

this is completed a proclamation will be issued proroguing Parliament. I move—

That the House at its rising adjourn until Thursday, the 22nd January, 1925.

Legislative Assembly.

Tuesday, 23rd December, 1924.

Hon. J. EWING (South-West) [7.32]: I should like to take this opportunity of extending my thanks, and those of every member of the House, to the Leader of the House and the Honorary Minister for the extreme courtesy they have extended to us during the session. I congratulate the Colonial Secretary on so successfully conducting the business of this arduous session. It is true that a large number of Bills have not passed, but in their wisdom members on this side have thought it better not to pass them.

Members: Hear, hear!

Hon. J. EWING: Throughout the time you have occupied the position of Chairman of Committees you have given extraordinary satisfaction to members. The work you have done during the last 48 hours or so, however, must have tried you very much. I am sure that members extend to you their deepest thanks for the manner in which you have conducted the business and join in wishing you a happy Christmas and a prosperous New Year. I have had considerable experience of the officers of the House and I know them to be thoroughly efficient, and that everything has been done in apple pie order. It is perhaps superfluous on my part to mention the "Hansard" staff. In that staff we have one that is equal, if not superior, to any other "Hansard" staff in Australia. The Leader of that staff has performed his duties with great efficiency and courtesy. The manner in which the "Hansard" work is carried out cannot be surpassed in any of our Parliaments. I wish you, Mr. Chairman, the Colonial Secretary, and all a happy Christmas and a prosperous New Year.

The DEPUTY PRESIDENT: On behalf of the President and myself, and the clerical as well as the "Hansard" staff, I desire to express our warm appreciation of the very kind remarks that have been made by the Leader of the House and by Mr. Ewing regarding our work. I reciprocate the kindly feelings that have been expressed towards us, and hope that members will enjoy to the full the coming season.

Question put and passed.

House adjourned at 7.35 a.m.

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The SPEAKER took the Chair at 11 a.m., and read prayers.

QUESTION—WATER SHORTAGE, NORTH BODDALIN.

Mr. GRIFFITHS asked the Hon. J. Cunningham, Honorary Minister: 1, Is he aware of the alarming position of the North Boddalin settlers in regard to water supply: (a) The dams are absolutely empty, not one having a kerosene-tinful of water in it; (b) the average acreage to be cropped this coming autumn will be 250 acres per settler; (c) to get this acreage in there are the following:—Shaddon, Marshall, 18 miles from pipe line; Earle, Bassett, 19 miles from pipe line; Morgan, Kinklock, 17 miles from pipe line; King, Foley, 15 miles from pipe line; five others, 14 miles from pipe line; two others, 10 miles from pipe line; five others, nine miles from pipe line—entailing for cartage of water a total journey of from 38 to 18 miles? 2, Is he aware that unless water is made available the acreage to be cropped will be approximately cut down by half; namely, 2,000 acres will be cropped instead of 4,000 acres? 3, In view of the great economic loss and retarding of progress, will he cause action to be taken to save the situation?

Hon. J. CUNNINGHAM replied: 1, A proposal to extend the water main to the

North Boddalin district has been fully considered, but owing to there being no money available for the work the proposition was, with regret, deferred. 2, No. 3, Water has been made available by the department at Boddalin Siding, from whence it will have to be carted by the settlers.

QUESTION—POLICE PAY.

Mr. J. H. SMITH asked the Minister for Justice: 1, What action, if any, has been taken to consider the request for increase of pay by the police? 2, Will he recommend that such increments be granted as will bring the pay up to the Queensland standard?

The MINISTER FOR JUSTICE replied: 1 and 2, A deputation from the Police Association met me yesterday, 22nd inst., and discussed the whole matter of pay and conditions of the Police Force, and the matter is now under consideration.

QUESTION—RAILWAY SLEEPING CARS, VERMIN.

Mr. A. WANSBROUGH asked the Minister for Railways: 1, Have complaints been made that second class sleeping cars on the goldfields express and on the Great Southern railway are infested with vermin? 2, If so, what steps are being taken to exterminate the vermin? 3, If no steps are being taken, will investigations be made?

The MINISTER FOR RAILWAYS replied: 1, Occasional complaints have been received in respect of certain compartments, but carriages are not infested with vermin. 2, The whole carriage is specially treated immediately any complaint is received. In addition to this all carriages are fumigated for the extermination of any vermin twice annually, and they are thoroughly cleaned and examined after every trip. 3, Answered by No 2.

LEAVE OF ABSENCE.

On motion by the Minister for Justice, leave of absence for two weeks granted to Mr. Lambert (Coolgardie) on the ground of urgent private business.

BILL—LAND TAX AND INCOME TAX.

Council's Request for Conference.

Message from the Council requesting a conference with managers for the Assembly now considered.

The PREMIER (Hon. P. Collier—Boulder) [11.7]: I move—

That a message be transmitted to the Council agreeing to a conference; that the Hon. W. C. Angwin, Mr. Richardson

and the mover be appointed managers on behalf of the Assembly, and that the conference meet in the Speaker's room at 12.30 p.m.

Mr. TAYLOR (Mt. Margaret) [11.8]: I oppose the motion for a conference. At the close of the last Parliament the position was exactly reversed. This House asked for a conference on the same Bill then: this year the other place is asking for a conference. As Speaker I then pointed out to the House as clearly as I could the duty of this Chamber. I pointed out that we had no right to sacrifice the privileges of the Assembly by granting a conference to another place on a financial Bill, or money Bill as it is commonly termed. Under the Constitution Act we have no right to do that. Certainly there is provision in our Standing Orders, and there is precedent in "May," for conferences on Bills when there are disagreements between the two Houses, but only on Bills which the other House has a right to amend and in respect of which it has the right to press its amendments. As regards money Bills another place has not those rights, and therefore should not be granted a conference in this instance. By granting another place a conference as requested, we shall be conceding to another place an equal footing with this Chamber as regards financial matters—a most dangerous procedure. Our forebears, who succeeded in gaining the privilege for the people's Chamber in respect of money Bills, would turn in their graves if they knew we sat here silent during the whittling away of a right which has come to us down the corridors of time. This is a question of vital importance. I am surprised at the attitude of members who claim at every stage that they represent the people, that they are democrats, that democracy demands this and that. Those great democrats are yielding up that privilege, and still claiming to be democrats! It is not out of place for me to quote the Minister for Lands on this important question, and to quote what you, Mr. Speaker, said last year with great effect upon this Chamber. It is not necessary for me to quote any of the remarks I myself made as Speaker, because I believe I put the matter clearly. Still, it unfortunately seems to be the case that I did not do it clearly enough to convince the House of the vital importance of the question. The Premier of the day was anxious to get his finance Bills through, and the Premier of to-day is similarly anxious, if one is to judge by the motion he has moved. The only thing the present Premier has that last session's Premier did not have is that the other chap is asking for a conference this time. The other chap is now asking for something he has no right to get. The Premier of the past was prepared to give

to the other fellow, without his asking for it, something that he had no right to get. Last session the present Minister for Lands spoke as follows:—

Two-thirds of the troubles of the Premier are due to members of the Legislative Council, and he runs away from them every time they bark at him. They know the Premier will give in, and is prepared to sell the rights of the people every time in the hope that everything will be all right in the future. By and by the Council will look upon this sort of thing as a matter of right.

The Premier: You ought to be ashamed of yourself.

Hon. W. C. Angwin: Twenty years ago the Council would never have dared to send such a message down here. Did Sir Newton Moore, as Premier, yield in a similar instance? He said, "Throw out the Bill," and they threw it out. There are several columns of what the present Minister for Lands said last year in defence of the privileges of this Chamber. Every member of the House, and especially new members, should read that utterance. And you, Mr. Speaker, as member for Kanowna, on the floor of the House made some observations on the subject. I realise that if you were on the floor of the Chamber to-day, you would be equally severe and strong in defence of this Chamber's rights. Addressing the Speaker of that day, you said—

You, Sir, have clearly set out the position. There can be no compromise or give and take over this matter. This Chamber has supreme authority over all Bills relating to money or imposing taxation. There can be no conference, because if we initiate a conference we shall presume that this House may yield. The Council has no right to do other than suggest or request amendments. All we can do is to accede to or reject their request. Every Legislative Assembly at times has had a similar fight with every Legislative Council, but it will remain for this Chamber to break down the time-honoured traditions of the history of British Parliamentary institutions if we yield on this matter.

We yielded, and a conference was granted. But the tenacity of the present Minister for Lands was not abated even at that stage. After the House had voted against his opinion, he raised the question whether the Chamber was in a position to instruct the managers how they should act at the conference; and the hon. member then moved a motion which tied the hands of the managers—

That it be an instruction to the managers appointed by the House to insist upon the Bill as transmitted to the Legislative Council by this House.

The House carried that motion. In view of that resolution, what was the attitude of this Chamber? It was against granting a conference, and against placing the other branch of the Legislature of this State on an equal footing with this Chamber in respect of financial matters. The Assembly managers went to the conference with their hands tied. They had to get the Bill or nothing.

The Minister for Lands: That is so.

Mr. TAYLOR: I am anxious to protect the rights and privileges of this Chamber. I do think we should do that. I do not think we should allow the Upper House to confer with us upon matters respecting which the Constitution says they shall not confer. We are right in granting them a conference on disputes between the two Houses in matters upon which they have the right to press their amendments, but only in respect of such matters.

Hon. Sir JAMES MITCHELL (Northam) [11.16]: I hope the House will grant a conference, for conferences mean common sense.

Mr. Marshall: You are not a lover of the Constitution when it does not suit you.

Hon. Sir JAMES MITCHELL: Not if you are the constitution, certainly not.

Mr. Marshall: You are as bad as Tom Walsh.

Hon. Sir JAMES MITCHELL: But still much better than you. I remember all that happened last year. The Speaker went well out of his way in addressing the House as he did.

The Minister for Mines: Every Speaker has to show that he knows something occasionally.

Hon. Sir JAMES MITCHELL: Yes, that applied even to my friend. I remember the attitude of the Speaker last session. He had it all his own way, and when I called for a division he said I was too late.

Mr. Corboy: The question was carried unanimously!

Hon. Sir JAMES MITCHELL: No, it was not. Members who vote with the Premier to-day will be able to do so without a blush of shame on their cheeks. Last year the Speaker, in my opinion, went much farther than he should have done in discussing the matter. He did not content himself with advising the House, but made a very long speech, and when I called for a division he said I was not permitted to disagree. I do not know how we should get on if we could not have conversations and conferences with another place. They have a perfect right to ask for a conference, else why should we send the Bill to them at all? The alternative to a conference is to let the Bill go, hold another session, and bring down another Bill that will suit the Council. I do not know which is the greater surrender. I should say that to hold another session

and bring in the Bill that the Council demands is the greater surrender of the two.

Hon. S. W. MUNNIE: Who said we were going to do that?

Hon. Sir JAMES MITCHELL: It is the alternative to granting a conference. It has happened before. The method suggested by the Premier is much less of a surrender than is the course advocated by the member for Mr. Margaret (Mr. Taylor). I hope the motion will be carried. I am only supporting the Premier because the Minister for Lands cannot possibly support him in view of the Minister's attitude last session.

The Premier: I think you and I together can beat him.

Hon. Sir JAMES MITCHELL: It is not proposed to surrender any rights to another place.

Mr. A. WANSBROUGH: Therefore, the result of the conference can only be finalised in this House.

Hon. Sir JAMES MITCHELL: The result must always be accepted or rejected by both Houses. I have no wish to surrender anything at all to another place, but the commonsense way of overcoming these difficulties is to appoint managers from both Houses, and hold a conference. Moreover, the proposed conference will afford the Treasurer the only opportunity he can have for putting his views direct to representatives of another place.

Hon. W. D. JOHNSON (Guildford) [11.25]: I cannot see why we should refuse the request of another place. If another place can submit to us suggested amendments for our consideration, and if we consider those amendments—as we have done—surely we are not reducing either our power or our dignity in acceding to the request of another place for a conference on those amendments. If the Council were insisting upon their amendments—

Mr. Taylor: They are.

Hon. W. D. JOHNSON: No, they are not. The amendments have been returned to us, and the Council have asked for a conference. They do not ask for a conference in order to insist upon the amendments. It is not suggested that the conference shall discuss those amendments we have already rejected. We do not even know what is the object of the conference. Since we have considered the Council's amendments, surely we can now meet the representatives of the Council in conference! Possibly at that conference we could do those representatives a power of good; we might even convince them that they are going a step too far in suggesting that conferences should be held between the two Houses. It is no use our condemning conferences, when it is quite easy for us to send three of our representatives to meet the Council's managers. The member for Mt. Margaret (Mr. Taylor) might be quite a good representative of this House to meet the representatives of another House.

The Premier: And we could then lock the door on the outside.

Hon. W. D. JOHNSON: Yes, and I would keep the key until the member for Mt. Margaret had exhausted himself upon them. We should be reasonable. I have no brief for another place, but I have always adopted the attitude that we should exhaust all reasonable means of arriving at settlements. This is not in any way sacrificing our rights; it is merely taking up a reasonable attitude on a reasonable request.

Mr. Taylor: It is giving away our rights.

Hon. W. D. JOHNSON: It is doing nothing of the sort.

Mr. Taylor: The rights of another place cease with the passing or rejecting of the Bill. They are not entitled to amend it.

Hon. W. D. JOHNSON: It is possible that at this conference the representatives of another place will show the Treasurer where he could reduce the income tax and increase the land tax. Even that might be the better way. We are not justified in arriving at conclusions as to what the Council propose to discuss at the conference. No harm can result from such a meeting.

Mr. SLEEMAN (Fremantle) [11.30]: I should like to know from you, Mr. Speaker, whether the managers appointed by this House have the power to bind this House, or shall we have a further opportunity to discuss the matter?

Mr. SPEAKER [11.31]: As regards the privileges of the House, it may be well for me to state the exact position so far as I see it. The question is not one of Standing Orders or of ordinary procedure. If it were so, all that has been uttered with reference to exhausting all possible means would have been perfectly cogent and would have had strict relation to the subject. But unfortunately for that view, the procedure in this matter is governed by an Act of Parliament, the most sacred Act—if I may say so—the Constitution Act. I desire that every member should understand the position as set out in that Act. The Constitution Act Amendment Act of 1921, Section 2, reads—

46. (1) Bills appropriating revenue or moneys or imposing taxation shall not originate in the Legislative Council.

That is the first restriction placed by the Constitution Act upon the Legislative Council in dealing with a money Bill.

(2) The Legislative Council may not amend Loan Bills, or Bills imposing taxation or Bills appropriating revenue or moneys for the ordinary annual services of the Government.

Mr. Taylor: That is perfectly clear.

Mr. SPEAKER: Subsection 4 defines the power, by courtesy if I may so express it, granted to the Legislative Council, and no further power can be taken by the Council,

because the subsection expressly defines its power. Beyond that, the Council cannot go.

(4) The Legislative Council may at any stage return to the Assembly any Bill which the Legislative Council may not amend, requesting by message the omission or amendment of any item or provision therein: Provided that any such request does not increase any proposed charge or burden on the people.

I ask members to pay special attention to the concluding paragraph of that subsection—

The Legislative Assembly may, if it thinks fit, make such omissions or amendments with or without modifications.

Mr. Corboy: They have no right to ask for a conference.

Mr. SPEAKER: The right of decision rests with the Legislative Assembly. The Legislative Council has no power to go one inch further than is stipulated by the Constitution Act Amendment Act. I agree it is well to exhaust every avenue for the purpose of obtaining agreement, but if by so doing we confuse the character of Bills, we may be working immeasurable mischief. All other Bills permit of every means being employed to secure agreement, but the whole responsibility respecting finance is placed upon the Legislative Assembly.

Mr. Taylor: That is right.

Mr. SPEAKER: The Assembly contains amongst its members all the executive Ministerial officers, who carry out the affairs and have charge of the ledger of the country. If that power by any means be lessened or shared with any other body, the whole spirit of British government is undermined, and responsibility in its true sense is removed from this Chamber.

Mr. Taylor: Hear, hear!

Mr. SPEAKER: It is therefore with wisdom that provision was made that there should be no amendment to a money Bill dictated by any agency or through any channel to this Chamber. The whole responsibility of government in that respect centres and focuses in this Chamber, and in this Chamber alone.

Mr. Taylor: That is right.

Mr. SPEAKER: Hence to permit of steps being taken by another place beyond those prescribed by the Act itself is a violation of the Constitution Act which may lead to danger we cannot foretell. From the legal aspect I feel so strongly upon the subject that for a moment I hesitated about putting the motion from the Chair, because of its being an infringement of the law, but I trust the House will well consider the matter. It is my duty on all occasions to submit to the will of the House, and I shall leave with the Chamber the responsibility of giving a decision.

The MINISTER FOR LANDS (Hon. W. C. Anwin—North-East Fremantle) [11.37]: You have explained the position regarding

the Constitution, Sir, but you have not touched upon the final position.

Hon. Sir James Mitchell: You had better look out.

The MINISTER FOR LANDS: The Leader of the Opposition has so often pointed out where I was wrong that in all probability I have taken some lessons. That occurred 12 months ago when I was trying to assist him. There are several new members in the House, and it is well that the position should be explained. In the first place, you say the financial powers rest entirely with the Assembly, and that equal powers are not given to the Council. I agree with you there. But is there not equal power with the Assembly in the final decision?

Mr. SPEAKER: The hon. member will pardon me for pointing out that the final and responsible decision rests with the lower House. The Act says that the Legislative Assembly "may if it thinks fit" make such omissions or amendments with or without modifications.

The MINISTER FOR LANDS: You did not give me an opportunity to finish what I was about to say. I was going to point out that when a Bill is introduced, this House has the power of rejection. Has not the Legislative Council equal powers with the Assembly in financial as well as all other Bills in the matter of rejection?

Mr. Taylor: The Council can reject or accept, but cannot amend.

Mr. SPEAKER: The Council can request, but power to amend is vested only in the Assembly.

The Premier: The time set out in the motion was 11.30. It will now be necessary to amend that time. I suggest that it be made 12 o'clock.

Mr. SPEAKER: That amendment can be made.

Hon. Sir James Mitchell: They may be waiting for you.

Mr. Taylor: Let them wait.

Mr. Thomson: That is a wonderful exhibition of conciliation.

Question put and passed.

BILL—INSPECTION OF SCAFFOLDING.

Council's Message.

Message from the Council notifying that it insisted on its amendments Nos. 1, 2, 3, and 5, to which the Assembly had disagreed, now considered.

As to Council's Powers.

The MINISTER FOR WORKS: Before proceeding with the details of the message, I ask your ruling, Mr. Speaker, on a point bearing on the Standing Orders of the two Houses as regards conferences. The Assem-

bly Standing Orders Nos. 251 and 252 read—

At all conferences the managers for the Legislative Assembly shall be at liberty to confer freely by word of mouth with the managers for the Legislative Council.

In all cases of conferences the managers for the Legislative Assembly shall, when the conference has terminated, report their proceedings to the Legislative Assembly forthwith.

During the present session an alteration has been made to the Standing Orders of the Legislative Council. Its Standing Order No. 329 reads—

At all conferences the managers for the Council shall be at liberty to confer freely by word of mouth with the managers of the Assembly. If no agreement be reached, the Bill or other matter referred to the conference shall be deemed to have been determined.

Then follows No. 330 directing that the Council managers, when the conference is terminated, shall report their proceedings to the Council forthwith. The sentence in Standing Order No. 329, "If no agreement be reached, the Bill or other matter referred to the conference shall be deemed to have been determined" is new, it having been introduced only this session, but it deals with work affecting both Chambers.

Mr. Taylor: They can only control their own House by their Standing Orders.

The MINISTER FOR WORKS: I have looked up the discussions which took place when this new Standing Order was considered in the Legislative Council, and I find it was held that the conference must be unanimous. Thus the Standing Order gives into the hands of one member of the Legislative Council the right to reject a Bill on which a conference has been held. One Legislative Councillor objecting to any agreement being arrived at would mean that the Bill would be lost. Do you consider, Sir, that that is the interpretation of the Standing Order, and has the Council the right to frame Standing Orders that will govern a conference of managers between the two Houses? Is not that really the function of the Joint Standing Orders Committee? Under the Council's Standing Order No. 329, we shall be throwing the control of the legislature over to one man.

Mr. SPEAKER: As to the original procedure, the Minister for Works has correctly stated the position. According to our Standing Orders the managers appointed by this House shall be at liberty to confer freely by word of mouth with the managers for the Legislative Council. When the conference terminates, the managers report upon the proceedings forthwith to the Legislative Assembly. That has always been understood, and I think rightly so, to mean that they place the matter contained in their report in the hands of the Assembly to deal with as the Assembly may think fit. Not-

withstanding the alteration in the Standing Orders of another Chamber, the same matter is dealt with there to this effect, namely, that the managers for the Council, when the conference has terminated, report their proceedings forthwith to the Council. If these words imply or signify anything, they more than suggest, they actually assert, that the Council can finally deal with the matter. I do not know that there has been much alteration, because if there be a disagreement, undoubtedly that disagreement puts an end to communications between the two Houses or to the further dealing with the measure. That has always been so.

Mr. Taylor: It makes the conference abortive.

Mr. SPEAKER: Yes. So long as the report from both Houses indicates that there has been a disagreement, communication between the two Chambers on the measure submitted is at an end. I cannot read that the mere disagreement of one of the managers prevents an agreement being arrived at. The usual laws of Parliamentary procedure would be applied in the case of a conference that are applied in all other circumstances, namely, that on the majority coming to terms this would be considered and construed into an agreement, notwithstanding that one member of the conference might be inclined to take another view. That repeatedly happens, but it is recognised that the one who disagrees subjects his disagreement to the will of the majority of the conference. My interpretation, therefore, is that no grave drastic change has been effected by the amended Standing Order. If the interpretation placed upon it by another place constitutes a menace to the success and the wisdom of a conference, and relegates to one manager between the two Houses the sole right of determining the will of the two bodies—

Mr. E. B. Johnston: Which it does.

Mr. SPEAKER: I can see from the surface view of things that the Standing Order is *ultra vires*, that it attempts to bind the two Houses and to control the force of legislation by the opinion, it may be the stubbornness, of any one manager upon that conference. I think that would make the Standing Order *ultra vires*. In a matter affecting communication between the two Houses, the two Houses should have been consulted before the matter passed into the position assumed by the publication of the Standing Orders of another place.

The MINISTER FOR WORKS: There is another phase upon which you have not touched. The Standing Order says, "In the event of a disagreement the matter referred to the conference shall be deemed to have been determined." The practice in the past has been that the result of a conference has been referred to the House. When there has been a disagreement at a conference, it has happened that the other branch of the

legislature has carried a motion that it no longer insisted upon its amendments. This appears to set out that once we get into conference with the managers of another place and there is a disagreement, this determines the issue, and that all their managers can report is that there has been a disagreement and that the Bill is lost. They have taken away from this Chamber the right to come to any other decision once the conference has disagreed.

Mr. SPEAKER: I have endeavoured to make myself clear. The fact that the managers make a report means that the House to which the report is made can take that into consideration, adopt it or refuse to adopt it, or take such other steps as the report may suggest. My view is that in the event of an absolute disagreement, where neither body can come to a compromise, the Bill will not be gone on with. That is usually the case. When it is clear that the managers by a majority decide to disagree, according to our customs this has always meant that the Bill is lost.

Mr. Taylor: No.

Mr. SPEAKER: That has been the usual course when there has been an absolute disagreement. When the conference is over and the managers' report has been presented, the House may then take steps such as may be thought fit, to bring about an agreement between the two Houses if it is thought necessary to do so.

Mr. TAYLOR: Are you of opinion that the Council has the authority or power to make Standing Orders governing the procedure of this Chamber?

Mr. SPEAKER: They have power to govern the procedure of their own Chamber provided that their Standing Orders do not overlap the rights and the procedure of another Chamber.

Mr. TAYLOR: The Minister's view is that if the managers can disagree, and that the disagreement can result through one member of the Council objecting, the Minister cannot see his way clear to go to a conference of that kind. The Council may have power to pass Standing Orders affecting their own managers, but not to affect ours. I gather the Minister does not want the Bill to fall through, but desires that whichever Chamber is responsible for its rejection should take the responsibility.

Mr. SPEAKER: Quite so.

Hon. W. D. JOHNSON: The new Standing Orders of the Legislative Council provide that if there be a disagreement amongst the managers, the matter is at once determined.

Mr. E. B. Johnston: If only one stands out.

Hon. W. D. JOHNSON: In that case another place may decide to abide by the recently amended Standing Orders. They may appoint two or three managers to meet our managers on the understanding that such

members may finally determine the matter, and not report back at all.

Mr. Taylor: They must report to the House.

Hon. W. D. JOHNSON: If the new Standing Order means anything, it means that if they do report it will be to the effect that the managers have disagreed and that the Bill is lost.

Mr. Panton: That is so.

Hon. W. D. JOHNSON: It says that the managers can determine the matter. If that is so, it is final. Our managers will come back here and give us an opportunity to reconsider the position, but according to the new Standing Orders the managers of another place do not give that House the same opportunity. They simply report that the Bill has been defeated. I want to be sure that the managers of another place cannot determine the Bill. If they can do so, I would hesitate to agree to the appointment of managers from this House.

Mr. Taylor: I rise to a point of order. What is before the Chair?

Mr. SPEAKER: There is nothing before it.

Mr. Taylor: I merely asked a question, but the member for Guildford is making a speech.

Mr. SPEAKER: He, too, is asking a question.

Hon. W. D. JOHNSON: The determination arrived at by the managers of another place may not be in accord with the wishes of members of that House.

Hon. Sir James Mitchell: Let us alter their Standing Orders.

Hon. W. D. JOHNSON: If the managers have the right to determine the question in conference, will that be the final decision, or will this Chamber have an opportunity of compelling the Council to consider the complete report of the managers when they return, or must we accept the simple notification that they have determined the matter and that the Bill has been defeated?

Mr. SPEAKER: I admit that Standing Order 329 is open to two interpretations. I interpret it according to the usual custom of Parliamentary procedure, and upon the assumption that one legislative body has no power by its Standing Orders to alter the usual course of legislation as prescribed by our Constitution Acts and by the custom of Parliament. I interpret the Standing Order to mean that when the managers for the Council have reported their proceedings to that House, that Chamber has power to take such steps as may be thought fit. When the report is made to this House we can always by message again open the question. Our procedure is not altered; therefore, we can approach another place by message.

Mr. TAYLOR: We have the right on the report of our managers to accept their report and then request that our original amendments be made. If the Council do not accept them, the Bill drops in that House.

Mr. SPEAKER: Our powers are in no way altered.

Mr. E. B. Johnston: But they are limited.

Mr. SPEAKER: I hold that the Standing Order is ultra vires, and that the responsibility rests with the Council.

Request for Conference.

The MINISTER FOR WORKS: I move—

That a conference with the Council be requested and that the managers to represent the Assembly be the Minister for Mines, Mr. Taylor, and the mover.

Question put and passed.

Sitting suspended from 12.2 to 4.50 p.m.

BILL—LAND TAX AND INCOME TAX.

*Conference Managers' Report—
Recommittal.*

The PREMIER (Hon. P. Collier—Boulder) [4.50]: I desire to report that the managers appointed by the House met the managers of the Council to deal with the Land Tax and Income Tax Bill. The managers agreed to recommend as follows: The Bill to be amended to cover two years; the first year's super tax to be $7\frac{1}{2}$ per cent., and the second year's super tax to be $7\frac{1}{2}$ per cent.; the land tax to remain as printed; Clause 8 to be deleted.

Hon. Sir JAMES MITCHELL: What does Clause 8 refer to?

The PREMIER: That refers to the deductions provided for in the assessment Bill. I move—

That the Bill be recommitted for the purpose of considering the suggested amendments.

Hon. W. D. JOHNSON (Guildford) [4.52]: I regret exceedingly that so much time has been taken up over this matter. It appears that after all, we were misled with reference to the intentions of the Council. It was indicated to us that we would have a discussion with their managers. For my part, I did not consider that the conference would take up so much time, nor yet that at the conference an attempt would be made to amend the legislation. I did not anticipate that anything of the sort would be done when I agreed to the conference. I agreed to the conference taking place on the understanding that it was simply out of courtesy to the Council, to give their managers an opportunity to voice their opinions. We find now that what has actually taken place is that the managers functioned as they would in connection with an ordinary Bill. As one who supported the granting of the conference, I did so under the impression that it would not have functioned in such an important way. Had I known that this result would have followed, my

vote would have gone in a different direction.

Hon. Sir JAMES MITCHELL (Northam) [4.54]: I do not know what the member for Guildford (Hon. W. D. Johnson) expected. What was the good of meeting managers from the Council if it was not to consider and discuss these matters!

The Premier: Why should we have met otherwise?

Mr. Thomson: The member for Guildford expects the impossible.

Hon. Sir JAMES MITCHELL: The House can determine whether the recommendations shall be accepted.

Mr. Panton: Give old "Lovie" all his own way!

Hon. W. D. Johnson: Put Lovekin in charge.

Mr. Panton: Make him the dictator!

Hon. W. D. Johnson: Do everything for Lovekin.

Hon. Sir JAMES MITCHELL: I hope we will consider the suggestions of the managers.

Mr. Teesdale: It is not a question of suggestions but of dictation by one individual who wants to bludgeon everyone!

Mr. Corboy: That is so, absolutely.

Mr. Teesdale: One individual has us absolutely nobbled and chloroformed.

Hon. Sir JAMES MITCHELL: We can consider the amendments and deal with them as we please. I am willing to listen to reason and to consider the arguments in favour of the further amendments.

Hon. W. D. Johnson: We all agree to that, but I am not prepared to listen to a dictator.

The MINISTER FOR LANDS (Hon. W. C. Angwin—North-East Fremantle) [4.56]: I would not have spoken had it not been for an interjection by the member for Roebourne (Mr. Teesdale). I want to assure him that Mr. Lovekin has not got us by the nose. He may have members on the other side by the nose, but not those who sit on the Government side of the House. If the member for Roebourne is afraid of Mr. Lovekin, I can assure him we are not. The arrangement made at the conference is one that, in my opinion, no reasonable man in this Chamber can disagree with.

Hon. W. D. Johnson: We shall see about that.

The MINISTER FOR LANDS: I was surprised to hear the member for Guildford (Hon. W. D. Johnson) say that he was not aware what the position really was. A man of his experience who has been for years in this Chamber should know that managers are appointed and conferences held to deal with these matters in the way indicated.

Hon. W. D. Johnson: You should have explained that at the time.

Mr. Taylor: It was explained and made quite clear.

The MINISTER FOR LANDS: I did not think it necessary, more especially for the information of the member for Guildford. After members heard the report read just now, they must have realised that our taxation measure was also mixed up considerably with the Land and Income Tax Assessment Amendment Bill.

Hon. Sir James Mitchell: You did not confer about that!

The MINISTER FOR LANDS: It was necessary to consider that as well.

Hon. Sir James Mitchell: You had no authority to do so.

The MINISTER FOR LANDS: We had to discuss both Bills.

Hon. Sir James Mitchell: It was not fair to this House if you did so.

The MINISTER FOR LANDS: It was necessary in order to protect our position.

Hon. Sir James Mitchell: You should not have done it.

The MINISTER FOR LANDS: Although we were not called upon to report to the House regarding the Assessment Bill, but merely with reference to the Land Tax and Income Tax Bill, it must be realised that both measures were concerned in the results of the conference.

Mr. Taylor: You overstepped your authority.

Hon. Sir James Mitchell: You had no authority to do that at all.

The MINISTER FOR LANDS: It was necessary before arriving at a final conclusion for us to go into the matter carefully to see how it would affect the taxation Bill if we agreed to these proposals.

Hon. W. D. Johnson: That is the function of this Chamber.

The MINISTER FOR LANDS: I admit that. But where the one bears on the other, both must be taken into consideration. At a conference every phase of the question has to be considered for the purpose of coming to an understanding which the managers can honestly submit to their Houses for endorsement. The Premier has put the matter very clearly. The land tax shall remain as it is in the Bill. It is generally recognised that the supertax must eventually die out. Instead of striking out the whole of it this year, we thought we would spread its abolition over a period of two years, half the tax being deleted this year, and half next year. The Bill is to have a currency of two years. Neither Mr. Lovekin nor any other member of the Legislative Council can lead our Premier by the nose.

Mr. Teesdale: I did not say that; I said, the House.

The MINISTER FOR LANDS: Even though I say it, the Assembly's managers have done splendidly.

Mr. TAYLOR (Mt. Margaret) [5.3]: On the grounds that I set forth this morning,

I wish to enter my protest against the recommitment of the Bill. The member for Guildford (Hon. W. D. Johnson), notwithstanding his statements of this afternoon, pronounced judgment this morning to the effect that it was quite a proper thing to have a conference. His Parliamentary experience told him that one could not have a conference unless one appointed managers. If there is a conference upon any subject, the managers, when they meet, must confer. What were these managers to confer about? There were two outstanding points. One was the super tax of 15 per cent., the other the land tax of 2d. in the pound. The result of the report of the conference managers is an overwhelming testimony to the correctness of the statement which you, Mr. Speaker, made regarding the duty of this House, and to the soundness of the argument I put up, that the conference would admit the equality of another Chamber with this Chamber on financial matters. That is proved beyond doubt, because the conference induced our managers to recommend to this Chamber the recommitment of the Bill for the purpose of remitting one-half of the super tax this year and the other half next year; and another binding condition is that we shall not alter the land tax of 2d. in the pound for two years.

The Premier: No; that is as regards the supertax.

Mr. TAYLOR: We are not to alter the Bill next year.

The Premier: It will not be necessary to have any Bill next year.

Mr. TAYLOR: Then the 2d. land tax will remain next year. Otherwise members must put up the theory that we can alter the Bill if we like. This Assembly as now constituted will be here next session, but we are pledged not to alter the Bill next session. If this were the last session of the present Parliament and a new Government came in next year, that Government could introduce a measure to alter this Bill. But we, having bound ourselves for next year, shall need no Bill next session. Beyond doubt we are allowing another Chamber to mould the financial proposals of the Government, another Chamber which has no responsibility whatever to the people. We are whittling away the authority of this Chamber. I have been fighting only to maintain the privileges of the Assembly. It is idle for an hon. member to say, "I never dreamt that the conference was going to confer about the supertax." What on earth was the conference for?

The Premier: To talk about the weather!

Mr. TAYLOR: What the Premier stated was tantamount to telling this House that he was about to confer with a view to arriving at a compromise satisfactory to his party and to the House. There is no necessity to confer if one says, "I am

adamant, and will not yield." A compromise has been arrived at, and undoubtedly that conference has placed another Chamber on a level footing with this House in the control of the purse-strings of this country. That is appalling; it will have a disastrous effect. We shall have to put up a battle against another place, or else break down and put another place on an equal footing with us so far as the finances are concerned. It is idle to have a Constitution Act if we shut our eyes to its provisions and allow another place to whittle away our privileges. On those grounds I am absolutely against the re-committal of the Bill. Another place has no right to take part in shaping the financial proposals of the Government of this country.

The MINISTER FOR MINES (Hon. M. F. Troy—Mt. Magnet) [5.10]: Hearing the last speaker, it occurs to me to ask what is all the noise about and what is all the fury for? The hon. member's criticism is purely destructive. What is it the Premier and the Minister for Lands have agreed upon? They have secured at the conference the land tax and the income tax entire. Was not that a remarkable achievement? Has the Premier backed down in that regard? Those members who object to what he has secured, what have they to offer? There has been only a lot of sound and fury and bombast, in which I fear there is very little sincerity. As regards the super tax, what has been achieved? Instead of gaining the super tax of 15 per cent. for one year, the Premier has got $7\frac{1}{2}$ per cent. for this year and $7\frac{1}{2}$ per cent. for next year—which equals 15 per cent. for one year. I doubt whether we would have got this super tax at all next year. There is a strong opinion in this House that the super tax should be abolished. Let me ask members who talk about putting up a battle or breaking down, what they have done in all the 20 years they have spent in this House? The chief object of the member for Mt. Margaret is to make a lot of noisy protests. But if this compromise is rejected, what has the hon. member to offer in its place? How is the country going to be financed? The hon. member has a purpose which is not so much helpful as destructive to the Government. He pretends to be very upset regarding the decision arrived at. If the hon. member objects to this compromise, has he any better solution to offer? If so, this is the time to offer it, and this is the place. The Government have to carry on the country while they sit on this side of the House. The hon. member's noise and fury do not influence me a snap of the fingers. I have known them for years. They are his chief stock-in-trade, and nothing else is. There never has been a session without an occurrence

of this kind; but on the present occasion there is this distinction, that the request for a conference came from another place. Hitherto this has been the Chamber that has asked for conferences. Within my recollection there never has been an occasion when the Assembly managers have secured a full expression of the terms in a measure like this tax Bill. Hitherto the managers have always backed down.

Mr. Taylor: They have never backed down before.

The MINISTER FOR MINES: The hon. member is not concerned about carrying on the Government of this country. He is not at all concerned about the welfare of the people represented by this side of the House. He is merely concerned about something destructive, something that will get the Government into difficulties. However, that is not going to occur so far as I am concerned.

Mr. RICHARDSON (Subiaco) [5.14]: The conference managers may feel rather pleased at the attitude of members generally towards the report. The managers were appointed by this Chamber. For my part I entered into the conference with the object of arriving at some definite conclusion whereby the administration of the country might be carried on satisfactorily. In my mind there was no idea whatever of trying to embarrass the Government in any way. My sole idea was to go there and try to arrive at a satisfactory compromise. We were appointed to confer on certain subjects. I am surprised that an old member like the member for Guildford (Hon. W. D. Johnson) should say we had no right to confer on these matters.

Hon. W. D. Johnson: You had the right to confer, but no right to amend.

Mr. RICHARDSON: That, the Premier will probably reply to. I went there with one object. That object, to a certain extent, has been achieved. We have brought in our report, and it is now for members to allow the Bill to be recommitted. In reply to an interjection by the member for Roebourne (Mr. Teesdale) a little while ago, I may say there was no sign of any attempt at dictatorship at that conference. Sweet reasonableness prevailed, and so we were able to come to a definite conclusion. The member for Mt. Margaret (Mr. Taylor) has dealt with the matter from a constitutional viewpoint, purely and simply. Probably he is right in what he says, but I do hope members will allow the Bill to be recommitted, when we can all express our views on the amendments.

Mr. THOMSON (Katanning) [5.16]: I will vote against the re-committal of the Bill because it will now mean very much increased land taxation. It is amusing to hear some of the high-flown language used

here about another place. The Council has its privileges, and I confess I am amazed at the Premier's having been able to succeed with the Council's managers and induce them to agree to increased land taxation of 100 per cent. As for the contention that our managers had no right to do more than confer, I was always under the impression that managers from either House were sent to conference, not merely for an exchange of courtesies, but also to treat.

Mr. E. B. Johnston: The Government have given way on this.

Mr. THOMSON: I cannot see that the Government have given away anything. A section of this House has strongly and rightly opposed the increase in land taxation. I regret that our managers did not stand fast on that. It was never suggested here that another place would endeavour to amend our taxation measure, because for them it is merely to suggest. But what will be the position if we cannot now agree? The Treasurer will not be able to impose any taxation at all. I do not admit that we have been whittling away the privileges of this House. If the views expressed by certain members here to-day are correct, what in the name of Heaven have we the Council for? Surely the Council is there to safeguard the interests of the community!

Mr. Sleeman: But you reckoned they had fallen down on their job.

Mr. THOMSON: Yes, I do. I am disappointed at the result of the conference, for, judging by recent debates in another place, I thought they were not likely to agree to increased land taxation. I oppose the re-committal of the Bill because I strongly object to this increased land taxation.

Mr. E. B. JOHNSTON (Williams-Narropin) [5.20]: I also oppose the re-committal for the reasons given by the Leader of the Country Party. The Premier can congratulate himself on having got his way respecting the increased land taxation, not for one year, but for two years. He is better off in that respect than he expected to be when he went away to meet the managers of another place. Then the Premier had already told us that he hoped to repeal the super tax next year, instead of which we are to have a $7\frac{1}{2}$ per cent. super tax this year and next year as well.

The Premier: So I get my 15 per cent. just the same.

Mr. E. B. JOHNSTON: As tax gatherers you are in this improved position, that in the second year you will still be drawing $7\frac{1}{2}$ per cent. super tax, whereas you were willing to relinquish it altogether next year. The Premier has scored a signal victory over the members of another place. I agree with the Leader of the Country Party that those members have fallen down on their job, which is to protect people in country districts and land owners generally, from

this instalment of the solid land tax, which it is the policy of the party opposite to impose. I agree that the Upper House has entirely failed to protect the people they represent from this obnoxious increased land taxation.

Mr. HUGHES (East Perth) [5.23]: I do not think we should agree to the re-committal. The first plank in this party's fighting platform is the abolition of the Council. Instead of abolishing that House we are investing them with increased power. If they have their own way on this occasion and get a two years' agreement which will prevent our increasing the land tax from 2d. to 6d., there is no saying what they will want next. Probably next year, when they get the assessment Bill they will want to cut out some of the exemptions.

The Premier: They will not get it. It will not be up here next year.

Mr. HUGHES: The Council are being placed on an equality with this House, which has always controlled the finances. Still, I do not believe that if their bluff were called, members of another place would stand to their guns. I was in the gallery of the Council last year and saw a member wringing his hands and wailing, "They have ratted, they have ratted," when the House refused to throw out the assessment Bill.

Mr. Thomson: We seem to be more worried about the rights of the Council than we are about the taxation proposals.

Mr. HUGHES: The question is whether this Chamber should give away any of its prerogatives to the Council.

Mr. Thomson: The Council gave away theirs.

Mr. HUGHES: If we on this side had our way we would abolish the Council altogether. We cannot govern the country until we do.

Mr. Thomson: A jolly good job.

Mr. HUGHES: If we give away in this we shall be giving away the prerogatives of the people. I could not square my election pledges if I agreed to that. If the Council are not prepared to pass the Bill as sent to them and so provide the Government with money, the Government cannot give the public services that are required, and the responsibility will be on the Council. We should compel them to take that responsibility. I know that if this House were dissolved and we went to the country, that would not dissolve the Council. Still we could do that and fight them on the issue of whether we should give away our prerogatives. If we went to the country and the country said, "You must concede what the Council demand," well, it would then be the definite wish of the people, and we would accept it; but we should be failing in our duty if, without a mandate from the people, we allowed the Council to take any of the

prerogatives that should remain with this Chamber.

Mr. MARSHALL (Murchison) [5.30]: I oppose the motion to recommit the Bill. I was under no misapprehension as to what took place in this Chamber earlier in the sitting. I am not particularly concerned whether the Premier has accomplished what he desires or not. I am opposed to the principle of another place having equal rights with this House in matters of finance. The Premier, an evening or two ago, insisted that the super tax was essential. He pointed out that his deficit already exceeded the estimate, and that the super tax of 15 per cent. was required if his deficit was not to be greater than the amount budgeted for. Now he has agreed to reduce the super tax to $7\frac{1}{2}$ per cent.

The Premier: I shall get a good deal more in land tax, for which I did not budget.

Mr. Thomson: And which you did not expect to get.

Mr. MARSHALL: The Premier cannot argue that the land tax has anything to do with the super tax. When he was speaking on the land tax, he said specifically that the increase was to be applied to main roads and to the reduction of railway freights, and that not one penny of it would go into revenue. Consequently he relied upon the super tax and other taxation to provide him with the necessary funds for general administration. I would not mind if the Premier gave away the whole 15 per cent. of super tax, but I object to our privileges being whittled away by the demands of another place. Every session since I came into this House the same point has been raised, and a vigorous protest has been made by this House against the Council interfering with the financial proposals of the Government. So acute did the discussions become that the Constitution Act was amended in 1921 to overcome the difficulty. The Act distinctly states that the Legislative Council may not interfere; yet by permitting a conference to be held, we have yielded to the desires of another place to encroach upon our privileges.

Mr. Thomson: You had to have a conference or the Premier would have had no money.

Mr. MARSHALL: This is not the only State that has been confronted with this problem. When a similar attitude was adopted by the Legislative Council in another State, the members of the Upper House there very soon got down on their knees and yielded. It is interesting to find advocates of constitutional action saying, when it suits them, "To Halifax with constitutional rights." I cannot admire an individual who adopts a doctrine to-day when it suits his case, and a totally different doctrine to-morrow. We have had numerous instances lately of members in another place shuffling and shifting in order to evade their responsibilities to the com-

munity. I object to any yielding whatever of privileges that are the sole right of this Chamber.

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

Ayes	..	..	26
Noes	..	..	13
Majority for			13

AYES.

Mr. Angwin	Mr. Mann
Mr. Barnard	Mr. McCallum
Mr. Cheson	Mr. Millington
Mr. Collier	Sir James Mitchell
Mr. Coverley	Mr. Munzie
Mr. Cunningham	Mr. Richardson
Mr. Davy	Mr. Sampson
Mr. George	Mr. Troy
Mr. Heron	Mr. A. Wan-brough
Mr. W. D. Johnson	Mr. Willcock
Mr. Kennedy	Mr. Wilson
Mr. Lamond	Mr. Corboy
Mr. Lindsay	
Mr. Lutey	

(Teller.)

NOES.

Mr. Brown	Mr. Sleeman
Mr. Holman	Mr. J. H. Smith
Mr. Hughes	Mr. Taylor
Mr. E. B. Johnston	Mr. Teesdale
Mr. Marshall	Mr. Thomson
Mr. North	Mr. Maley
Mr. Panton	

(Teller.)

Question thus passed; Bill recommitted.

In Committee.

Mr. Lutey in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Grant of land tax and income tax for the year ending 30th June, 1925:

The PREMIER: I move an amendment—

That after "twenty-five," in line 2, the words "and for the year ending the thirtieth day of June, one thousand nine hundred and twenty-six respectively" be inserted.

This is the amendment that will have the effect of enacting the tax for two years, instead of for one year as in the past. It is necessary to do this, seeing that the agreement provides for the reduction of the super-tax by $7\frac{1}{2}$ per cent. for the two years. Next year it will not be necessary to bring down any Bill for the imposition of a land tax and an income tax.

Hon. Sir James Mitchell: Does that mean you do not bring down any taxation measure next year?

The PREMIER: Yes.

Mr. Taylor: Will you pledge yourself not to?

The PREMIER: I do not think there will be any tax necessary next year. If this Bill were for only one year, it would be merely a matter of re-enacting it next session for another year. We have been granted all the tax we require, and so it is a matter of common sense to make this measure apply to two years.

Mr. THOMSON: Ever since I have been in the House, it has been the custom to introduce a Land Tax and an Income Tax Bill each year, so that members might discuss and decide upon the grant of taxation. While we are not going to have any increased taxation next year, we shall not be in a position to secure any reduction. I wish to direct attention to the lack of representation of the people who will suffer most and pay most under this measure. When it came to the appointment of managers, neither House selected a representative of the primary producers, notwithstanding that such an important matter as the imposition of the land tax was to be discussed.

Mr. Chesson: Why did you not raise your voice before?

Mr. THOMSON: What was the use? The matter was in the hands of the Premier.

The Minister for Mines: There was Mr. Drew, who represents a country province.

Mr. THOMSON: But he represents the Government.

The Premier: What about Mr. Ewing?

Mr. THOMSON: He does not represent our section of the country. The Country Party is a separate entity with 11 members in the two Houses, and should have had at least one of their number amongst the managers. This measure will vitally affect the primary producers who are creating the wealth that is keeping the State going.

The Minister for Justice: They are going to be better off.

Mr. THOMSON: Better off, when in the past we have been paying a halfpenny and now will have to pay twopence in the pound! What would members opposite say if we applied that argument to them?

The Minister for Lands: Why do you not tell the truth? You were paying $\frac{1}{2}$ d. before, and you are now to pay 1d.

The Premier: The producers were well represented at the conference by Mr. Ewing and the Colonial Secretary.

Mr. THOMSON: I hope another place will not endorse this arrangement. I object to the taxation being arranged for two years, because it gives us no opportunity of reviewing it.

Mr. MARSHALL: I intend to vote against the amendment. It sets up a new principle, to which I take exception. The principle of taxation is being altered, and it would be possible under it for a dying Government or a dying Parliament to pass legislation having a forward effect that would have to be followed by their successors. The principle is bad and may have a boomerang effect upon the Govern-

ment. The arrangement must, of course, suit the Premier or he would not put it forward, but in time to come it may have a prejudicial effect upon the Government.

Hon. W. D. JOHNSON: It is intended to amend this clause so as to continue the supertax for two years, and this is being done in anticipation of amendments to Clause 6. At this stage the Premier should give us further information, for if we pass the amendment we commit ourselves to the proposals affecting Clause 6. The Premier has said he cannot see his way clear to forego the supertax owing to the growth of the deficit and the general financial position. How will he make up the loss of the $7\frac{1}{2}$ per cent.? Will he get more out of the 2d. than he anticipated? It was stated that the land tax was not to increase the revenue to any great extent. As a result of the increased valuations of land the 1d. tax we are now paying will yield more than it has done in the past, and the Premier will gain a financial advantage. The remainder of the tax was to be distributed in other directions, and the Treasurer was to get nothing out of it.

Mr. Sampson: That promise is not withdrawn.

Hon. W. D. JOHNSON: Will the rest of the 2d. land tax go towards reducing railway freights and fares, and will the $\frac{1}{2}$ d. be earmarked in anticipation of the ultimate passing of the Main Roads Bill? Is it proposed that the money shall be put into a trust fund, or are we to understand that it will be available to make up the loss of the $7\frac{1}{2}$ per cent. on the supertax? We are going to lose the advantages we gained in the deductions that were provided. We want to know whether they will be reinstated.

The CHAIRMAN: We shall deal with that later.

Hon. W. D. JOHNSON: This anticipates our approval of the other amendments, to which, however, we might not agree. If the Premier does not intend to give us the information, we shall have to read into the Bill all the dangers that are associated with it. I am not here to take things without explanation. If it means that we have to talk for some time in order to get the information, it will have to be done. I protest against the Premier asking us to pass this amendment that will compromise us in regard to the supertax, for, when we hear the supertax explained, we may not agree to the arrangement that has been made. It is reasonable to ask the Premier to give us further information.

Hon. Sir JAMES MITCHELL: I, too, want information from the Premier. This amendment affects the whole of the Bill. It provides that the tax will remain for two years. This is an innovation, for in the past taxation measures have been brought down every year.

Mr. Thomson: We should continue to safeguard that privilege.

Hon. Sir JAMES MITCHELL: If we can get this limitation of taxation by this means we shall of course be saved for two years from our friends opposite, but that is not sufficient to justify us in accepting the amendment. If a representative of the farmers had attended the conference, he would have been powerless to do anything. I represent agricultural interests as much as anyone else, and so does Mr. Ewing. If we fix the tax for two years we shall deprive ourselves of the opportunity of reviewing it. The financial position for next year will, I think, be better than the Premier anticipates. He has not shown the amount he will receive from taxation, and it is my belief that he will get much more than he anticipates. There are other provisions in the Assessment Bill which would also give him increased taxation. One is the abolition of half of the land tax exemption, and another is that all land without exemptions will be taxed. The conference had no authority to do more than deal with the Bill for this year, nor any authority to give any undertaking with regard to the Assessment Bill. The principle of fixing the tax for two years is wrong. The proposal to increase the land tax to 2d. was agreed to by this House. That tax was necessary in order to secure a ½d. in the pound for main roads that were to come under the Main Roads Bill. We are not to have a main roads Bill but we are to have the tax. The managers had no authority to make this tax permanent. I do not propose to agree to the amendment proposed by the Premier.

The PREMIER: Any promise I have made with regard to the tax and the disposal of the revenue from it stands good. The position will be that whilst I will be compelled to do without the 15 per cent. supertax this year, I will obtain just as much revenue from the supertax, but it will be spread over two years instead of one. I had fully decided not to ask Parliament to again impose the supertax next year. Under the arrangement now arrived at I shall get the same amount of money, namely, £90,000, half this year and half next year. The tax Bill and the assessment Bill hang together, and many important amendments to the assessment Bill were agreed upon. The Council had already made many amendments to the assessment Bill; in fact, members in another place had amended practically every clause of that Bill. I believe now that the major number of those amendments will not be insisted upon, so that we shall reap an advantage in that respect. I believe the assessment Bill would have been lost but for the agreement arrived at, so that I shall benefit from the provisions of the assessment Bill, which will come back to us from another place shortly.

Hon. W. D. Johnson: What about the extra £10 per child? Will that be included in the assessment Bill?

The PREMIER: Yes. Another place is now discussing the assessment Bill and making the amendments agreed upon. The arrangement made for the two years is important to me because the money is needed. I now retain the tax Bill, so far as it applies to land taxation, in its entirety. I actually yield up no revenue and accept 7½ per cent. of the supertax this year and the remainder next year.

Mr. HUGHES: We are establishing a dangerous precedent by making the taxation Bills annual measures. If the House pledges itself this year, there is no going back next year. I intend to vote to retain the annual taxation measure because I am afraid of the possibility of creating a precedent.

Mr. THOMSON: It will probably astonish members to realise that the Land Tax and Income Tax Bill was never discussed by another place. It was referred back to this House on the first reading. We are faced with the position that a conference was requested and at that conference there were three managers from this House and three managers from another place, and now we have before us the legislation we are asked to pass. The Premier has scored a signal victory. He never dreamt that he would get his taxation measures through in the manner that he has done. The primary producers and those who live in the country have been sold by the other House. The Legislative Council is supposed to be a house of review, and of the three managers appointed not one represents a primary producer. The position was the same in this House. I would be lacking in my duty if I did not draw attention to this fact.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. THOMSON: We have often discussed the action of the Council in usurping the functions of this House, but some of us are convinced that the managers did not do their duty on this occasion. We had the definite statement by the Premier that they would not press the amendment they proposed in the assessment Bill.

The CHAIRMAN: That has nothing to do with this Bill.

Mr. THOMSON: I am merely quoting the statement made by the Premier and I am justified in referring to it. This Bill has not been discussed by the Council. It was referred back to this Chamber with a request for a conference. At that conference three of the six managers were Ministers of the Crown. What hope had we of a compromise from a conference so constituted? Probably this House is to blame for not voicing a protest regarding the managers appointed.

The Premier: Ministers do not claim any particular credit for the result. We recog-

nise the invaluable assistance rendered by the other members at the conference.

Mr. THOMSON: With three Cabinet Ministers, all in favour of increasing taxation, the Government had a preponderance of power at the conference. Then the six gentlemen agree that, provided the Premier will magnanimously and generously give way on the 15 per cent. supertax, they will agree to the Bill operating for two years, fondly believing that there will be no increase in taxation. I strongly oppose establishing such a precedent. Ever since I have been in this Chamber we have had the right to review taxation each year. I hope members will not endorse this dangerous precedent. I have voiced my protest. The Council have let the representatives of the primary producers down badly. They did not even discuss the Bill.

Mr. Corboy: You want us to remedy that by making the Bill operate for one year only.

Hon. W. D. Johnson: You are shot!

Mr. THOMSON: I know I am shot, but I have a duty to those whom I represent. I would be foolish indeed if I did not protest against such actions as have been taken to-day. They are unprecedented in the history of Western Australia.

Mr. Holman: You voted for the tax last year.

Mr. THOMSON: I did not. I voted against the supertax. At any rate, whatever I did last year, I am opposing this proposal now. The Legislative Council refused to consider the Bill, but have given the Premier 100 per cent. more than he expected to get from the Bill.

Mr. DAVY: I wish to emphasise one point that induces me to oppose the amendment to extend the operations of the Bill over two years. One of the safeguards the people possess against the dominances of government is that Ministers cannot carry on without Supply and they cannot secure Supply without calling Parliament together.

The Minister for Lands: They went for three years in South Australia.

Mr. DAVY: That is wrong. The practice grew up with the conflict between the people and the King who desired to rule without calling Parliament together from year to year. Thus it is that the Mutiny Act and other Acts have to be renewed from year to year. This can be done only by Parliament being called together. Thus it is that Parliament has to be called together each year to grant Supply to the Government.

The Minister for Agriculture: Money is provided in the annual Appropriation Bill.

Mr. DAVY: I know that there has to be an annual Appropriation Bill. There is nothing to prevent the Government from continuing to collect the tax, but there is only one way, if Parliament be not called together, of preventing the Government from spending that tax and that is by the Gov-

ernor refusing to grant his warrant as authority for that expenditure.

The Minister for Agriculture: You are confusing taxation with Supply.

Mr. DAVY: I do not think so. It is true that something more is required under our procedure than mere taxation collection. If the Government required more money from the Treasury, the Governor might prevent them securing it. That being so, it seems to me we are creating a very dangerous precedent if we give away our right to impose taxation each year.

The Premier: In some States there is no time limit. The tax is fixed and it remains until amended.

Mr. DAVY: Nevertheless that is wrong.

Mr. Thomson: That has not been the practice in this State.

Mr. DAVY: The safeguard that Parliament shall meet every year has grown up during past years and is based on historical precedent. I do not suggest that the present Government are not likely to call Parliament together next year, but if we agree to this course, it may establish a precedent regretted by successive Governments.

Mr. E. B. JOHNSTON: I oppose the amendment, because it affects the right of this House to impose taxation each year. We have heard the Premier's remarks about this famous conference—it should be called the infamous conference—and the more I consider it, the more I am satisfied that some members of the Upper House entirely failed in their duty as the representatives of the primary producers and land owners of the State. We have been told that no member directly representing primary producers was permitted to participate in the conference, and the Upper House failed to consider the Bill at all. Without discussing the Bill they appointed three gentlemen to decide the whole matter.

Hon. S. W. Munsie: But they had the opportunity to discuss the Bill.

The Premier: The Bill was discussed on the first reading.

Mr. E. B. JOHNSTON: I do not think so. At any rate when the members concerned realise the agreement they have entered into. I am positive they will be satisfied that the Premier has sold them a cold brick. They thought it was of gold, but they now find they have got nothing.

The CHAIRMAN: Order! I do not think we are discussing the conference.

Mr. E. B. JOHNSTON: After having conferred for some time, the representatives of the Upper House agreed to waive their opposition to the exemptions that have been taken away from the men on the land.

The Premier: I do not know what the Upper House have done.

Mr. E. B. JOHNSTON: Not only has the Premier persuaded the Upper House to agree to double taxation to be paid by the men on the land, but to the abolition of the exemptions as well.

The Premier: They saw the reasonableness of the proposal. I knew it would be all right if we got together.

Mr. E. B. JOHNSTON: I am entirely opposed to this taxation, particularly in view of the fact that we are to be denied our right to assess the land tax each year. The Premier must be very gratified at having got such heavy taxation granted by the Upper House, and to the extent that he is pleased, the Upper House failed in its duty to protect the man on the land from this exploitation and extortion at the hands of the Government.

The MINISTER FOR MINES: It has been said that a precedent will be established by enacting the measure for two years. As a precaution against a Government expending money beyond the desires of Parliament, a taxation Bill has been introduced year by year, but the only taxation measure so introduced has been the Land tax and Income Tax Bill. The Dividend Duties, Probate Duties, Stamp and Totalisator Tax Acts continue.

Mr. Taylor: They are ordinary Bills.

The MINISTER FOR MINES: They are taxation measures, and are not introduced each year unless the House desires to deal with them. The only taxation Bill introduced year by year is this one, and that is done merely for convenience. There is every power in this House to check the expenditure of Ministers. The House can unmake a Government whenever it likes. If the Government carried on the administration of the country contrary to good sense, it could be unmade by this House.

Mr. Thomson: It is impossible, and no one knows it better than you do.

Mr. Taylor: That is only camouflage.

The MINISTER FOR MINES: Why camouflage?

Mr. Thomson: You know very well we cannot undo the Government.

The Premier: Because you have not the numbers.

Mr. Thomson: Of course not, so why put up the argument?

The MINISTER FOR MINES: Is the hon. member insinuating that members on this side are not so concerned about good Government as are members opposite, or that members on this side would not check the expenditure of Ministers if the administration was bad?

Mr. Thomson: I will debate that with you.

The MINISTER FOR MINES: They are, and would. Ministers have sufficient sense of responsibility to carry on the affairs of the State on proper lines.

Mr. RICHARDSON: The chief complaint of the members for Katanning and Williams-Narrogin appears to be that the primary producers had no direct representative on the conference.

Mr. Thomson: A justifiable complaint, too.

Mr. RICHARDSON: The so-called representatives of the primary producers have

no monopoly in the matter of land values taxation.

Mr. Thomson: But they pay it.

The Minister for Mines: We all pay it.

Mr. RICHARDSON: The people of the metropolitan area will pay more than half of it.

Mr. Thomson: That is not correct.

Mr. RICHARDSON: I am taking the Premier's figures.

Mr. Thomson: We have the figures of the Taxation Department.

The CHAIRMAN: The hon. member must confine himself to the amendment.

Mr. RICHARDSON: Other members were allowed to discuss this question.

The CHAIRMAN: The Premier had to explain the situation and other members have followed, but there is no reason why, because some have been out of order, that others should continue on the same lines.

Mr. RICHARDSON: Representatives of the metropolitan area had as much right to be represented on the conference as had any country member.

The Premier: All my electors are primary producers.

Mr. RICHARDSON: I intended to give some information regarding matters discussed at the conference that the Premier has apparently overlooked, but if you rule me out of order, I cannot proceed.

Mr. TAYLOR: In view of the statements made by the Premier, the Minister for Mines, and other members, surely you are not going to tie other speakers down. In all my 24 years of Parliamentary experience this position is unique. We have a money Bill referred back to us by another place on its first reading.

The CHAIRMAN: That is not the amendment.

Mr. TAYLOR: But the Premier opened up the whole avenue. If there is a desire to gag this side of the House, let us know it.

The Premier: Complaint was made that I had not explained it.

Mr. TAYLOR: Surely we are justified in pointing out where we believe the Premier is wrong. The Premier will not accuse me of having stone-walled any of his legislation.

The Premier: No.

The CHAIRMAN: The hon. member must speak to the amendment.

Mr. TAYLOR: The conference representatives of another place consisted of three members, and we do not know whether they represented the wishes of the other 27 members.

The Premier: I think they had a conference on it.

Mr. TAYLOR: That is not the proper way for another place to review legislation. The Council is a House of review.

The CHAIRMAN: The hon. member cannot proceed on those lines.

Mr. TAYLOR: The same question has been discussed by other members, and I think I should be allowed to proceed.

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

Ayes	..	..	..	21
Noes	..	..	..	17

Majority for .. 4

AYES.

Mr. Angwin	Mr. Millington
Mr. Chesson	Mr. Munzie
Mr. Clydesdale	Mr. Panton
Mr. Collier	Mr. Richardson
Mr. Coverley	Mr. Sleenman
Mr. Cunningham	Mr. Troy
Mr. Heron	Mr. A. Wansbrough
Mr. Holman	Mr. Willcock
Mr. W. D. Johnston	Mr. Willson
Mr. Kennedy	Mr. Corboy
Mr. McCallum	(Teller.)

NOES.

Mr. Brown	Mr. Sampson
Mr. George	Mr. J. H. Smith
Mr. Griffiths	Mr. J. M. Smith
Mr. Hughes	Mr. Stubbs
Mr. E. B. Johnston	Mr. Taylor
Mr. Lindsay	Mr. Teesdale
Mr. Maley	Mr. Thomson
Sir James Mitchell	Mr. Davy
Mr. North	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Lambert	Mr. Angelo
Mr. Withers	Mr. Latham

Amendment thus passed.

The CHAIRMAN: There is a consequential amendment to Clause 5.

Hon. Sir James Mitchell: I wish to speak on Subclause 1 of Clause 2.

The CHAIRMAN: We can deal only with the amendments for which the Bill was recommitted.

Mr. Taylor: I took particular notice of the motion, and it was put from the Chair that the Bill be recommitted, but for no specific purpose.

The Premier: The hon. member is mistaken. The motion was that the Bill be recommitted for the purpose of considering the suggested amendments.

The CHAIRMAN: The motion as tabled was that the Bill be recommitted to consider the amendments recommended by the conference.

Mr. Taylor: Then the Speaker did not state it from the Chair in that way.

The Premier: That is how I moved it.

Mr. Taylor: Subclause 1 specifies the rate of land taxation as 2d.

The Premier: The Bill was not recommitted to deal with that.

Clause, as amended, agreed to.

Mr. E. B. Johnston: On a point of order; having altered the duration of the measure, surely we have a right to consider whether

we wish to retain the same rate of tax for the longer period.

The CHAIRMAN: I have already pointed out that the Bill was recommitted to consider the amendments recommended by conference.

Point of Order.

Mr. E. B. Johnston: On a point of order, I wish to submit to you, Mr. Chairman, that the whole of Clause 2 is under discussion, and that the Committee, having altered the clause in one direction, may wish to alter it further. Whilst the Committee might have accepted a certain tax for one year, they might require either a smaller or a greater tax if the term is two years.

The Chairman: I have already given my ruling that we can deal only with the recommendations of the conference.

Mr. Thomson: I disagree with your ruling, Sir.

The Chairman: I cannot allow any more discussion on this. If the hon. member wishes to dissent from my ruling, he knows the course he has to take.

Dissent from Chairman's Ruling.

Mr. Thomson: I move—

That the Committee dissents from the Chairman's ruling on the ground that the whole of Clause 2 is open for discussion, and that, an amendment in regard to the duration of the measure having been approved, the House may desire to alter the amount of the tax that is to be imposed for the altered period.

[The Speaker resumed the Chair.]

The Chairman: I have to report, Mr. Speaker, that the member for Katanning has moved to disagree with my ruling that the Bill was recommitted only for the purpose of considering the recommendations of conference.

Mr. Thomson: When you, Mr. Speaker, submitted the Premier's motion to the House, you put it, "That the Bill be recommitted for consideration." I contend that as we have altered the period of the measure to two years, we are entitled to consider, on the lines indicated in the reasons which I have submitted in writing, the remaining portion of the clause. When the Bill was in Committee, we were dealing with it as being for a period of only 12 months. I claim, therefore, that the whole of Clause 2 is recommitted.

Mr. E. B. Johnston: I think you will agree, Mr. Speaker, that it has always been the practice in this House, when recommitting a clause, to recommit the whole of it. I have never been told that one could recommit only a line, or only a few words, of a clause. Such a position would be absurd and intolerable. It amounts to

putting the gag on members. No one dreamt of those words being introduced when the Bill was being considered in Committee.

The Premier: The whole question of the amount of the tax was very fully discussed before being decided by this House. There is no question at all of gagging members. The motion which I moved was "That the Bill be recommitted for the purpose of considering the recommendations of the conference." Now, what are those recommendations? I have here the notes from which I read, and one of the recommendations is—

That the Bill be amended to cover two years.

So the Bill was recommitted, as regards this clause, only for the purpose of considering the question of one year or two years. The clause itself was not recommitted. If the motion had been that Clause 2 should be recommitted, then of course the whole clause would be open for discussion. The hon. member now seeks to open up the question of the rate of tax. The clause itself was never mentioned in the motion for recommitment.

Mr. Taylor: The Premier has told the Committee that he moved that the Bill be recommitted for the purpose of doing certain things. I watched you closely, Mr. Speaker, when you put the question, and you proposed that the Bill be recommitted—that was all. I immediately said to the member for Williams-Narrogin, "The whole Bill now is under review."

Mr. E. B. Johnston: That is correct.

The Premier: The motion is taken down by the Clerk.

Mr. Taylor: We have not recommitted this Bill as an ordinary recommitment. Where do we get the power to recommit this Bill? The only place where we can find the machinery by which we can put the Bill before the House for discussion is Section 4 of the Constitution Act, 1920, which says—

The Legislative Council may at any time return to the Legislative Assembly any Bill which the Legislative Council may not amend, requesting by a message the omission or amendment of any items or provisions therein, provided that any such request does not increase any proposed charge or burden on the people. The Legislative Assembly may, if it thinks fit, make such omissions or amendments with or without modification.

The Premier: That has no bearing on the question.

Mr. Taylor: That is the machinery by which we recommit the Bill. When the Bill was recommitted the discussion was on the report from the conference, and the Bill was recommitted as a whole.

The Premier: No. It was recommitted for a specific purpose.

Mr. Taylor: I do not know how the Premier submitted the motion, but I do know that you, Sir, proposed merely "That the Bill be recommitted." So the House gave the Committee the right to discuss the Bill fully on recommitment for the purpose of all that was discussed at the conference. And from the conference, practically a new Bill was submitted to us.

The Premier: Why, there are only about six words new in it!

Mr. Taylor: Yet those words represent the sum and substance of the Bill. The tax should have been for one year, but you have conceded two years.

The Premier: I have obtained, not conceded, two years.

Mr. Taylor: That is the subject before the Chamber.

The Premier: There is only one subject, namely, the period. That was the purpose for which the Bill was recommitted.

Mr. Taylor: Yes, the Bill was recommitted in order that we might consider the period of the tax. We have really a new Bill before us.

The Minister for Mines: The hon. member holds that the Bill, having been recommitted might be discussed in all its phases. Standing Order 298 prescribes that a Bill may be recommitted in respect of certain proposed amendments only, and the clauses in which such amendments are proposed to be made.

Mr. Taylor: That is the third reading stage.

The Minister for Mines: It does not matter at what stage the Bill may be when recommitment.

Hon. W. D. Johnson: As a matter of fact conference limits it still more.

The Minister for Mines: Yes, conference supersedes what has previously occurred. The motion put to the House was that the Bill be recommitted to deal with certain clauses. But the Bill has reached another stage. It has been to a conference, and the conference supersedes anything else that has been done. Therefore the only matters now before the House are the specific clauses.

Hon. Sir James Mitchell: See where we get to when we desert the Constitution and the Standing Orders!

The Minister for Lands: You have done it often enough.

Hon. Sir James Mitchell: Never. We have not surrendered any of our rights to the conference of managers. The findings of the conference have to be approved by the House. The position is that another House returned the Bill to us with the intimation that they disapproved of the amount of the land tax, and disagreed with the super tax and with Clause 8. Our managers have since been to the conference and have come back with recommendations. Have we given up our right to reduce the amount of the land tax? We contend that this clause has been recommitted. It is one

of the clauses that led to the conference. Each of the clauses dealt with by conference must come before the House again on the original message from another place, notwithstanding that the conference has since been held. This House has discussed at length the amount of tax.

The Minister for Lands: That has been discussed three times in this House.

Hon. Sir James Mitchell: Still, that does not finalise it. This clause is now before the House for consideration. The question of a land tax of 2d. in the pound is one that we appointed managers to consider.

The Premier: The Bill has actually passed the stage when we can recommit to deal with the whole Bill.

Hon. Sir James Mitchell: If we make any further alteration to the Bill the Premier may have to ask for another conference. Still, the fact remains that we have the right to do it if we wish. If the clause be recommitted to consider the recommendations of conference, surely the House can do anything it pleases with the clause.

Mr. Speaker: Perhaps the situation has arisen—and I say this without any desire to reflect on the House—out of submitting a money Bill to a conference. The position now is this: I wish it to be clearly understood that the Bill was recommitted for a specific, special purpose. The motion, as taken down by the Clerk at the time, and as in the first instance I announced it from the Chair, was that the Bill be recommitted for the purpose of considering the amendments recommended by conference. When I first proposed the question I used that form. Subsequently, for brevity's sake, as I frequently do, I merely put it, "The question is that the Bill be recommitted." But it is obvious, and every hon. member understood, that it was done for the definite purpose of considering the recommendations of conference. And all who were present know that the statement made by the Premier is perfectly correct, namely, that he read out every item that had to be dealt with in the event of the Bill being recommitted. There can be no misunderstanding, however it was stated from the Chair; and in the first instance it was correctly stated, although subsequently for brevity's sake I said the question was that the Bill be recommitted. Of course, the House understood that it was to be recommitted to consider the recommendations of conference. The whole House must have understood that.

Hon. Sir James Mitchell: All right.

Mr. Speaker: If the hon. member could not follow, I regret it. But let the House understand what has happened: This Bill has passed through all its stages in this Chamber, and to that extent the House has dealt with every clause in the Bill.

Mr. Thomson: Some drastic alterations have been proposed.

Mr. Speaker: The House has passed every thing connected with the clauses, and in that

form the Bill passed out of the possession of this Chamber and went to another Chamber. Then came the course taken by the other House to request amendments. Those requested amendments were sent back to this Chamber by message. This Chamber could not agree with those requested amendments, and a conference was requested and, rightly or wrongly, granted. The conference superseded, as it were, both Chambers.

Hon. Sir James Mitchell: No, no!

Mr. Speaker: It absolutely is both Chambers acting in concurrence, the managers for the time being representing the Chamber they are sent from. Conference brings back to both Houses certain recommendations, and then it is possible, and only possible in the circumstances, to deal with the matters submitted to each Chamber by the managers of the conference; and, as I have said, the Premier rightly understood that when he moved that the Bill be recommitted for the purpose of considering the amendments recommended by the conference. It is clear from Standing Order 298 that we can recommit the Bill to consider only certain amendments.

Mr. Taylor: We can recommit the Bill as a whole.

Mr. Speaker: The hon. member is making a confusion. If it is possible at all to recommit now at this stage—and no one denies that it is—it is possible to recommit the Bill with respect to certain proposed amendments only, and that is what has been done. Otherwise, the Bill being recommitted, it would be possible for this Chamber to re-debate the whole matter from A to Z; and that, of course, would be the height of absurdity. The matters not embodied in the amendments recommended by the managers have passed out of the possession of this Chamber, and only the proposed amendments are open to discussion. I, therefore, uphold the Chairman's ruling.

Committee Resumed.

The CHAIRMAN: No. 3. Clause 5.

Mr. THOMSON: No, you have not submitted the clause as amended.

The Premier: Yes, it has been passed.

Mr. E. B. Johnston: The Chairman had only got as far as putting the amended clause.

The CHAIRMAN: No, I was along to this next amendment. The Committee has decided to insert the other amendment.

Mr. Thomson: I do not think you submitted the clause as amended.

The CHAIRMAN: Everything there has been agreed to.

Mr. Taylor: The Committee has not agreed to this amendment.

The CHAIRMAN: What I am putting now is a consequential amendment. On account of the amendment made to Clause 2, it is now necessary to make a consequential amendment to this clause, that amendment being to add the words "and 1925."

Mr. E. B. JOHNSTON: It is not a consequential amendment. This deals with dividend duties.

The Minister for Lands: Nothing of the sort.

Dissent from Ruling.

Mr. E. B. Johnston: I intend to dissent from your ruling, Mr. Chairman.

Hon. Sir James Mitchell: It is no use dissenting; you will get practically the same ruling again.

The Premier: Yours is a ridiculous objection. You are doing nothing else but stone-walling. There is a proper time for stone-walling, and it is not on the last day of the session. You can not accuse us of ever having done that. It is not playing the game.

Mr. E. B. Johnston: I deny that I am stone-walling. I move—

That the Committee dissent from the Chairman's ruling.

[The Speaker took the Chair.]

The Chairman stated the dissent.

Mr. Speaker: The question is whether the words proposed to be inserted are consequential. The amendment having been carried to Clause 2 makes the amendment now in question, consequential. As a matter of fact, it would be a perfectly legitimate action on the part of the Clerk to make that consequential amendment so that the Bill might be consistent. The words are required to preserve the consistency of the measure.

Mr. Taylor: There would be no sense in the clause if the consequential amendment were not made.

Mr. Speaker: That is the position, and as I have just said, without a vote of the House, the Clerk would have been entitled to insert the words on his own authority. The ruling of the Chairman is correct.

Committee Resumed.

On motions by the Premier, in Clause 6, "15" was struck out and "7½" inserted in lieu, and Clause 8 was deleted.

Bill reported with amendments, the report adopted, and a message transmitted to the Council accordingly.

BILL—INSPECTION OF SCAFFOLDING.

Conference with Council.

Message received from the Council notifying that it had agreed to a conference and had appointed as managers the Colonial Secretary, Hon. A. Burvill, and Hon. J. Nicholson.

Sitting suspended from 8.45 to 10.10 p.m.

Conference Managers' Report.

The MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [10.10]: The managers have agreed as follows:—

Amendment No. 1 of the Council agreed to. Amendment No. 2 of the Council agreed to with the following addition:— "This Act shall also apply to any building exceeding one storey in height situated in any part of the State." Amendments Nos. 3 and 5 agreed to.

In Committee.

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

No. 1. Clause 1.—Delete Subclause (2).

The MINISTER FOR WORKS: There will be no districts under the amendment agreed to.

Hon. Sir James Mitchell: Then the Bill will apply to the whole State.

The MINISTER FOR WORKS: Yes. I move—

That the amendment be agreed to.

Mr. THOMSON: I am surprised that the managers should have given way on that point. It means that we shall have inspection of scaffolding throughout the whole State, and that must result in increased costs.

The Minister for Works: But a later amendment confines it to buildings of over one storey.

Mr. THOMSON: Then I withdraw my objection.

Question passed; the Council's amendment agreed to.

No. 2. Insert a new clause to stand as No. 2, as follows:—"This Act shall be in force and have effect only in the metropolitan area consisting of the following electoral provinces, namely, the Metropolitan Province, the Metropolitan-Suburban Province, and the West Province."

The MINISTER FOR WORKS: The Council's amendment limits the operation of the Bill to the metropolitan area. The managers have agreed to that with a condition that it shall also apply to any building exceeding one storey in height in any part of the State. I move—

That the amendment be modified by adding:—"This Act shall also apply to any building exceeding one storey in height situated in any part of the State."

Mr. Thomson: That means that all single-story buildings will come under the Act.

The MINISTER FOR WORKS: All under 8 feet from the horizontal base will be exempt.

Question passed; the Council's amendment, as amended, agreed to.

No. 3. Clause 2—Definition of "Scaffolding": After the word "structure," in

first line, insert "exceeding eight feet from the horizontal base":

The MINISTER FOR WORKS: This amendment relates to the height of scaffolding. I disagree with it, but it is the best that could be obtained. I accepted it in order to save the Bill. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 5. Clause 4, Subclause (1)—Delete paragraphs (b) and (c):

On motion by the Minister for Works, the foregoing amendment was consequently agreed to.

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

BILL—LAND AND INCOME TAX ASSESSMENT AMENDMENT.

Council's Amendments.

Schedule of 13 amendments made by the Council in the Bill now considered.

In Committee.

Mr. Panton in the Chair; the Premier in charge of the Bill.

No. 1. Clause 4—After "and" in second line insert "the proviso to," and after "is" in line three delete "amended" by inserting after the word "used" in the second line, the words "or held," and the proviso is":

The PREMIER: The effect of the amendment is that land held by a religious body and not used for the purposes set out will be liable to pay taxation. I think the amendment might be accepted. It is argued that religious bodies sometimes have grants of land which they hold for many years without utilising them for any purpose whatever, and that when such grants of land are sold the religious bodies get the unearned increment. Therefore, it is urged, such land should not be exempt from taxation. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 2. Clause 5—Insert at the end of Subclause (1) the words, "in the case of more than one person claiming exemption under this paragraph, the Commissioner shall decide which person is rightfully entitled to make the claim":

The PREMIER: This deals with exemptions in respect of dependants. Where more than one person makes a claim for the exemption, this paragraph gives the

Commissioner the right to decide which person is entitled to it. There should be an authority to determine such a question; at present there is none.

Question passed; the Council's amendment agreed to.

No. 3. Clause 5—Insert at the end of Subclause 3 the following: "Should any question arise as to the right of any person to any such deduction as aforesaid it shall be determined by the Commissioner":

The PREMIER: This one is almost consequential on the last amendment; both deal with dependants. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 4. Clause 6—Insert at the end "Amended by omitting the words in lines 2 and 3 'from the ownership of any parcel of land or derived directly'; and by omitting the words in lines 6 and 7 'from the ownership of such parcel of land or'; and by adding a proviso as follows:—'Provided the allowances as an abatement under this section shall not exceed 50 per cent. of the land tax payable on the parcel of land producing the income'":

The PREMIER: This is rather important. It deals with the abatement of the tax. Under the existing Act the person who pays land tax, irrespective of whether on country land or town land, has the right to deduct the amount of his land tax from his income tax. As the Bill went from this House that was struck out; it was provided that there should be no abatement of the land tax. That has been amended by the Council. The amendment made by another place means this: That the owners of cultivated land, whether grazing land, or pastoral, or farming lands, are to be allowed to deduct their land tax from their income tax. But that concession will not extend to city land owners at all, and the deduction where permitted will amount to only 50 per cent. of the tax. In other words, in future the owners of cultivated land will be permitted to deduct from their income tax half their land tax. I move—

That the amendment be agreed to.

Hon. Sir JAMES MITCHELL: I do not see why the abatement should not be as it is at present. A man who derives his income from land should not be subject to land tax at all. That has been the law until now. It is proposed by another place that the abatement should be only 50 per cent. of the tax. It should be the full amount.

Hon. W. D. Johnson: You have had a win. Under the Bill you were not to have got any abatement.

Hon. Sir JAMES MITCHELL: Still it is only half what it should be. If it is right

to make abatement, we ought to make it in full. I move—

That the Council's amendment be amended by the striking out of the proviso.

Hon. W. D. Johnson: If you reject the amendment you will lose your 50 per cent.

Hon. Sir JAMES MITCHELL: No, we are entitled to modify these amendments.

The Premier: You are lucky to get 50 per cent.

Hon. Sir JAMES MITCHELL: We are lucky to be allowed to live.

Mr. Chesson: You are living pretty well.

Hon. Sir JAMES MITCHELL: Another place is to be allowed to make these amendments, but we on this side are not permitted to amend anything.

The Premier: All your reasonable amendments were accepted.

Mr. E. B. JOHNSTON: I feared that this particular abatement had gone. Under the amendment of the Government it will no longer apply to the owners of city or town lands. Seeing that the Government have agreed to the principle of 50 per cent. abatement, I suggest they give back the full abatement.

Hon. Sir James Mitchell: I think it must have been intended to strike out the word "repeal" and insert the word "amended."

The Premier: That would automatically go out.

Amendment on the amendment put and negatived.

Question passed; the Council's amendment agreed to.

No. 5. Clause 7—Delete.

The PREMIER: This deals with the Agent General, who at present is not liable for the payment of income tax.

Hon. Sir James Mitchell: It was always ruled that he was.

The PREMIER: All our Agent Generals, with the exception of one, have paid income tax. Of late years the point has been raised that under the Act the Agent General is not liable, and that contention has been upheld.

Hon. W. D. Johnson: He has paid income tax to the British Government.

The PREMIER: No. It is provided in the Bill that he should pay the tax.

Mr. Thomson: The State has always paid the tax to the British Government.

The PREMIER: I think not, but he is exempt now.

Hon. Sir James Mitchell: And rightly too.

The PREMIER: The British Government have taken the view that if he has to pay a tax, he is responsible to the State he represents.

Hon. W. D. Johnson: The other day they declared they were going to exempt Agent Generals.

The PREMIER: I noticed that in the paper. The fact remains that he does not pay, and it was proposed that he should do so. The Council, however, have decided to strike out this clause.

Hon. Sir James Mitchell: He does not live here.

The PREMIER: Probably the Agent General will be the only person belonging to the State who will entirely escape taxation. The salary for the position has not been increased for many years, although the expenses attached to the office have increased. The Agent General really ought to meet his responsibilities to the State.

Hon. Sir James Mitchell: I think not.

The PREMIER: Agent Generals in the past have always paid.

Hon. Sir James Mitchell: This refers only to his salary.

The PREMIER: Yes. In the circumstances I move—

That the amendment be agreed to

Question passed; the Council's amendment agreed to.

No. 6. Clause 8. Subclause (10)—Delete this subclause and insert in lieu thereof the following subclause:—(10). "By adding a new paragraph as follows: (2) (b.) Any charge or expense other than capital expenditure incurred in the carrying on or conduct of any business, profession, trade, employment, or vocation";

The PREMIER: This deals with deductions in Clause 8 of the taxation measure. These deductions will be inserted in their proper place in the assessment Bill. We have deleted Clause 8, which contains many deductions, and this is one of the paragraphs to be inserted in the assessment Bill in its proper place. It is on all fours with the paragraph in the taxation Bill. This merely places the deductions in the assessment Bill instead of in the taxation measure. The wording is different, but the deductions are the same. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 7. Clause 8.—Insert a new subclause to stand as subclause (11) as follows: "By inserting before the word 'provided' in line 7 of paragraph (14) the words 'or denation in money to Government, or incorporated institutions established for benevolent, charitable, scientific, or educational purposes, or for the promotion of research in respect to diseases, and/or pests, appertaining to mankind, animals, and plants, or moneys expended for educational scholarships or bursaries'";

The PREMIER: These are similar to the deductions in the taxation Bill, except that the amendment goes further. At present deductions may be made in the case of grants for benevolent, charitable, scientific

institutions used for educational purposes. It is not a matter we want to quarrel about. If people are prepared to make donations for this purpose, we might allow them to deduct the amount from their income tax. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 8. Clause 8.—Insert a new subclause to stand as subclause (12) as follows: "By omitting the proviso to paragraph (d) and inserting the following in lieu thereof:—Provided that there shall be deducted from the taxable amount so ascertained as aforesaid the sum of Fifty pounds in respect to every Member of Parliament representing a metropolitan, metropolitan-suburban or West Province, or an electoral district therein, and a sum of One Hundred Pounds in respect of every Member of Parliament representing any other province or electoral district therein":

The PREMIER: This amendment was in the taxing Bill, and has not been transferred to the assessment Bill. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 9. Clause 10.—Delete the word "appellant" in paragraph (3) of proposed new section 49, and insert in lieu thereof "either party":

The PREMIER: This deals with the sittings of the court not being open to the public, "either party" having the right to apply for the withdrawal of any person not concerned. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 10. Clause 10. Proposed new Section 50.—Add the following proviso at the end of Subsection (1): "Provided that ninety days shall be allowed to a taxpayer resident in the North province to lodge an objection":

The PREMIER: I think the time allowed for the ordinary taxpayer is 42 days. This amendment extends the time to 90 days in the case of a taxpayer living in the North Province. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 11. Clause 11.—Delete all the words after "sixty-eight" in the first line to the end of the clause, and insert in lieu thereof "is amended by adding the following paragraph at the end of the said Section 68, viz.: 'It shall be a defence to a prosecution for an offence against paragraphs (a), (b), and (c) of this section if the defendant proves that the false statement or

false answer was made through ignorance or inadvertence'":

The PREMIER: This deals with fines for late payment of income tax.

Hon. Sir James Mitchell: The Commissioner of Taxation would allow a defence of ignorance or inadvertence now, but it ought to go into the Act.

The PREMIER: The Commissioner would accept any reasonable explanation. Some members have not that confidence in the Commissioner, so they are setting it out here that this shall be an answer for the taxpayer. Perhaps we might protect the taxpayer against some Commissioners who may hold the position in the future. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 12.—Insert a new clause, to stand as Clause 7, as follows: "Section 18 of the principal Act is amended by adding after the word 'premiums' in line 1 the words 'other than retiring allowances and gratuities paid in a lump sum.' " And by adding a subclause, to stand as Subclause (2), as follows: "(2) All retiring allowances and gratuities paid in a lump sum shall be deemed to be income to the amount of five per centum of the value of such retiring allowances and gratuities":

The PREMIER: The amendment is really intended to apply to Government officers and employees who have been retired. If an employee receives, say, £500 as a retiring allowance or gratuity, that amount has been taken as an addition to his income and the officer has had to pay on the aggregate amount. That allowance or gratuity is not really income and it is proposed to exempt all except 5 per cent. of the amount. That is a fair allowance.

Hon. W. D. Johnson: Why 5 per cent.; why not 7½ per cent.?

The PREMIER: I do not know how the Council arrived at the percentage. The principle, however, is sound. I move—

That the amendment be agreed to.

Hon. Sir JAMES MITCHELL: In fixing it at 5 per cent., I presume the Council followed the provision in the Commonwealth Act. We might just as well have allowed this amount to be free of taxation.

Hon. W. D. Johnson: They will have the honour of saying that they have paid.

Hon. Sir JAMES MITCHELL: There will be more honour than pleasure. If a man on retiring receives an allowance of £400, and he has been in receipt of a similar amount as salary, he will have to pay taxation on £800 and at the higher rate. The allowance is intended to recompense the officer for his labours over a number of years, the payment being made in the one

year. That being so, he should not be expected to pay on the full amount.

Question passed; the Council's amendment agreed to.

No. 13.—Insert a new clause, to stand as Clause 8, as follows: "Section 19 of the principal Act is amended by adding a new subsection as follows: '(13) The cash allowances paid and the bonus shares allotted to shareholders of any co-operative company or society as a rebate or discount on their trading with such companies or societies.'"

The PREMIER: The amendment refers to bonus shares and cash allowances allotted to shareholders of any co-operative company or society. We should agree to this amendment and I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

Resolutions reported, the report adopted, and a message accordingly transmitted to the Council.

BILL—DIVIDEND DUTIES ACT AMENDMENT.

Council's Amendments.

Bill returned from the Council with four amendments, which were now considered.

In Committee.

Mr. Lutey in the Chair; the Premier in charge of the Bill.

The PREMIER: I have not had time to examine the amendments but I am assured that we should adopt them. They do not affect any principle in the Bill but may be described as machinery amendments. They were moved by the Colonial Secretary in the Upper House. The four amendments relate to the one matter. At present it is necessary for a person to make a statutory declaration regarding dividends or profits. Instead of doing that, it is proposed to fall into line with the practice regarding income tax and the people concerned will be required to sign only a form. The first amendment refers to Clause 2 and is as follows:—

Insert a paragraph as follows:—"The words 'and verified by a statutory declaration' in paragraph (a) of Subsection 1 of Section 6 are omitted."

The amendment will omit the words that make it necessary to provide a statutory declaration. The amendments were suggested and prepared by the Commissioner of Taxation and have been agreed to in the Council. The remaining three amendments are purely consequential on the first, and I move—

That the amendments be agreed to.

Hon. Sir JAMES MITCHELL: Are all these three amendments consequential upon the first amendment?

The Premier: Yes.

Hon. Sir JAMES MITCHELL: It is hard to consider amendments without having a copy before us.

The Premier: That is so, but I am assured by the Commissioner of Taxation that the amendments are purely formal.

Hon. Sir JAMES MITCHELL: So far as the Premier read the one amendment, it is reasonable, and if the amendments are consequential on the one he has read out, I have no objection to raise. It is, however, rather like legislating in the dark when we are asked to deal with matters in this way.

Question passed; the Council's amendments agreed to.

Resolutions reported, the report adopted, and a message accordingly transmitted to the Council.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Council's Message.

Message received from the Council notifying that it did not insist on certain of its amendments in the Bill, and had agreed to the Assembly's modifications of two of the Council's amendments, but insisted on others of its amendments.

Request for Conference.

The MINISTER FOR WORKS: I move—

That a conference with the Council be requested, and that the managers to represent the Legislative Assembly be the Hon. W. D. Johnson, Mr. Thomson and the mover.

Question put and passed.

Sitting suspended from 11.45 p.m. to 1.20 a.m.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Conference Managers' Report—Order Discharged.

The MINISTER FOR WORKS: The Assembly managers have met the Council managers in respect of the amendments made by the Council in the Industrial Arbitration Act Amendment Bill. The Legislative Council managers refused to budge from their attitude, and so we have failed to agree. I move—

That the Order of the Day be discharged from the Notice Paper.

Question passed; Order of the Day discharged.

Sitting suspended from 1.24 a.m. to 2.40 a.m.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Council's Message.

Message received from the Council notifying that it did not insist on amendment No. 19 disagreed to by the Assembly, but insisted on amendments 3 to 10 inclusive, 13, 16, 17, 18, 23, 24, 25, and 27 to 31 inclusive disagreed to by the Assembly, and that it had proposed an alternative amendment to No. 2, in which amendment the Council desired the concurrence of the Assembly, and had agreed to the Assembly's amendment to the Council's amendment No. 14.

Request for Conference.

The MINISTER FOR WORKS moved—

That a conference be requested with the Legislative Council and that the managers to represent the Assembly be Hon. W. D. Johnson, Mr. North, and the mover.

Question put and passed.

BILL—PERMANENT RESERVES (No. 2).

Council's Amendment.

Message from the Council notifying that it had agreed to the Bill subject to an amendment, now considered.

In Committee.

Mr. Lutcy in the Chair; the Minister for Lands in charge of the Bill.

The MINISTER FOR LANDS: It has been discovered that the intention of the City Council was to widen Hay-street to 80ft. and that that was the width agreed to in 1906 by the House Committee of Parliament House and the Government. Therefore, instead of the City Council requiring 20 links from Parliament House grounds 40 links were needed.

Mr. Panton: Will that take in the Legislative Council chamber?

Mr. Marshall: We shall all be in favour of it if it does.

The MINISTER FOR LANDS: The Legislative Council has made the amendment in the Bill to provide for the extra 20 links and has asked this House to agree to it. I move—

That the amendment be agreed to.

Mr. TAYLOR: The Minister has not stated the case correctly. Action was taken in 1916 and not in 1906 as the Minister said.

The Minister for Lands: I may have made an error in the date.

Mr. TAYLOR: Since we were so easily convinced that they should have 20 links of Parliament House grounds, application

has been made for us to double the width of the strip. That would very nearly take in the old Water Supply offices, and would encroach so far on these grounds that it would be necessary to terrace the soil and erect a 3ft. or 4ft. wall. This House should not agree to granting the extra 20 links. The City Council have more roads and streets now than they can properly look after. I withdrew my opposition to the Bill on the second reading after the statement of the member for West Perth (Mr. Davy) that the City Council were negotiating to purchase the High School property. If they purchased the High School block and took off a strip of 20 links, they could make a very decent thoroughfare of that part of Hay-street. I hope the Minister will withdraw the 40 links proposal and adhere to the 20 links, and he should also satisfy himself that the City Council will get 20 links from the High School grounds. Without that, the strip of Parliament House grounds would be of no value.

Mr. Clydesdale: What is the good of 20 links?

Mr. TAYLOR: It will be ample.

Mr. MARSHALL: I agree with the member for Mount Margaret. If 20 links be given to the City Council, it is all that is required. Even such a strip would be of no use unless the City Council had a mile strip of the same width, otherwise there is a danger of motorists utilising the widened portion of Hay-street to indulge in speeding. Unless the whole of Hay-street can be widened, the widening of the proposed section will be worse than useless. I would not give the City Council a foot of the land asked for unless the council were prepared to widen Hay-street all the way to Thomas-street. What will the City Council do with the land when they get it?

Hon. Sir James Mitchell: Raffle it!

Mr. MARSHALL: Widening the street for so short a section will involve the setting up of two bottle-necks through which will pour the congested motor traffic. What is the good of this piece of land to the City Council?

Hon. Sir James Mitchell: What is the good of it to us?

Mr. MARSHALL: In any case, they cannot use 40 links. A strip 20 links wide should be ample. It means that the Legislative Council are pandering to the City Council.

The Minister for Lands: The Legislative Council have had nothing whatever to do with it. I have explained that once.

Mr. MARSHALL: If the City Council were ready to make use of the land, 20 links would be ample.

Mr. DAVY: I am amazed at the heat engendered over this small proposal. We started off with a little Bill to carry into effect what a previous Government had attempted to do many years ago. The Gov-

ernment, without any wild protest from anyone, attempted to do a certain thing. It was thought this had been accomplished, but the Joint House Committee objected. There the matter rested for many years. It was revived by the City Council and the Town Planning Association, who approached the Government with the request that the matter should be finally arranged. They asked for a sufficient strip of land from the Parliament House reserve to enable them to widen Hay-street in the vicinity of Parliament House to 80ft. At present Hay-street, including footpaths, is only 53ft. wide. That is a disgraceful width for the main thoroughfare of the city. The Joint House Committee have agreed to the proposal. A letter was written to the City Council from the Premier's Department definitely stating that the request had been granted that Hay-street should be widened to 80ft. opposite Parliament House, and this was to be subject to the approval of the House Committee. Our Premier pledged his word that this would be done, but he did so under a misapprehension. It was generally thought that the Joint House Committee and the Government had power to do this, but it was found that the contrary was the case.

Mr. Taylor: You are bull-dozing us.

Mr. Teesdale: The House Committee dealing with a Class "A" reserve!

Mr. J. H. Smith: You make the Premier look like a fool.

Mr. DAVY: The member for Roebourne is not as wise as he sounds.

Mr. Teesdale: I am only communing with myself.

The Minister for Works: How this united party is getting on!

The CHAIRMAN: Order! Members must cease from interjecting.

Mr. DAVY: It is not entirely free from doubt that a proclamation under the Permanent Reserves Act might effect this transfer. It provides that even portion of a Class "A" reserve may be cut out for roads by proclamation.

Mr. Taylor: You are wrong.

Mr. DAVY: The point is open to argument.

The Minister for Lands: Yes, there is a difference of opinion.

Mr. DAVY: The Government might have endeavoured to do without reference to Parliament that which Parliament is now asking for, but, because there was a doubt, they were too honest to make the attempt. They could have pretended to do it and no one would have disputed it. The officer of the Lands Department thought all he had to do was to endeavour to carry out the original proclamation.

Mr. J. H. Smith: The Premier had no right to make the promise he did.

Mr. DAVY: It is open to question

whether he had the right or not. Section 3 of the Permanent Reserves Act says—

Nothing in this Act shall prevent the survey and declaration by the Governor of any necessary roads and streets through or over any reserve classified as Class "B" or Class "C."

Mr. Taylor: There you are! Class "A" reserve is not mentioned.

Mr. DAVY: Let the hon. member wait a minute. By a subsequent Act, No. 63 Vic., No. 24, this section is amended by striking out the words "classified as Class 'B' or Class 'C.' " The Act is reasonably open to the interpretation that the Government are entitled to do this. After all, 80 feet is not too great a width for the principal artery of Perth. Moreover, the City Council have made a firm offer to purchase the High School property, with a view to widening a further length of Hay-street; and the moment this Bill becomes law in the form which is now requested, the purchase will be completed.

Mr. HUGHES: I am surprised to learn that the City Council are reaching out to buy more property whilst they cannot furnish decent streets and footpaths. In East Perth, principally because one of their leading officers made a "bull," they are threatening to resume a property which they will not be able to use for years.

Progress reported, and leave given to sit again at a later stage.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Message received from the Council notifying that it agreed to the Assembly's request for a conference.

Sitting suspended from 3.35 to 6.40 a.m.

BILL—PERMANENT RESERVES (No. 2).

In Committee.

Resumed from an earlier stage of the sitting.

Mr. TAYLOR: When progress was reported we were discussing the relative merits of the proposal to hand over 20 links or 40 links. We have agreed to hand over 20 links.

Hon. W. D. Johnson: Then that settles it!

Mr. Hughes: Cannot we give the City Council 20 links this year and 20 links next year?

Mr. TAYLOR: The question is whether we shall agree to hand over another 20 links, making it in all 40 links.

Hon. Sir James Mitchell: Then you are in favour of the proposal?

Mr. TAYLOR: I am not in favour of it. When I was discussing this matter before, I placed the Minister for Lands in a false position. I said he was quite wrong when he said that an order was made by the Executive Council in 1906. I have looked up the file with the Minister's assistance, and I find it was made in that year. In justice to the Minister I wish to withdraw my statement.

The Premier: That statement kept him awake all night!

Mr. TAYLOR: I said that to my knowledge the matter cropped up in 1916 and the files bear out my statement in that respect. In 1917 the City Council thought they were on velvet and actually sent up a contingent to take possession of the land.

The Premier: Had it not been for the solid defence put up against them, they would have captured the land.

Mr. TAYLOR: Yes. As custodian of this House and Chairman of the House Committee, I ordered them to withdraw.

Mr. Mann: Did they not call up their reserves?

Mr. TAYLOR: They withdrew and we did not hear anything more until within the last three or four months.

The Premier: We signed a treaty of peace.

Mr. TAYLOR: I do not know what happened. They wanted a new House Committee who did not know the troubles of the past.

Hon. W. D. JOHNSON: You are responsible because if you had allowed them to take the 20 links in those days they would have been satisfied. Now they want 40 links.

Mr. TAYLOR: I am prepared to give the City Council 20 links, but I will not give them 40 links.

Mr. Clvdesdale: What will you do with the land if you hold on to it?

Mr. TAYLOR: It forms part of a Class "A" reserve and it cannot be interfered with unless a Bill be passed through Parliament for the specific purpose.

The Minister for Lands: That is questionable.

Hon. W. D. JOHNSON: Because of what the member for Mt. Margaret has said we shall have to grant these 40 links. He says they could have had the 20 links, but he would not permit them to take it. I had no idea the hon. member was the culprit in the matter. It is through his interference that we are faced with this position.

Mr. Taylor: You are quite wrong.

Hon. W. D. JOHNSON: The City Council had the right to take it.

Mr. Taylor: They had no right.

Hon. W. D. JOHNSON: And the hon. member offered them 20 links. He should apologise to the Committee for having brought this upon us.

Mr. TAYLOR: The member for Guildford has tried to turn this matter into a joke. The House Committee did not grant any privilege to the City Council. We opposed the whole thing all along. The House Committee that the Premier appointed is the cause of all the trouble.

The Premier: If the 20 links had been granted in the first place, we could have got out of it with that.

Mr. TAYLOR: The House committee would not give one inch of ground, but the Premier, in ignorance, of the position, told the deputation that he would recommend the new House committee to do this, and they did it.

The Premier: I banked on the House committee refusing to do it.

Mr. TAYLOR: The House committee the Premier appointed deserted him and went back on the old House committee.

Hon. W. D. JOHNSON: It is up to you to explain the matter.

Mr. TAYLOR: I appeal to the Committee to grant no more than 20 links. I am informed that whatever area we do grant a similar area will be utilised for the same purpose from the High School ground.

Question passed; the Council's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Council.

BILL--WORKERS' COMPENSATION ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [6.23 a.m.]: I have to report that the managers of the two Houses have met to consider amendments to the Workers' Compensation Act Amendment Bill. The Council managers were adamant. We were told when we entered the room that there was no chance of their making any concession or advancing from the position already reached. It appeared to be little use our going on with the conference, but as I was most anxious if possible to save the Bill, I did go on with it. I have to report as follows:—

The following amendments have been made to the Council's amendments:—

No. 2. In the definition of "dependent" in Section 4 of the Act insert after "upon" in line two the words "or wholly or in part supported by."

The balance of the Council's amendment is agreed to.

No. 4. Section 6 of the Act is hereby amended by deleting the word "and" in line two and inserting in lieu thereof the word "or," and also by inserting after the word "employment" in line two the words "or whilst the worker is acting under his employer's instructions."

No. 13. Delete from the Council's amendment the words "whose decision shall be final."

In all other instances the Council's amendments have been agreed to.

I move—

That the report be adopted.

Question put and passed.

In Committee.

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

On motion by the Minister for Works, the recommendations of the conference were agreed to.

Resolutions reported, the report adopted, and a message transmitted to the Council acquainting them accordingly.

BILL—TRAFFIC ACT AMENDMENT.

Council's Amendments.

Message received from the Council notifying that it had agreed to the Bill subject to amendments.

In Committee.

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

The MINISTER FOR WORKS: These amendments, in brief, mean that the schedule of the traffic fees has been adopted, while the rest of the Bill has been slaughtered. What is left of the Bill is limited in duration to December of next year. The Bill now means that for 12 months the local authorities will get the fees provided in the schedule. That is all. The rest of the Bill has been struck out.

Hon. W. D. Johnson: This is restricted on the basis of the present Act?

The MINISTER FOR WORKS: Yes, the position will not be altered. The traffic fees will go direct to the local authorities. All the clauses dealing with the regulation of traffic have been struck out, and merely the schedule of fees adopted until this time next year. That, briefly, is the Bill. It will have to be redrafted to meet the position but I think we might have a motion to adopt the Council's amendments en bloc. There will be no time to have them printed for submission to members. I have told the Committee the exact position. The schedule alone is to apply. I move—

That the amendments be agreed to.

Hon. Sir JAMES MITCHELL: We now have just the schedule and one or two clauses applying to the schedule, but nothing more. We still have the clause giving the Minister power to charge license fees for motor vehicles carrying passengers. I think we can safely agree to the amendments.

Mr. Pantou: If the Council has sent them down, we can safely agree to them.

Hon. Sir JAMES MITCHELL: I am agreeing with the Minister. He wishes to have the right to collect his fees, and I propose to give him that right.

Mr. TAYLOR. It is an overwhelming testimony to the power of the other Chamber. Members on this side tried to amend the Bill in the same way the Council has amended it, but we were not permitted to dot an "i" or cross a "t," because numerically we are weak. But we see now how a great power, a majority of the Assembly, will bend the knee when confronted by the Council.

Mr. Pantou: Even that is better than bending the elbow.

Question passed; the Council's amendments agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Council.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Returned from the Council without amendment.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Assembly's further amendment to the Council's amendment No. 2, to the alternative amendment No. 4, and to the further amendment of No. 13.

ADJOURNMENT—CLOSE OF SESSION.

Complimentary Remarks.

The PREMIER (Hon. P. Collier—Boulder) [7.35 a.m.]: I move—

That the House at its rising adjourn till Thursday, the 22nd January, 1925.

I desire to offer you, Mr. Speaker, the compliments of the season and to extend the same compliments to the Leader of the Opposition and to all members of the House. We have had a fairly busy session, and on the whole we have been able to get through the business amicably. Certainly the work during the past week or so has been somewhat strenuous, and many, if not most, members have become physically and mentally exhausted. All things come to an end, however, and every member will be pleased to be released from the work here to enjoy a well earned rest. I hope you, Sir, will have a pleasant Christmas and a prosperous New

Year. I extend my thanks to the Clerk, the Clerk Assistant, the officers of the House and the "Hansard" staff for the courtesy extended to members on all occasions. I hope the new year will be bright and prosperous to all, and that we shall meet again with renewed strength and vigour to conduct the business of the House in the same spirit that has prevailed during the present session.

Hon. Sir JAMES MITCHELL (Northam [7.37 a.m.]): I desire to endorse the remarks that have fallen from the Premier, and I wish you Mr. Speaker and the officers of the House a merry Christmas and a happy and prosperous New Year. I wish the Premier, his Ministers and members the compliments of the season, and all that I hope for this country is that it may be prosperous and that all the people in it may prosper and enjoy life as we would have them enjoy it. The session has been very strenuous but the work has been rendered lighter by the energetic manner in which Ministers have presented Bills and attended to their duties. On the whole we have had a pleasant session and our friends opposite have had nearly all their legislation approved. I wish all a pleasant and happy time in the new year.

Mr. E. B. JOHNSTON (Williams-Narrogin) [7.38 a.m.]: On behalf of the leader of the Country Party I, too, desire to add a few words to the felicitations expressed. We have had a pleasant session and I think that useful work has been accomplished. I congratulate the Government on their earnestness and on the manner in which they put their legislation before the House. I congratulate them too upon the success they have had, in some respects, with the Legislative Council as regards the taxation measures. This is Christmas eve and it is a time when many people desire to follow the advice of the great prophet and take a little wine for their stomach's sake. Therefore, I can congratulate the Government again on some of the measures they have lost, as well as those they have succeeded in getting through. I wish the Premier a very pleasant and successful trip to England. I admire him for the work that he so conscientiously performed in this House for many years as Leader of the Opposition. I have not known anyone who was so constant in his attendance to his duty or who was more energetic than he. As

Premier of the State he has continued to display the same activity and interest in the State's welfare, and we all agree that when he goes away he will go as a great Australian and will worthily uphold Western Australia's interests in the centre of our great Empire. I wish you, Mr. Speaker, the Chairman of Committees, the officers of the House and the "Hansard" staff a merry Christmas and a happy New Year.

Mr. SPEAKER [7.41 a.m.]: Mr. Premier, Sir James Mitchell, Mr. Johnston, and hon. members. This is a time when we are very fatigued from the weariness due to the heavy labours of a long period. It is a time now when you are to rest from your labours, and I sincerely trust that the burden of your work does not follow you. I am very proud to occupy this position, and to receive the thanks which have been tendered, and the good wishes for a merry Christmas and a happy New Year. I reciprocate those wishes to you all. I desire personally to thank the Clerk, the Clerk Assistant, the Chairman of Committees, the officers of the House, and all connected with the services of Parliament as associated with this Assembly, for the sympathetic helpfulness they have shown to me, and indeed to all the services of the House, during the session. I hope all of you will have a really merry Christmas, and that, so to speak, the wireless heart-thrills of the world, glancing in joy at this festive season, may thrill in your own bosoms, and that your homes and your associations may be such as to make you feel that the life you live is sunny, hopeful, and glad some. I trust that the New Year may bring to you all fresh triumphs for your ideals and ambitions, and that you may join in the general prosperity of this great State and in the natural development and growth of that great Empire under whose flag we labour in the Southern Hemisphere. I can say no more, except to express my heartfelt thanks, in more than mere formality, coming as they do from my bosom, from my recollections of your kindness, from the friendships I have formed, and from the good feelings that have been extended to me during my first session in the occupancy of the Chair.

Question put and passed.

House adjourned at 7.45 a.m. (Wednesday).

Parliament was prorogued to the 26th March, 1925, by proclamation published in the "Government Gazette" on 16th January, 1925.