER moved an amendment—

That in line 3 of Subclause 2 the words "or less than £1" be struck out.

The subclause would then provide that there should be deposited a sum which would be not more than £10. If the hon. member's proposed new clause would meet the aversion which he (the Premier) had to allowing frivolous objections to be lodged, he would recommit the clause.

Hon. J. MITCHELL: The amendment might improve the clause somewhat, but he objected to the principle of the fee. Objections should be encouraged where the valuation was wrong. At the present time the Taxation Department adjusted valuations at the request of owners. The Premier knew that, yet the Premier did not demand any deposit in such a case. Why, then should he demand one under the Bill? The clause should be struck out altogether.

Hon. H. B. LEFROY: Apparently the Premier had not thoroughly considered the question. It was provided that the notice should set out the form which an objection was to take. Surely that was encouraging objections. Of course it was intended to assist the department.

because if there was to be any objection it was more convenient for the department that the objection should be in the prescribed form.

Mr. Hudson: The form has nothing to do with the amendment.

Hon. H. B. LEFROY: It was not admitted that there should be any fee charged at all. No hon. members wished to encourage frivolous objections. As a matter of fact the land owner would have no desire to lodge frivolous objections.

The Premier: You are making a number of frivolous objections to the Bill.

Mr. A. E. PIESSE: It was hoped the Premier would agree to postpone the clause. When we arrived at Clause 29, in all probability we would, with the Premier's concurrence, alter the constitution of the court of appeal, in which case there would no longer be any necessity for the clause now under discussion.

Mr. TURVEY: It was gratifying that the Premier had moved the amendment striking out the minimum of £1 to be lodged with the objection. Whilst he disagreed with the proposals of the Opposition that all fees should be struck out, and that anybody should have the right to lodge an objection without paying a deposit, he thought the amendment was necessary in order that the minimum might be reduced. It would be a mistake to allow any and every owner to object to a valuation without the payment of a fee. This would certainly result in the lodging of frivolous objections. In the case of *bona fide* objections nothing could be urged against the depositing of a reasonable fee.

Mr. PRICE: Whilst agreeing with the reduction of the minimum fee to, say, 10s., he could not fall in with the proposition that no fee at all should be charged, seeing that it was provided that the fee should be refunded if the objection was allowed. A small fee was at least some guarantee against the lodging of frivolous objections. Under the Municipalities Act, before any objection could be lodged one had to pay up the whole of his rates. If a reduction in valuation was made, the amount represented by that reduction was refunded. He hoped the Premier would not agree to wiping out the fee altogether.

Hon. H. B. LEFROY: If this proposal were carried this would be the only measure in which fees were demanded in similar circumstances. Under the Roads Act, the Municipal Corporations Act, and the Land and Income Tax Act persons could lodge objections and no fee was required, but in this Bill it was mandatory on the Valuer General to demand a fee before he could receive an objection.

Mr. Price: Under the Roads Act you must pay your rates before you can object.

Hon. H. B. LEFROY: If it were said that no objection should be lodged until the amount of the tax was paid that would be an entirely different thing. This was a question as to the valuation upon which taxation was to be based, and before one could object to the basis of taxation he was to be required to pay a fee.

The PREMIER: A promise had already been made that in the event of a further amendment being made, which would affect this clause, the clause would be recommitted, but it had a definite object which he considered was essential.

Amendment put and passed.

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

Ayes	.. .. ..	21
Noes	.. .. ..	7
Majority for	..	14

Ayes.	
Mr. Bolton	Mr. O'Loghlen
Mr. Dwyer	Mr. Price
Mr. Foley	Mr. Scaddan
Mr. Gill	Mr. B. J. Stubbs
Mr. Hudson	Mr. Swan
Mr. Lander	Mr. Turvey
Mr. Lewis	Mr. Underwood
Mr. McDonald	Mr. Walker
Mr. McDowall	Mr. A. A. Wilson
Mr. Mullany	Mr. Heitmann
Mr. Munsie	(*Teller*)

Noes.	
Mr. Harper	Mr. A. E. Piesse
Mr. Lefroy	Mr. Wisdom
Mr. Mitchell	Mr. Layman
Mr. Monger	(*Teller*).

Clause as amended thus passed.

Clause 13—Notice of valuations to be sent to owners:

On motion by the PREMIER the clause was amended by adding at the end of Subclause 1, "and other particulars as provided for in Section 8."

Mr. WISDOM: To give full effect to the clause it would be advisable to strike out Subclause 2, which stated, "The provisions of this section are directory only."

The PREMIER: The clause was a direction to the Valuer General, and that was all the Committee should ask. The difficulty at times was to find the owner. There were instances of the owner having disappeared, and his land had just been held up until such time as the rates had accumulated sufficiently to allow of the land being sold. The same difficulty in discovering the owner might be found in connection with this measure. The clause was mandatory enough, being a direction to the Valuer General, and if Subclause 2 were not retained, the position would be that if there had been any omission on the part of the Valuer General to deliver the notice to the owner, the whole valuation could be upset. The direction meant that the clause should be complied with as far as possible.

Hon. J. MITCHELL: Subclause 1 stated that the Valuer General "shall deliver or send by post." Those words were mandatory, and rightly so. If the proviso was retained there would be no responsibility on the part of the Valuer General to the owner.

The Attorney General: Supposing the post office broke down.

Hon. J. MITCHELL: That had nothing to do with the Valuer General, who merely had to put the letter in the post. The notice was all-important, and should be sent——

The Attorney General: This is a direction that it shall be. Suppose the Valuer General makes a mistake in the owner.

Hon. J. MITCHELL: The owner would be responsible for the mistakes of the Valuer General.

The Premier: No.

The Attorney General: Would you make him liable for an action if he made a mistake?

Hon. J. MITCHELL: If the Valuer General did not send the notice then the sixty days period should not apply.

Mr. A. E. PIESSE: The hon. member for Northam was right, especially when we remembered that these notices of valuation might mean that a property might be resumed without the owner having received notice of the valuation. It should be mandatory on the part of the Valuer General to send the notice by post, and he thought by registered post, so that the owner would be sure to get it, and to enable the owner to object to the valuation if it was unfair.

Mr. Wisdom rose.

The CHAIRMAN: The hon. member's attention must be drawn to the fact that he (the Chairman) had waited long enough and would not put the question half a dozen times.

Mr. WISDOM: It appeared to him that the Premier was about to speak.

The CHAIRMAN: If the hon. member desired to speak he should have risen before. He always gave hon. members ample time to speak if they desired to do so.

Mr. WISDOM: It was most important that the owner should get the notice, and the Premier had acknowledged that fact. The Valuer General was not responsible for not sending a notice. All the provisions against the owner stood good, though he might not have had an opportunity to appeal against the valuation. If the subclause was deleted, then in the event of the Valuer General having failed to send a notice, the owner would have an opportunity to appeal. The Valuer General was safeguarded by the words "so far as known to him." He moved an amendment—

That Subclause 2 be struck out.

Amendment negatived.

Clause, as previously amended, put and passed.

Clauses 14, 15, 16—agreed to.

Clause 17—Rules applicable to such objections:

Hon. H. B. LEFROY: No provision was made for sending to the owner notice of any modifications made in the register.

The Premier: Yes, in the latter portion of Clause 19.

Hon. H. B. LEFROY: Then there was no necessity for these clauses. The position ought to be made clear.

Hon. J. MITCHELL: The Premier ought to see that this notice was necessary, and it was to be hoped he would amend the law if there was not an obligation set against the Valuer General to send out notice of revaluation or any alteration in the register. It was more important that an owner should be advised of an alteration almost than that owners should be advised of the first valuation. They would expect that to be made, but not an alteration from time to time. If the Premier looked into the matter and saw it was not clearly provided that notice must be sent he ought to see it was provided.

The PREMIER: During the second reading he gave the assurance that if it was not clear he would make the provision for it.

Clause put and passed.

[*Mr. McDowall took the Chair.*]

Clauses 18, 19—agreed to.

Clauses 20—Correction of register by Valuer General:

Hon. J. MITCHELL: The owner should be allowed to request an alteration when he had added improvements to the property.

The Premier: That is a time when the Valuer General would move on his own motion.

Hon. J. MITCHELL: It should be made quite clear that he must when the owner sent him notice.

The Premier: He would be doing it of his own motion.

Hon. J. MITCHELL: The Valuer General would be doing it or not doing it, as he pleased; the owner could not compel him to do it. The clause as it stood was absolute nonsense. He moved an amendment—

That after "may" in line 2 the words "at the request of the owner or" be inserted.

The PREMIER: The amendment was positively absurd. There was enough in the clause to keep the Valuer General going all the year round if the owner liked. Why compel the Valuer General to do something that might not be necessary? The clause was quite mandatory enough to the Valuer General that if it was necessary to make an alteration for the purposes stated he "may," which meant "shall," without being moved by an assessment court. All that was necessary was to draw the Valuer General's attention to a matter, or he might notice it himself and make the alteration. If the owner showed that it was necessary to make an alteration the Valuer General would make it. That was what the clause meant.

The Attorney General: All that the hon. member wishes is provided for in the clause already passed.

Hon. J. MITCHELL: Would the Premier say how the Valuer General was to be informed of improvements going on from time to time.

The Premier: Anyone might inform him.

Hon. J. MITCHELL: The Premier was satisfied that the clause was clear, but the Committee should make it even more so. The owner ought to have the right to have the register altered. All through the Bill the Premier depended upon the Valuer General to do what was fair, but it would not be less fair to provide that the owner should have the right to do something to protect himself. All through the clauses were against the owner.

Amendment put and negatived.

Clause put and passed.

Clause 21—Powers of Valuers:

Mr. WISDOM: There was no provision in this clause for a new valuation in the case of a subdivision. A new clause might be added to provide that the Valuer General might make a new valuation in the case of a subdivision, and also that the local authorities should give notice of a subdivision to the Valuer General.

Hon. J. MITCHELL: If the owner had to be protected to the fullest ex-

tent, the amendment which he had previously suggested was necessary. Would the Premier say that the register had to be altered at the request of the owner, having in mind paragraph (d) of the clause? Would it not have been well to have allowed the amendment to go through in order that rights, equal to those which were very properly preserved to the State, might be given to the owner? The Premier was justified in making such a provision where the State was concerned, but it would only be proper to give the owner similar protection.

The PREMIER: There was provision that the valuer general might make such alterations and amendments wherever they were found to need correction in consequence of "a valuation as of the date or as of a day near the date when any land was taken or is intended to be taken under the Public Works Act, 1902, being necessary or advisable." It would be seen, therefore, that if it was necessary or advisable he would be bound to do it.

Hon. H. B. LEFROY: If a person built a house on 1,000 acres of land and that land was resumed he would be repaid if any fresh element had arisen since the register had been made up. The fresh element had to be taken into consideration in making the valuation. If a man built a house the man could go into court and say that there was a fresh element and he could claim a fresh valuation. Although the point was not a very important one it might have been included in the Bill.

The Premier: Clauses 37 and 41 cover it.

Hon. H. B. LEFROY: The member for Northam ought to be satisfied that the proviso in Clause 41 would meet the case.

The PREMIER: When resumptions were made the valuations were required to conform with the provisions of the Public Works Act. Clause 37 of the Bill provided that any such assessment or valuation should depart from the current register when such departure was necessary owing to any improvements having been added to or removed from any land after the date of the valuation in the register; when the valuation was required under any statute applicable to the case to be made on a different system from that adopted in the making of the valuation in the register; or when any new element was required to be taken into account. This clause effectually covered the position raised by the member for Northam.

Hon. J. MITCHELL: Undoubtedly the same right should be reserved to the owner as was reserved to the Crown. Under the clause as printed the owner did not have equal rights with the Crown. However, members of the Opposition could not hope to get any amendments made.

The Premier: I have made two or three already.

Mr. Monger drew attention to the State of the House.

The PREMIER: At the suggestion of the member for Claremont (Mr. Wisdom) he desired to move a new paragraph.

Hon. J. MITCHELL: Was it not competent to any hon. member to call attention to the state of the House.

The CHAIRMAN: Yes.

Hon. J. MITCHELL: The member for York had formally called attention to the state of the House.

The CHAIRMAN: Very well, but the member for Northam (Hon. J. Mitchell) had been understood to say that he desired to get on with the Bill.

Bells rung, and a quorum formed.

The PREMIER moved an amendment—

That the following be added to stand as paragraph (e):—"Any subdivision of such land."

At a later stage he would move the insertion of a new clause to provide that the local authority should notify the Valuer General of any subdivision.

Amendment passed.

Hon. J. MITCHELL: Paragraph (b), providing for the production and examination of books or documents of any owner or occupier of land relating to such land, should be struck out or, alternately, the

power should be restricted to the Valuer General himself. To put this power into the hands of any valuer was to go too far altogether.

The PREMIER: It was not quite certain whether such a provision was really essential. There was no desire to unnecessarily pry into people's business. He would consult the Crown Law Department on the question of whether the deletion of the paragraph would interfere with the making of proper valuations, and if it was found that the provision could with safety be dropped, he would recommit the clause for that purpose.

Hon. J. MITCHELL: The assurance given by the Premier was perfectly satisfactory.

Clause as amended put and passed.

Clauses 22 to 25—agreed to.

12 o'clock, midnight.

Clause 26—Rules of valuation:

Hon. J. MITCHELL: Would the Premier explain why the clause provided that no regard should be had to any machinery, metals, minerals, precious stones, coal, mineral oil, etc. If the valuation were for taxation purposes, this provision would not matter at all, but if the land was being resumed regard should be had to these things as part of the property.

The PREMIER: There could be no advantage from the owner's point of view to value those particulars under this measure. For resumption purposes, when they were not taken into account under this Bill, they were taken into account under the Public Works Act. The only effect of this provision was to give the owner credit for something that possibly he was not entitled to.

Clause put and passed.

Clause 27—Rules to be observed in certain cases in ascertaining the value of land:

Hon. J. MITCHELL: In regard to Subclause 1, it was difficult to value leases, but for taxation purposes some basis more equitable than that proposed should be determined upon. In the Kimberley district land was leased at 10s. per thousand acres, and in the South-West, where the security of tenure was very much worse, at 20s. per thousand acres. As a matter of fact in the South-West a man had only a temporary right: his land could be selected from, and he had no tenure except from day to day, whereas the leaseholder in Kimberley had a tenure till 1928, at any rate. The Premier would see that the proposed method of valuation was not fair. It would be fair to fix the tax at so much per thousand acres on pastoral lands, and town blocks could be valued by the same method as ordinary freehold land. Rural blocks were submitted to auction, and a premium was paid for the right to take them at a fixed rental.

The PREMIER: This might not be the best possible method of arriving at a true valuation, but it was the method at present adopted, and accepted by the owners as at least being fair. That had been done for some years past by arrangement between the Taxation Department and the holders of pastoral leases. There was no desire to disturb that state of things by this Bill, which aimed at uniformity, and made the system apply equally all round. Certain land might be of more value in itself, but placed in a particular position in the North-West it became of little value. This provision was in Section 198 of the Roads Act.

Hon. J. Mitchell: What about town blocks?

The PREMIER: One could not see why they should be taxed at all, because the rental was fixed on the basis of a tax. The land was taxed at about 4 per cent. on the capital value, so that the Government received in rent a sum which was really the land's taxable value.

Hon. J. MITCHELL: In regard to town lots, the Premier's contention was wrong. A block was put up at a rental of perhaps 10s., and it brought £50 or £60 premium. A man might be paying three times the value, but still he would be taxed on that amount. In the case of town blocks such as at Bruce Rock, Merredin, and other places where blocks had been leased, the Premier should fix the valuation under the same method as was employed to value ordinary free-

hold lands for the purpose of this special impost.

The Premier: We are getting a special impost by an annual rent.

Hon. J. MITCHELL: No. The freehold form of tenure was better, but the man who leased a block for the first twenty years was in a better position than the man who paid six or seven per cent. interest on money with which to buy a block. Taxation was apart from any other contribution to the Crown, and the Premier should realise that fact. At any rate, he drew attention to the unfairness of the matter. At Merredin, for instance, a man who has paid full value for freehold would pay the full tax, and a man who had leasehold would pay very little indeed.

The PREMIER moved an amendment—

That the following be added at the end of paragraph (iii.):—"when such rent is less than one shilling per acre, and in other cases shall be a sum equal to one pound for every acre."

To assess all the pearl shell areas at 20 times the annual rent would, he had found on consulting with the Fisheries Department, cause in many cases unfair assessments. The alteration would make the maximum value £1 per acre, but if the rent was less than 1s. per acre, the 20 times the actual rent paid would operate. Many large areas with low rent contained only a small portion adapted to pearl oyster culture. That applied to Shark Bay.

Amendment passed.

The PREMIER moved a further amendment—

That the following be added to paragraph (iv.):—"or any lease from the Crown in respect of which a peppercorn or nominal rent is reserved."

This was in accordance with the matter brought under notice by the hon. member for Northam. By inserting these words provision would be made for the equitable valuation of land held under 99 years and 999 years leases and such like conditions where a peppercorn or nominal rent was paid to the Crown. To say that the unimproved value of such land was to be 20 times the annual rent when such rent was a peppercorn gave a result of nil. The effect of the alteration was that such leases from the Crown would be valued as if they were held in fee simple.

Hon. J. Mitchell: That is what I urged in regard to leased town blocks.

The PREMIER: This provision for valuing these lands would not make them taxable or ratable. It merely provided a basis for deciding the values.

Amendment passed; the clause as amended agreed to.

Clause 28—Certain rules to be observed in ascertaining the annual value of land:

Hon. J. MITCHELL: Why should we ask for a limit of not less than 4 per cent. upon the improved value of the land? It should not be necessary. If land was satisfactorily improved, the income should be sufficient to tax upon.

The PREMIER: This was already operating under the Roads and Municipalities Acts. There must be a minimum basis on which to work.

Clause put and passed.

Clause 29—Objections to be decided by Valuer General:

Hon. J. MITCHELL: The clause was good as far as it went. If the Valuer General was wisely selected, he would settle most of the objections, and the Premier should encourage settlements of this kind to the fullest possible extent. However, there was a limitation set up in a clause already passed which would militate against the owner and the Valuer General coming together. The Premier ought to read the two clauses conjointly and see if the previous one could not be rescinded.

Clause put and passed.

Clause 30—agreed to.

Clause 31—Constitution of court of review for cases not exceeding £500:

Hon. J. MITCHELL: It was his desire that Clauses 31, 32, and 33 should be struck out with a view to inserting a clause which he had framed. It was an important alteration, and the Premier should agree to report progress.

The Premier: Oh, no.

Hon. J. MITCHELL: It was his desire to substitute a provision that the

court of review should consist of three members, one of whom should be the magistrate exercising jurisdiction in the magistrates' court situated in or near the locality in which the subject matter of the objection arose. The magistrate should be president of the court. Of the other two members of the court one member should be appointed by the Governor-in-Council and the other member by the local authority of the district whose register had been compiled or revised. This would mean that the owners would have the cheapest possible means of appeal provided for. Under the clauses he sought to strike out it was provided that the magistrate should decide where the value of the property was not more than £500. But £500 at the present day would be the value of a very small block of land and cottage.

The Premier: I will agree to postpone these clauses if the hon. member likes, to enable him to put his amendment on the Notice Paper.

Hon. J. MITCHELL: It was possible that he might not be present on Tuesday next, and, as the amendment would in that event be moved in his behalf, he would like to point out that the appeal was to be to a court similar to what existed under the New Zealand Act. The magistrate in the district was probably competent to deal with appeals, and a £500 limit was very small indeed. In cases of land worth over £500 the appeal was to the Supreme Court. He desired the amendment he had indicated, because of the enormous cost the public would be put to if they were sent on to the Supreme Court in practically every case where an appeal was made. One could not get to the Supreme Court without considerable cost, and it might happen that the owner of the land, who was desirous to appeal, and ought to appeal, would not have the necessary cash to engage legal assistance and provide against all the costs of the proceedings. The proposed amendment would do away with appealing to the Supreme Court at all, except that the Premier might provide for appeal to the Supreme Court on a point of law. So far as he could see there could be no objection to the court as provided in the proposed amendment.

The PREMIER: It would be better to postpone the various clauses dealing with the same subject. He moved—

That Clauses 31 to 36, inclusive, be postponed.

Motion passed.

Clause 37—agreed to.

Clause 38—Taxation assessment books to be made up from the register:

The PREMIER moved an amendment—

That the word "book" be struck out.

The object in view was to permit the practice that was being put into operation of using the card system instead of a book.

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

Clauses 39, 40—agreed to.

Clause 41—Use of valuations in resumption cases:

Hon. J. MITCHELL: It was his wish to strike out this clause. There were not likely to be very many resumptions under the Public Works Act which would be affected very much by this measure. In order that the Government might avoid having a valuation fixed by an appeal to a court of arbitration it was proposed to value the whole State most carefully. The improvements on every block would have to be valued most carefully and a correct register of all improvements kept and alterations made from time to time, as improvements progressed. All over the State men were engaged in improving their holdings, and for taxation purposes it did not matter a jot whether the improvements were kept right up to date. But if this clause remained the improvements would have to be kept right up to date.

The Premier: Not at all.

Hon. J. MITCHELL: In this Bill we had undertaken to value all land. The Premier had already provided that all these lands were to be valued and entered on the register, and to keep every one of these blocks on the register in sufficiently good order to make it just to resume without a fresh valuation would be a

tremendous work, and the Premier would be well advised to allow this clause to be omitted. It would be costly to operate and would cause a good many appeals that would not otherwise be made. The Premier should allow the clause to be struck out and be content with the right existing in the Public Works Act that the Arbitration Court should fix the value. The cost of appeals would be great and the owner was entitled to recover damages. The Premier would hardly wish to destroy a man's income without giving him a chance to recover compensation. The Premier would agree that the clause would not assist him either in connection with taxation or land resumption. Of course the most skilful valuers to be found would be the Premier's valuers when they had gained local knowledge, and when the Government went before the Arbitration Court in connection with resumptions, the valuers would be the most important witnesses, because they would be the most experienced men in the State by the time they had made their valuations. It would be a graceful act on the part of the Premier to allow the Opposition to have this small victory after the manner in which members had treated him. He (Hon. J. Mitchell) was earning £300 a year to do what he had been doing all the evening.

The Premier: By the way you are doing it I should say you were overpaid.

Hon. J. MITCHELL: The Premier's following were very silent. They were outside waiting to be called in when wanted.

The Premier: I used to say that when I was over on your side.

Hon. J. MITCHELL: In many respects the Bill was very good, but this clause was an absolute blot and should be removed.

Mr. A. E. PIESSE: The Committee would be acting wisely if they dropped this clause altogether, if only for the reason that it would not be operative throughout the whole of the State for some time to come, because until the valuations had been completed it would not be possible for the Valuer General to avail himself of the clause. Considering that a portion of the State only could be valued, it would not be fair that the provisions contained in the clause should operate in that portion of the State, and not in another. It would be unjust to apply an Act of Parliament to one part and not to the whole of the State. It had been admitted by both sides that there would be a certain amount of delay in bringing all parts of the State within the operations of the measure, and if that was so we would be doing an injustice to one particular portion of the State if we applied the provisions of the Bill to that portion and not to all of it. The valuations would take a considerable time to carry out. Improvements would have to be valued and, as had been pointed out, these valuations would have to be constantly amended, particularly in the agricultural districts, where the improvements were constantly being made under C.P. conditions, and to make the provision fair and just it would be imperative that the valuations placed on these lands should be true in every respect. There was no member in the House who wished to see the State pay more than a fair thing for any resumption.

The Premier: We have been doing so.

Mr. A. E. PIESSE: There was no doubt that the State had in some cases paid more than the true value of the land. Perhaps in some cases they had paid less, but would it not be better for the State to run even a little risk in that direction than perhaps bring disaster upon certain individuals. Surely the difficulties which had been mentioned by the Premier could be overcome by an amendment of the Public Works Act.

The Premier: You cannot do that; we have tried it.

Mr. A. E. PIESSE: We should not be called upon to pass this provision when the measure could not be made operative in the whole of the State. The Premier should agree to withdraw the clause, and when he had had an opportunity of seeing how the Bill worked he then would be able to see whether the difficulties which had been forecasted could not be overcome. There were a great many difficulties in the way, and anyone with

practical experience of the valuation of country lands would realise that those difficulties were very serious. The Bill was to provide for more than mere taxation; it was to provide a general means of securing accurate valuations. Up to this clause the Bill was a great improvement on previous legislation of the kind, and would probably effect its purpose with satisfaction to all concerned; but the Premier would be well advised in making the concession asked for.

Mr. WISDOM: The question was as to whether a valuation sufficient for taxation was sufficient also for resumption. The whole Bill was spoilt by the importation of this objectionable clause. As a Bill to provide uniform valuations for taxation the measure was approved by all. The objections were directed against Clause 41, which provided the same valuation for resumptions as for taxation. It seemed absurd to make thousands of valuations of improved values for a very few cases of resumption. On these grounds the clause was unnecessary. Hundreds of cases could be quoted of wide discrepancies in valuations by different valuers. In a recent case the Government valuation of a certain block was £792 for the land and £1,070 for the improvements, while the average of seven other valuers of the land was £1,338, and of eight valuers of the improvements £1,568. It served to show how hopeless it was to expect that a satisfactory valuation for resumption could be made by any other means than a properly constituted court. Nothing could be fairer than the present system, which enabled the owner and the Government to go to a properly constituted court in the event of a difference.

The Premier: We have been held up in the past as by so many highway robbers.

Mr. WISDOM: Then probably something was radically wrong with the Public Works Act.

The Premier: There is.

Mr. WISDOM: Then why did not the Government amend it?

The Premier: We have tried to do so, but there are too many with an interest in it.

Mr. WISDOM: If, unable to effect these reforms himself, the Premier wished to see them effected he should change places with the Opposition. There was no necessity to import into a Bill of this sort a clause dealing with resumptions, and which would certainly destroy the measure.

The PREMIER: Under the existing Public Works Act the general taxpayer had been held up by land owners, by land jobbers and by land agents as by so many highway robbers. He had previously stated that in the House and, in response to a challenge, had repeated it on the public platform. An attempt had been made to amend the Public Works Act, but it was found that there were too many interested in it. He wanted to see the genuine land owner whose land was being resumed get a fair deal. He would not object if such an owner obtained a penny or two too much, but in the public interest he did object to men getting inside knowledge and buying up land at the last moment before resumption and thus gaining some benefit not due to them in the slightest degree.

Mr. Heitmann: The Fremantle railway resumptions, for instance.

The PREMIER: Thousands of such cases could be mentioned.

Mr. Wisdom: It is a reflection on the court.

The PREMIER: It had nothing to do with the court. Cases could be mentioned of land being resumed in Perth for railway purposes. A person, evidently knowing that resumption was to take place, obtained a two months' option over £6,000 worth of land for a mere £5 note. The option was never touched until two days before the notice of resumption appeared in the *Government Gazette*, when presumably he paid the £6,000, and under the Public Works Act he obtained from the Government £6,000 plus 10 per cent. for disturbance, although he had never really owned the land. The Government had to pay that £6,000, and the amount could not be questioned because that sum had actually been paid for the land. That sort of thing had been going on for years past.

Mr. Wisdom: It is the fault of the Public Works Act.

The PREMIER: Well, this was an opportunity of adjusting it. There had never been an attempt on the part of this or any other Government when acting in the interests of the general taxpayer to be harsh at all towards the genuine owner of land when his property was resumed. But at the same time they must, if they were to be true to the oath they took, be fair to the general taxpayer as well as to the owner of property, and not let outside persons, making use of inside information, compel the general taxpayer to pay more than a fair amount for the resumed land. The clause in the Bill provided merely a starting point. Already he had explained that even though we arrived at a valuation, under the conditions proposed in this Bill the court was not compelled to accept that valuation when resumption took place. Recognising the fact that for the purpose of resumption a more detailed examination was essential, it was provided also that the Valuer General might make a special examination.

Mr. Wisdom: It says he may make such a valuation.

The PREMIER: Unless the valuation on the register had been made within a reasonable date of the resumption the Valuer General must make a special valuation. In any case the valuation appearing on the register was only deemed to be the true valuation of the land at the time it was made, and the court would have to decide whether it was a true valuation or not.

Mr. Wisdom: The court must accept it.

The PREMIER: The valuation could be altered by the court. All the clause did was to stop the improper use of inside information. In connection with resumptions in West Perth the operations of the private speculator were avoided to some extent by the Government secretly engaging a man to get an option before actually gazetting the resumption, but as soon as that person commenced getting the options the agents in St. George's-terrace were in a frightful fury and were rushing about wanting to know what was going to happen. The trouble in the past had been that through people getting inside information they mopped up the land at any price prior to resumption, because the price they paid was the sale price on the date of resumption, and the general public had to pay. All the Government proposed was to stop that sort of thing. The Bill would also provide for the keeping of a complete register of owners at particular dates, and that would help the Government considerably in connection with their resumptions. There could be no desire on the part of either side of the House to allow this sort of speculation to continue at the expense of the taxpayer.

Mr. Wisdom: We only object to the method.

The PREMIER: This Bill did not resume land; all the conditions regarding resumption were provided in the Public Works Act, which must prevail. The clause in this Bill, except for preventing jobbing and for forming a basis to work upon, was not worth anything. All it said was that the valuation on the register should be deemed to be a correct valuation at the date when it was made, and anything not taken into account when the valuation was made must be taken into consideration by the Valuer General or the court.

1 o'clock a.m.

Hon. J. MITCHELL: The Premier said that under the Public Works Act the Government must pay the owner of the land at least the value he had paid for it, plus 10 per cent. The Act did not provide anything of the sort, and if that interpretation could be read into it no Parliament would hesitate to alter the law. It would be ridiculous to say that the Crown must pay any sum that the then owner had paid for the land at that date. The Premier argued that this clause would not affect the value ultimately fixed and that it did not provide a valuation that the court must agree to. The measure provided that the improvements and the land should be valued and the court could not allow a greater value than appeared on the register. As far as the court was concerned no evi-

dence would be taken with regard to the land or improvements; the court would be appealed to on the question of damages. It would be ridiculous for an owner to appeal to a court constituted under the Public Works Act against values made under this measure, because this measure would prevail. The Premier said he desired this clause to prevent speculation, but the clause required alteration. Its effect would be as members of the Opposition had pointed out, and the Premier must have known his own intention when he had the clause inserted. It would cost far more than it would save. If the Premier wished to prevent land jobbing the Opposition would help to amend the Public Works Act. If the provisions mentioned by the Premier were to be found in the Public Works Act, the law should have been altered long ago. He would vote against the clause and he hoped that if it was passed the Premier would after further consideration have it recommitted and altered.

Mr. WISDOM: The Premier stated that the valuation laid down by the Valuer General need not be taken by the court but could be altered. The clause was practically a direction to the court that the valuations must be accepted as true and correct on the date they were made. He could not understand how any valuation could be modified or altered by the court. He accepted the Premier's assurance that he desired to be fair, but he was not fair. The State would be given a distinct advantage over the owner and there was no provision to compensate the owner for the advantage. As the Bill allowed the State the privilege of a fresh valuation, would the Premier allow the owner the same privilege? Unless he did so he had no right to claim that he was holding the balance fairly between the State and the land owner.

Mr. Turvey: He gets that right within twelve months.

Mr. WISDOM: But the Valuer General had the right at any time.

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

Ayes	.. .. ..	18
Noes	.. .. ..	7
Majority for	.. ..	11

AYES.

Mr. Dwyer	Mr. Scaddan
Mr. Foley	Mr. H. J. Stubbs
Mr. Gill	[illegible]
Mr. Lander	[illegible]
Mr. Lewis	[illegible]
Mr. McDonald	[illegible]
Mr. Mullany	[illegible] A. Wilson
Mr. Munsie	Mr. Heitmann (*Teller*)
Mr. O'Loghlen	
Mr. Price	

NOES.

Mr. Harper	Mr. A. E. Piesse
Mr. Lefroy	Mr. Wisdom
Mr. Mitchell	Mr. Layman (*Teller*).
Mr. Monger	

Clause thus passed.

Clauses 42, 43—agreed to.

[*The Deputy Speaker took the Chair.*]

Progress reported.

House adjourned at 1.10 a.m. (*Friday*).

Legislative Council,

Tuesday, 14th October, 1913.

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

PAPER PRESENTED.

By the Colonial Secretary: Annual report of Gaols Department for 1912.