Amendment thus passed; the motion amended agreed to.

ADJOURNMENT.

The House adjourned at three minutes .st 10 o'clock until the next day.

Legislative Council,

Thursday, 18th October, 1906.

	Page
ls—Bread Act Amendment, Com., reported ...	2357
Land Tax Assessment, Com. resumed, progress	2360

The President took the Chair at 30 o'clock p.m.

Prayers.

PAPERS PRESENTED.

By the Colonial Secretary: Bylaws Woodanilling Roads Board.

BILL—BREAD ACT AMENDMENT.

IN COMMITTEE.

Hon. J. W. Langsford in charge of ıe Bill.

Clause 1—agreed to.

Clause 2—Bread carters' holiday to be ›served:

Hon. J. T. GLOWREY: A monthly ›liday on Wednesday would be awk- ard. Suburban residents could not buy ·ead on that afternoon, as all the small ores would be closed. He moved—

That the word "Wednesday" be struck out ıd "Tuesday" inserted in lieu.

Hon. J. W. LANGFORD had no rong objection to the alteration; but ›r the last three years the voluntary ractice was to grant the holiday on Vednesday. The inconvenience the hon. member anticipated could not arise, as bakers' shops were exempt from the Early Closing Act providing a Wednesday half-holiday, and bread could be bought in them and in the smaller eating-houses.

Hon. G. RANDELL opposed the amendment. The Master Bakers' Union informed him that if a holiday were fixed by statute, Wednesday should be selected. The carters would thus be able to associate with other workmen. To introduce another holiday in the week would be undesirable. No inconvenience had arisen from the holiday now granted voluntarily.

Hon. C. E. DEMPSTER agreed with Mr. Randell. Bread carters and other workers should enjoy the Wednesday half-holiday in common.

Amendment put and negatived.

Sir E. H. WITTENOOM moved an amendment.—

That the words "or seller of bread to sell or deliver or," in line 3, be struck out, and "to" be inserted in lieu.

This would make it unlawful to employ a person to deliver bread; but the employer himself might deliver it if he chose.

Hon. G. RANDELL: The words "seller of bread" ought to be retained. Presumably some sellers of bread were not bakers, and they, like bakers, should be allowed to deliver.

Sir E. H. WITTENOOM altered the amendment accordingly.

Hon. J. W. LANGSFORD: The amendment would still permit the delivery of bread on the holiday by the baker or the seller, and that would tend to defeat the object of the Bill.

Hon. M. L. Moss: And to protect the small man.

Hon. J. W. LANGSFORD: The small man wanted the Bill. The men infringing the understanding as to the holiday were those who employed two or three carters. The trouble was experienced mainly in the Perth district. In Fremantle, all the master-bakers worked in unison. When the carter was paid a wage, and a commission for every customer secured, there was a temptation to sell fresh bread on the holiday. That was the danger it was desired to guard against. No advantage should be given to one person over another.

SIR E. H. WITTENOOM: The object of the Bill was to prevent bakers from working their employees without giving them a monthly holiday. The amendment would achieve that purpose. The employer would not be able to work his employee, but could work himself if he so desired.

HON. C. SOMMERS: If the amendment were carried it would do away with the object intended to be achieved by the Bill. The carters now had a holiday once a month, but the small master-bakers might deliver bread on the third Wednesday, which meant an advantage over other bakers.

HON. R. LAURIE: The object of the measure was to give the bakers' carters a holiday on the third Wednesday. The amendment did not stop an employer who employed no men from delivering bread. If the object of the Bill was to prohibit any small men doing business on the third Wednesday, then such a provision should be contained in the Bill. Mr. Sommers had said the object was to prevent the small master-bakers from delivering bread, while Mr. Langsford said it was the man with three or four carters who caused the trouble. Then why not prevent the small man from sending out his carters on the third Wednesday. In the Early Closing Act we admitted that the struggling man who was trying to rise should be allowed to do so, and we should not prevent a small man himself working whenever he so desired.

Amendment put and passed.

HON. R. LAURIE moved an amendment that the following be added to the clause:—

Provided that this section shall not apply to the delivery of bread to any ship or vessel, or to the Commissioner of Railways for delivery by him.

Many vessels arrived at Fremantle in the morning and wished to get away the same day. These boats should be enabled to obtain bread. There were regular lines of inter-State steamers leaving Fremantle on Wednesday; these boats took a large quantity of bread, and it would be a disadvantage if a baker was prevented from employing an ordinary carter to deliver bread to a vessel.

HON. J. A. THOMSON opposed th amendment. This Bill was intended give bakers' carters a holiday once month, but if we inserted such an amend ment, what guarantee would there that the man would have a holiday Nearly every baker had something to d in delivering bread to the railways, an it would be an excuse for master-bake to say that his men could not get awa because bread must be delivered at railway station or at a ship.

HON. M. L. MOSS: If bread coul not be delivered to a vessel arriving leaving on Wednesday, it would be a grea hardship. Take the case of people in th country who required to get bread b means of the railway delivered o Wednesday. Were these people to g without? It did not mean that baker carters would be deprived of a holida because in Fremantle the bakers ha given this holiday for years. If the Bi were passed as printed, an ordinary cart could not be employed in deliverin bread to a ship on Wednesday.

HON. E. M. CLARKE: In practice a employer might give his men a holida once a month, for there were alway carters ready and willing to deliver brea to a railway or a ship. It should not b illegal for a baker to employ any outsid carter to deliver bread in special cases.

HON. R. LAURIE: Contracting wa often done by a providore. It wa astonishing what quantity of bread woul go into a cart, and if one could not ca in a carter at a cost of 1s. 6d. or 2s. t take that bread down it would be a hard ship. It would not be too much to as the employer who had a large order t pay 2s. for cartage.

HON. J. A. THOMSON: Why not sa that the ordinary carter should not b engaged?

HON. R. LAURIE: If the hon. mem ber wished to move an amendment h could do so. His (Captain Laurie's) wa drawn in a fair manner. There shoul be no hardship on a person who made large purchase of bread.

HON. J. A. THOMSON: Unscru pulous employers would seize upon th loophole to have their men retained o the Wednesday to do certain work whic could be done by others outside th Carters' Union, if they had a union. Wh not make the amendment read that

would not be lawful to employ the regular carters?

Hon. M. L. MOSS: The following should be added to the amendment:—

But in case such delivery be made by a person in the regular employment of a baker or seller of bread, then it shall be unlawful to employ such person on the day following such third Wednesday.

Hon. R. LAURIE: The amendment he had proposed could be withdrawn, and then the same words and the addition proposed by Mr. Moss could form the one amendment.

Amendment (Captain R. Laurie's) by leave withdrawn.

Hon. M. L. MOSS then moved an amendment—

That the following words be added to the clause:—"Provided that this section shall not apply to a delivery of bread to any ship or vessel, or to the Commissioner of Railways for delivery by him; but in case such delivery be made by a person in the regular employment of the baker or seller of bread, then it shall be unlawful to employ such person on the day following the third Wednesday."

Hon. C. SOMMERS: An employer might be other than a baker with a regular carter.

Hon. M. L. MOSS: Then he would not be entitled to a holiday.

Hon. J. A. THOMSON: The amendment was one he would agree to, because it was not likely a master-baker would employ one of his regular hands, seeing that the work would only take about an hour, and he would be obliged under the Act to give him a whole day, and therefore it would pay him to call in an ordinary carter.

Amendment passed; The clause as amended agreed to.

Clause 3—agreed to.

New Clause:

Hon. C. SOMMERS moved the addition of the following to stand as Clause 3:—

If one on more public holidays are conceded by the employers to the bread carters in any month, the third Wednesday in such month shall not be observed as a holiday.

It had been the custom in the past not to have the third Wednesday if the employee had a public holiday in the same month. There would be a considerable amount of confusion if they had more than one holiday in the month.

Hon. R. LAURIE: Under the Arbitration Act did the men get any of the public holidays? He was informed they got none.

Hon. J. W. Langsford: Not the carters.

Hon. R. LAURIE: There were only two holidays in the year which they got, one being Good Friday—and some men went out on Good Friday—and the other Eight Hours Day. The only reason they got Eight Hours Day was that the bakers would not work on that day.

Hon. J. W. LANGSFORD: The employers and employees were working in unison on the point that in the month in which they got another holiday the third Wednesday holiday system should not prevail.

Hon. C. SOMMERS: Christmas Day, Eight Hours Day, and what was called the bread carters' annual holiday were observed, he understood.

Hon. R. F. SHOLL had never seen a baker's cart delivering in the afternoon. Bread was generally delivered in the morning. He did not know whether there was other employment in the bakery.

Hon. J. W. Langsford: They worked till six o'clock.

Hon. R. F. SHOLL: But how were they employed?

Hon. J. W. Langsford: Delivering bread.

Hon. R. F. SHOLL: Not delivering bread till six o'clock, he thought. He had never seen a baker's cart delivering bread in the evening. No doubt they might be employed in the interim. If it were only a question of delivering bread, the men would have plenty of time on their hands, but no doubt they were employed about the bakehouse after they had delivered the bread. We had, however, not been enlightened in that respect. This would be a useful provision. He had a communication from the Master Bakers' Union saying that there might be considerable inconvenience to the general public and loss to themselves if the provision were not added to the Bill. It would not hurt the men, and occasionally it might add to the convenience of the public and prevent loss to the bakers.

Question passed, the clause added.

Title—agreed to.

Bill reported with amendments; the report adopted.

BILL—LAND TAX ASSESSMENT.

MACHINERY MEASURE.

IN COMMITTEE.

Resumed from the previous day.

Clause 11—Exemption:

HON. C. E. DEMPSTER moved an amendment—

> That the word "improved" be inserted between "all" and "lands" in Subclause 3.

This amendment was on the Notice Paper in the name of Mr. Hamersley, who was absent. He did not know the object the hon. member had in view.

THE COLONIAL SECRETARY: There was no object in inserting the word.

HON. M. L. MOSS: Subclause 2 which was struck out had provided for exemption in city lands to the extent of £50. This subclause provided for exemption in rural lands to the extent of £250 on land the unimproved value of which did not exceed £1,000. As he believed there should be no exemptions, he intended to move that the subclause be struck out.

Amendment (Mr. Dempster's) withdrawn.

HON. M. L. MOSS moved an amendment—

> That Subclause 3 be struck out.

THE COLONIAL SECRETARY: The subclause should not be struck out. It gave an exemption of £250 to the small farmer and conditional purchase holder. We were advertising our lands and attracting settlement, and settlement was going on at a satisfactory rate, being undoubtedly at present the backbone of the country. We should not do anything to deter it.

HON. M. L. MOSS: Hear, hear. Then we should not impose the tax.

THE COLONIAL SECRETARY: Two wrongs would not make a right. If the tax would do wrong, doing away with this small exemption would intensify it. The exemption was to encourage the small settler. It would be an encouragement to the small man if he knew that he would not be taxed if his land was not worth more than £250. The exemption would not touch the big land-holders, because there was no exemption on land valued at over £1,000. In the interests of the country the subclause should be retained.

HON. M. L. MOSS: The person owning land worth £1,000 in the city would pay £3 2s. 6d. per annum by way of taxation—that would not ruin him; but if the man owning such a block in the city was called upon to pay this amount, the man owning land in the country to the unimproved value of £1,000 should pay the same amount.

THE COLONIAL SECRETARY: The hon. member should deal with land worth £250.

HON. M. L. MOSS: The man with the block worth £250 in the city would pay 15s. per annum; and the man in the country with land to the same value should pay the same tax. If the tax was to be imposed, it should bear on everybody in the same proportion.

HON. R. LAURIE: Having stated that he was against all exemptions, he would vote against them unless good reason was shown why he should not. It was possible for a family to cut up 20,000 acres among sons and relatives, and so bring each block under the exemption clause. The tax on a thousand acres would be very small, even if the block were unimproved. If we were to have a tax on land, all should bear the burden alike.

HON. J. A. THOMSON: Not favouring exemptions, he felt inclined to vote for the amendment, but he would not allow himself to be made use of by anyone desiring to wreck the Bill. He would rather it was a better Bill, but it was in the right direction. It was not equitable or just that there should be exemptions. If the small man was to pay a tax it would be so small that it would not be felt. He had not heard any individual among the small landed proprietors who had a word to say against this Bill. Those who cried loudest were those who held large properties. If the clause was allowed to remain it would be made use of by persons who held large estates to evade the tax by splitting up the land amongst their families and relations. If there was to be a tax, everyone should contribute towards it.

THE COLONIAL SECRETARY: In theory, it was very unfair to have exemptions at all; but the smallness of the tax was a good reason why the exemptions should stand, because the Government would not lose much revenue by the exemptions. The theory was all right; but we had to look farther ahead and see whether it was wise to have a Bill without exemptions. We were inviting people to take up land in this country, and it would be said that as soon as they took up land the Government placed a tax on them. It was to do away with that cry and not to retard land settlement that there were exemptions. Captain Laurie had said that the people in towns had to bear the burden; and he asked why should not the country people? But the people in the country were more heavily taxed under the Bill than the people in towns. Take a person owning £1,000 worth of property in a town, and a farmer owning £1,000 worth of land; the farmer would pay more on his £1,000, because £800 of the £1,000 would be included in the land values, while the person owning town property would only pay on about a third of the value of his property.

HON. M. L. MOSS: In case of a person owning £1,000 worth of improved property, the total tax to be paid by him would be 20s. 10d., and if he made the improvements, all that he would escape would be 10s. 5d. per year. It was not worth discriminating for that amount. While this was a machinery measure for all time, next year the tax might be 2d. or 3d. in the pound, and if we got a Labour party in power the tax might be 6d., if they could impose such a burden.

HON. J. W. HACKETT: The hon. member would have a voice.

HON. M. L. MOSS: Yesterday the hon. member said practically that we had no right to do what we were doing.

HON. J. W. HACKETT: No such thing.

HON. M. L. MOSS: Then he withdrew the statement. We might be confronted next year with a Bill imposing a tax of 2d. or 3d., and then would it be a fair thing for these exemptions to stand?

HON. E. M. CLARKE: The Minister at first said that this Bill was not for busting up large estates, but to raise money; but now we heard another reason why the Bill was introduced. He (Mr. Clarke) had in his mind's eye the case of a man who held £1,000 worth of unimproved property which was fully improved, and that man would pay £3 or £4; alongside this property was another that at the very least could be put down as worth about £4,000; this land was not improved so as to claim the full exemption, and the owner would have to pay something like £25 against the few shillings that the other holder would have to pay. Yet this person had his property improved as much as it could be for the purpose for which the land was being used, and that was for stock-raising on a small scale. It might be said that was not a proper use to put the land to, but we all could not do the same thing. The man who would have to pay the few shillings was more able to pay £100 than the man who would have to pay the £25.

HON. R. F. SHOLL: The arguments of the Colonial Secretary were against the policy of the Bill. The great objection to the measure generally was that the taxation was unequal, certain favoured classes being exempted. It was said that we should not advertise that we had a land tax here, for this would deter settlement; but the Government should have considered that matter before bringing forward the Land Tax Bill, for nothing would deter land settlement more than a land tax. He was opposed to exemptions, and would move to strike out the clause.

HON. W. MALEY: Would the Minister say how much land this exemption would affect? If that question had been asked and answered by the Government, they would have hesitated before introducing the Bill. The larger proportion of land in process of alienation would be exempt from taxation for five years from the date of contract; and the exempted lands would constantly increase in disproportion to the freeholds.

HON. E. M. CLARKE: Was the hon. member in order?

THE CHAIRMAN: Yes; his remarks might possibly apply to this subclause.

HON. W. MALEY: How many acres were freehold and how many under conditional purchase? An answer was necessary to form a proper judgment on the Bill.

HON. J. W. LANGSFORD: The members opposed to exemptions were certainly consistent in trying to strike out this and he next subclause; but he hoped these

would be retained and Subclause 2 reinstated. One would think the hon. members belonged to the Single Tax League. Surely the principle of the Bill was to exempt the struggling man and the primary industries of the State, agricultural and pastoral. With the same object exemptions were provided in the Land Tax Acts of the Eastern States.

Hon. J. A. THOMSON: When in the country districts he had discussed the Bill with many people, and had not heard one of the smaller settlers object to it. The small struggling settler would be but slightly affected; but if the unimproved value of a man's land were more than £400 he was not very poor, and if less, the tax would be only threepence or fourpence a week, and even if it were sixpence none would object to pay. It was the big landholder and his representatives who called meetings in country places; and the small men were satisfied that those who squealed were not the poor. The poor man would uncomplainingly pay his quota.

The HONORARY MINISTER (Hon. C. A. Piesse): Those who wished large estates to be cut up without compulsion into small holdings were going the right way to prevent that desirable end. If, as anticipated by Captain Laurie, a man with 12,000 acres subdivided it amongst 12 members of his family, nothing could be better, for each of the 12 estates would have to be improved, and by the tax the State would benefit at least fourfold. Members said they did not wish to wreck the Bill, but they were opposed to all exemptions. That was only a cloak, and the reasons given to-night were not fair. In New Zealand the land tax with exemptions had made the country probably the most wealthy in Australasia; yet to hear hon. members one would think this was new legislation. If the Bill was to pass it must certainly pass with these exemptions; otherwise we should have the biggest set-back this or any other State could possibly experience. Some members opposed the Bill because they thought the towns would bear the brunt of the tax. What had made the towns? The back country.

Hon. M. L. Moss: A fine argument against the whole tax.

The HONORARY MINISTER: As the only working agriculturist in the House, he said the farmers could live inside their fences and make towns just outside. In the development of this State mining people were of the first importance; then came the agriculturists; and the two sets of people were becoming more and more friendly, recognising their mutual usefulness. These were not total exemptions, but were necessary to encourage people to go on the land.

Hon. C. E. DEMPSTER: To extend so much consideration to the holder of 1,000 instead of 2,000 acres was unreasonable. A selector might take up 2,000 acres of cultivable land and 3,000 acres of grazing. Why should not he have the same consideration as the smaller holder? The subclause should be deleted.

Hon. E. McLARTY desired as strongly as anyone to help small farmers; but many of these never ceased to ask for local expenditure, and would absorb the whole road-board grant of the district in one road leading to their properties. They were always asking for increased road-board rating, their own rates being only a few shillings, and the burden falling on the larger landowners. The man who held a few thousand acres and employed labour and developed the country should be considered as against the man who held a small portion of land and did not employ one individual. There was a claim on the small farmer to contribute his proportion to this tax. All the consideration should not be for the men who held small areas, because they had no hired servants and their expenses were not so great as the man who had a large estate.

Hon. F. CONNOR: How would the amount of exemption be fixed? Would the Colonial Secretary say what was the maximum price of agricultural land being charged by the Government? because he presumed it was by the sale price the valuations would be made.

The COLONIAL SECRETARY: An exemption in a land tax was not a new thing, for it was very usual. There was a land tax in each of the Eastern States, and he did not know of one Act that had not an exemption. In New South Wales, one exemption was allowed to any one person or company up to £240. In Victoria it was greater, one exemption being allowed to any one person

or company amounting to £2,500. It was worthy the consideration of the Committee whether we should give the new settler land without being taxed. Mr. Moss in speaking on a former clause said that by the retention of Subclause 2 we would lose £10,000 in revenue.

Hon. M. L. Moss: Nothing of the kind. He had asked a question, but the Colonial Secretary did not reply. Then he (Mr. Moss) said he had been so informed.

The COLONIAL SECRETARY: In his second-reading speech, he gave these figures:—The value of land held in £50 blocks would be something over £400,000 in value, and the tax would amount to £1,500. Then there would be the cost of collection to come out of that. It was estimated the unimproved value of freehold land in roads-board districts was £5,831,000, and the amount that would be exempted by the retention of the clause was £1,200,000; so that we would lose on that something less than £4,000. A good deal of that would be absorbed in the cost of collection, bringing it down to about £3,000. Was it worth while for the sake of £3,000 giving the State the name of taxing the small farmer and the new selector? He did not think so. Members were only standing in the light of the advancement of the State generally by insisting on striking out the clause.

Hon. M. L. MOSS: This was a machinery Bill, and all the figures were based on the $\frac{3}{4}$d. or $1\frac{1}{2}$d. tax; but next year the tax might be 2d. or 3d. in the £. When dealing with a machinery measure, it was a fair proposition that every man in the community should bear his fair share of the tax.

Hon. F. CONNOR: What was the maximum price of agricultural land in the country to-day, and how could we fix the £250 valuation until we knew that?

The Colonial Secretary: The maximum price for conditionally purchased land was 10s.

Hon. F. CONNOR: The Colonial Secretary did not know, for the maximum price in the Wagin district to-day was 22s. It was a shame that a Bill such as this was brought down and placed in charge of a person who did not know anything about it.

The HONORARY MINISTER: The price of 22s. in the Wagin district was for land near the terminus of a new railway, and the land was worth perhaps four times that figure. But this price was not true as applied to the rest of the State.

Hon. W. MALEY confirmed what Mr. Connor had said as to the price of conditional purchase land. There had been an increase in the price of land long distances away from a railway. At Towerlup Brook, which was a considerable distance from the terminus of the Katanning-Kojonup railway, the price of surveyed land was £1 an acre. Very little land could be bought for 10s. an acre.

Hon. W. PATRICK rose to order. Had this clause anything to do with conditional purchase land?

The CHAIRMAN: The argument now proceeding arose out of a question by Mr. Connor as to the basis of the valuations, and attached to that the price charged for land in Western Australia.

Hon. W. PATRICK: Members were discussing conditional purchase land, whereas Subclause 3 did not at all apply.

Subclause 3 put, and a division taken with the following result:—

Ayes	7
Noes	14
Majority against ...	7

Ayes.	Noes.
Hon. J. D. Connolly	Hon. H. Briggs
Hon. J. T. Glowrey	Hon. E. M. Clarke
Hon. J. W. Hackett	Hon. F. Connor
Hon. R. D. McKenzie	Hon. C. E. Dempster
Hon. W. Patrick	Hon. R. Laurie
Hon. C. A. Piesse	Hon. E. McLarty
Hon. J. W. Langsford (*Teller*).	Hon. M. L. Moss
	Hon. W. Oats
	Hon. G. Randell
	Hon. R. F. Sholl
	Hon. C. Sommers
	Hon. J. A. Thomson
	Hon. J. W. Wright
	Hon. W. Maley (*Teller*).

Amendment thus passed, the subclause struck out.

The COLONIAL SECRETARY moved an amendment—

That after the word "contract" in Subclause 4, the words "or from the date of survey in the case of land not surveyed before the date of contract" be inserted.

In the past, surveys got so much behind, that in some cases the contract might take place a year or two before the survey, and those waiting could not take posses-

sion of the land until it was surveyed. In practice, the applicants would not be getting the five-years exemption, if the clause were passed as it stood. The Lands Department were now, however, well up with the surveys, and it was possible that in the future the survey would be ahead of the contract; the land would perhaps be surveyed six or twelve months before it was selected.

HON. M. L. MOSS: The clause should be struck out.

HON. R. F. SHOLL: Certain legislation was coming along later on, and one would like to know how this amendment would be affected by it.

THE COLONIAL SECRETARY: What legislation?

HON. R. F. SHOLL: The Land Bill.

THE COLONIAL SECRETARY: There was no connection.

Amendment put and passed.

THE COLONIAL SECRETARY moved a farther amendment—

That the following words after "contract," in Subclause 4, line 5, be struck out: "But such exemption shall only apply to taxpayers who prove to the satisfaction of the Treasurer that they do not hold legally or equitably more than one thousand acres."

Those words were rather a misprint. It was intended to give all conditional purchasers exemption for five years. Under the Act they could take up more than 1,000 acres; they could indeed take up 2,000. He wished to strike out the words referred to so that the exemption would apply to all conditional purchasers, and not only to the man who took up 1,000 acres. If the subclause were passed as it stood a man who took up 1,200 acres would have to pay the tax on 200, and would be exempt in regard to 1,000. If the amendment were passed we could advertise that conditional purchasers would be exempt.

Amendment passed.

HON. M. L. MOSS: It would be grossly inequitable if settlers who took up land from the Midland Railway Company for the same purpose as land was taken up by people who purchased from the Government, had to pay the tax, whilst those who took up land from the Government were exempt for five years. He would suggest that the hon. member should postpone this to the end of the Bill. If he would not do so, he (Mr. Moss) would insist upon a division on account of the injustice of the subclause. The reason he wished to postpone it was that the Colonial Secretary might confer with his colleagues to protect the settlers who took up land from the Midland Railway Company.

THE COLONIAL SECRETARY: The matter had been discussed fully with his colleagues.

HON. M. L. MOSS would move that Subclause 4 be struck out.

THE CHAIRMAN: The hon. member could vote against it.

At 6·27, the CHAIRMAN left the Chair.
At 7·30, Chair resumed.

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

Ayes	...	...	...	5
Noes	...	...	...	10
Majority against			...	5

AYES.	NOES.
Hon. J. D. Connolly	Hon. H. Briggs
Hon. J. W. Langsford	Hon. E. M. Clarke
Hon. W. Patrick	Hon. W. Maley
Hon. C. A. Piesse	Hon. E. McLarty
Hon. R. D. McKenzie (Teller).	Hon. M. L. Moss
	Hon. G. Randell
	Hon. R. F. Sholl
	Hon. J. A. Thomson
	Hon. J. W. Wright
	Hon. C. E. Dempster (Teller).

Question thus negatived, the subclause struck out.

Clause 11 as amended put and passed.

Clause 12—Only owners of land specified in preceding section entitled to exemption:

HON. M. L. MOSS: There was an excellent exemption in the previous clause on public reserves, but by this clause it was provided that if the council holding a public reserve leased any portion of the reserve to a golf club or any other club, the lessees would be called upon to pay the land tax. Reserves had been leased to golf clubs at South Perth and Fremantle, and provision was made that in both these cases the public should at all times have free access to the land. The clubs were spending large sums of money on these leased reserves, and the benefit of that expenditure would accrue to the public when the leases expired.

Hon. C. Sommers: What would the tax be on one of those reserves?

Hon. M. L. MOSS: In the case of the Fremantle golf links the tax would be five times as much as the rent. The Government could not have been seized of the injustice that might be done by this.

The COLONIAL SECRETARY: No great injustice would be done. The hon. member was rather sore that the tax would touch his particular reserve at Fremantle. If a public body leased a reserve and derived rent from it, that reserve should be taxed just as much as church lands were subject to taxation if used for other than church purposes.

Hon. M. L. MOSS: Seeing that a member of the Ministry was the member for Fremantle, the point should be brought under that Minister's notice.

The COLONIAL SECRETARY took exception to the hon. member's remark in attempting to belittle a Minister in the eyes of his constituents. It was not the first occasion on which it had been done.

Hon. M. L. MOSS; Nothing of the kind was intended. He had risen simply to point out the injustice that would be done, and to give the Leader of the House an opportunity to consider whether a proviso should not be made to conserve the interests of these bodies who spent money on public reserves, the benefit of which expenditure would ultimately accrue to the municipality. There might be instances on the goldfields where this provision might work unjustly. Would the Minister state what was the object of Subclause 2?

Hon. J. W. LANGSFORD: Subclause (1) would apply to bowling greens that were leased by municipal councils for nominal fees.

The COLONIAL SECRETARY: This clause would not apply in the way Mr. Moss indicated; but he would have the matter looked into, and if an injustice would be done he would have the Bill recommitted and an amendment inserted.

Hon. W. PATRICK: Why should we be specially tender to members of bowling clubs? We had struck out every other form of exemption in the Bill, and why should this exemption be left in? In the case of a bowling club or cricket club the tax would not be more than 15s. There would be no necessity to recommit the clause.

Hon. J. A. THOMSON: These lands stood in exactly the same position as lands held by religious bodies. If a church rented a certain portion of its property, it was for profit, and the religious body should be brought under the provisions of the Bill and contribute to the revenue. If a public body sublet portions of its lands to a cricket club or a bowling club, that was for its benefit. The particular portions of these lands were marked out from public reserves and were not open to the general public, but were only open to people who belonged to the clubs.

Hon. C. SOMMERS: The public bodies that sublet these lands only allowed reserves to be used in compliance with the wishes of the ratepayers. Seeing that no profit was made, the trustees should not be taxed.

Hon. M. L. MOSS: What was the intention of Subclause (2)?

The COLONIAL SECRETARY: If a person paid rent to the Government for land, although it was Government land the person was liable to taxation.

Clause put and passed.

Clause 13—Liability of co-owners:

Hon. C. SOMMERS desired information in regard to persons who had a 10 or 12-years lease of property. Most of these leases provided that the tenants should pay all rates and taxes. Was it intended in such cases that the tenants should pay the land tax during the term of the lease, or would the landlord be liable?

The COLONIAL SECRETARY: The clause did not state whether the landlord or tenant should pay the tax, but the clause provided that if a tenant was paying the rack rent the landlord should be taxed. Take the case of a man who had secured a long lease which was a valuable one, £5 a week being paid as rent, he would be assessed at £10 as a fair rental. In that case the landlord would pay half and the tenant pay half the tax. Take the case of a rental being paid of £900 a year. Here the fair rental would be fixed at £1,200: the tenant would pay one quarter, and the landlord three-quarters of the tax.

HON. J. A. THOMSON did not understand the explanation of the Colonial Secretary. Suppose a person had two or three years ago secured the leasehold of property in Perth at £12 a week rent and according to the lease he agreed to pay all rates and taxes, would the lessee or the owner pay the tax?

THE COLONIAL SECRETARY: It would all depend. If the lessee was paying a rack rent the landlord would pay the tax.

HON. J. A. THOMSON: What was meant by a rack rent?

THE COLONIAL SECRETARY: A full rent.

HON. J. A. THOMSON: According to his reading of the clause the owner of the land in fee simple would have to pay the tax.

HON. M. L. MOSS: That was wrong.

HON. J. A. THOMSON: Then he would fight against the clause.

HON. J. T. GLOWREY: This was an important clause, and the Colonial Secretary might consent to recommit it if necessary.

HON. W. PATRICK was under the impression that if there was more than one owner of land, either was liable to pay the tax.

HON. M. L. MOSS: Assuming the freehold of certain property was worth £10,000 and a person was in possession of a lease for 21 years and paying £500 rent, the lessee would have to pay his proportion of the total value of the freehold.

HON. C. SOMMERS: This clause affected the metropolitan area, and would come as a considerable surprise to most taxpayers who would be liable under the clause. When leases were entered into five or ten years ago this tax was not contemplated, and the lessee agreed to pay the rates and taxes, which meant the ordinary municipal taxes. Farther time should be given for considering this clause in its new aspect.

HON. J. A. THOMSON: The clause should be postponed and worded more clearly. As a business man he could not tolerate vagueness in Acts of Parliament, which should be understandable by a schoolboy. Many business people who were not property-owners believed that they would not be called on to pay any portion of the tax, but that this must be borne by the landlord. The subclause was evidently inserted, and rightly, to distribute the burden of the tax between the landlord and a tenant who had years ago obtained a long lease at a low rental.

THE COLONIAL SECRETARY: The clause was clear. Each person paid in proportion to the value which his interest bore to the estate. Members objected that present tenants who had agreed to pay all rates and taxes had not calculated on the land tax; but to make the landlord pay the tax in every case would be unjust. A landlord might, 20 years ago, have let his land at a nominal rent. Its value had since increased enormously, and it would be taxed at the present value. The tenant's lease being worth thousands of pounds, he could afford to pay the tax, though it might amount to more than the rent. If the tenant paid a full rent, proportionate to the present value of the land, the tax must be paid by the landlord. If the tenant's rent were 50 per cent. under the present rental value he would pay 50 per cent. of the tax, and the landlord the remainder.

Clause put and passed.

Clause 14—Rules, etcetera, for calculation of values:

HON. M. L. MOSS: Were these tables provided by regulation in other States? This seemed a great power to confer on the Government.

THE COLONIAL SECRETARY: The clause would simplify the working of the Act.

HON. W. PATRICK: The clause would be unnecessary save for Clause 13, which was a distinct departure from ordinary land taxation, as it would tax the occupier of the land as well as the freeholder. There was no such trouble in South Australia, where none but the freeholder was taxed, and the triennial valuations in the country districts gave rise to no difficulties, nor had he ever heard of appeals to the local court. A ready reckoner, such as the Government now proposed, would lead to confusion.

HON. W. MALEY: The ready reckoner might be the best part of the Bill, if a method of computing the tax were supplied with each copy of the Act, or with each assessment notice. The Bill itself was confusion worse confounded. So diverse were its provisions that the tables would have to be, as well as a ready

reckoner, an adjuster and a guide to the values of soils.

Hon. J. W. LANGSFORD: It was surprising Mr. Maley did not recognise that the tables had no reference to assessments or valuations. The tables would show the respective interests of landholders and landlords in the valuations when made. According to the length of lease, so would be the interest of each party.

Hon. F. CONNOR: What was meant by "tables for calculation of values"?

Hon. J. W. HACKETT: The clause would enable the public to see how the Government arrived at their calculations of values. If the regulations when tabled were found to contain anything unfair, members could object. This was one of the most valuable clauses in the Bill, and something like it should be found in every Bill of the kind.

Hon. G. RANDELL: There was no reason to suppose the Government would adopt a table that would work inequitably as between private persons; but the tables should be embodied in a schedule to the Bill.

The Colonial Secretary: That could be done when the tables were prepared.

Clause put and passed.

Clauses 15 to 28—agreed to.

Clause 29—Assessment book open to inspection:

Hon. G. RANDELL: What would be the fee for a copy of the assessment book? It was usual to fix a fee of 2s. 6d. or 5s.

The COLONIAL SECRETARY: It would not be a large fee.

Clause passed.

Clause 30—Notice to taxpayers:

Hon. G. RANDELL moved an amendment that the following words be added:—

> Provided however that when the assessment exceeds £2 on any portion of land, and where it exceeds £5 payable by one owner, the tax may be paid half-yearly.

This principle was adopted by municipalities, and he thought by roads boards. This tax would be a burden on many persons owning small properties. He moved now to obtain an expression of opinion from members. Land rents were collected in two instalments.

Hon. J. W. LANGSFORD: Would not the object of the member be met by Clause 35, which provided that on the compilation of the assessment book a day or days should be fixed on which the land tax should be duly payable. That seemed optional whether the land tax should be paid in one amount, half-yearly, or even quarterly.

The COLONIAL SECRETARY: The amendment was not necessary, especially in regard to the small amounts mentioned. This tax could not be compared with the municipal rate, because the land tax was much lower. Where a man would have to pay £1 in land tax, he would have to pay £20 or £30 in municipal rates.

Hon. G. Randell: A tax of 1½d. in the pound was equal to a 1s. 6d. rate.

The COLONIAL SECRETARY: No. Clause 35 gave power to the Government to appoint a day or days on which the tax should be payable. In connection with an income tax or other Government taxes, the amount was always paid in one sum. Land rent did not apply, as it was purchase money.

Hon. E. McLARTY: Land rents were paid half-yearly, and there was no difficulty about the collection. This tax would strike some property owners severely, for everyone could not pay a big cheque at the beginning of the year. Municipal rates were paid half-yearly.

The COLONIAL SECRETARY: It did not follow that this tax would be paid in one amount, because Clause 35 provided that the Government should appoint a day or days for the payment of the tax.

Amendment by leave withdrawn.

Clause put and passed.

Clause 31—Public officer of a company, duties and liabilities:

Hon. M. L. MOSS moved an amendment—

> That after "shall" in Subclause 3, the words "in case of a company registered in Australia" be inserted.

He did not care whether the Colonial Secretary accepted this amendment or not; but it was obviously absurd that a company carrying on business should nominate a person to be a public officer within one month, if that company was registered in another country.

Hon. J. A. THOMSON: All companies carrying on business in Western Australia had to be registered here, and it was no hardship for a company to comply with the provisions of the Bill.

The COLONIAL SECRETARY: It was well known that any company carrying on business here must have an attorney before commencing operations. However, there was no great objection to the amendment.

Hon. M. L. MOSS: No registered company need have an attorney in this State, under Part VIII. of the Companies Act, unless the company was carrying on business here. There were numbers of co-operative bodies holding land in this State, and it would be impossible within a month of the passing of the Bill for a company in England to have an agent appointed in this State. The amendment would make the clause workable.

Amendment put and passed.

Hon. M. L. MOSS moved an amendment—

That after the word "business," the words "and in case of a company registered outside Australia within three months after its establishment or beginning to carry on business" be inserted.

Amendment passed; the clause as amended agreed to.

Clause 32—Appeals:

Hon. M. L. MOSS moved an amendment—

That all the words after "excessive," in line 5 of Subclause 1 to the end, be struck out.

The city of Perth rated on the rateable annual value and not on the capital value. There was a column wherein the council had to show the unimproved value, but not the slighest care or caution had been exercised in assessing this unimproved value, and Mr. Loton had pointed out that whilst some of the valuations were exceptionally high, those of adjoining properties were comparatively remarkably low. It was proposed to take away this right of appeal. The clause contained the words, "when the assessment does not exceed the current valuation of the local authority."

Hon. E. M. CLARKE: The clause as it stood would remove the possibility of an appeal where a local authority had rated people too highly; and the provision should come out. In his district they had experience of being rated excessively.

The COLONIAL SECRETARY: The Municipal Act and the Roads Act provided for appeal against the valuation by local bodies.

Hon. M. L. Moss: Not on the unimproved value of property where the assessment was on the annual value.

The COLONIAL SECRETARY: There was provision for an appeal against the roads board assessment or municipal assessment, and if the valuation was too high it was a very easy matter for people to apply to the appeal court and have their valuation reduced. This provision obtained in New South Wales, and it would obviate a lot of unnecessary appeals, if allowed to stand.

Hon. R. F. SHOLL: Land, to his knowledge, had been valued at 20 per cent. higher than he had been prepared to sell it for. Very often owners of land would submit to the valuation rather than go to the trouble and expense of appealing. The owners of property should not be deprived of the opportunity of appealing.

Hon. M. L. MOSS: When municipal authorities were making up the rate book they put the name of the ratepayer, the annual value, and the unimproved value of the land. If people were rated on the annual value, what did they care what the capital value was assessed at? An owner might be perfectly satisfied with the annual value, allowing for the deduction mentioned, and yet the capital value might be put down at a preposterous amount. The municipal taxpayer in paying his rate would not worry about the capital value.

The Colonial Secretary: A ratepayer would do so when he knew of this tax.

Hon. M. L. MOSS: But it was during the first year that the danger would arise. After that, when people were warned that they could not appeal if the assessment was below that of the local authority they would take care to appeal against the assessment by that authority. People had been trapped to a very large extent.

Hon. W. MALEY: In many cases the local authorities adopted preposterous values. There was no proper method of valuation. One valuer got into a certain

groove and in some instances put the value too low, whilst in others it was much too high, and there was no redress. One might appeal, but appeals cost money and time, and they were generally unsatisfactory to the appellant. Certain men had been marked out specially for high valuations. There should be some power of appeal against the valuations of the local authorities.

Hon. G. RANDELL: The Minister need not fear that there would be many appeals, because there was too much trouble in appealing. He had only appealed once, and the valuation was so unreasonable that the municipal council immediately granted the reduction. The Parliament of Western Australia had always been very jealous about the rights of appeal, and in most cases had insisted that there should be full liberty of appeal from a lower authority to a higher one. We should guard that still. If appeals were frivolous, those who made them could be mulcted in costs, so the Government were fully protected.

The COLONIAL SECRETARY: If this clause stopped any right of appeal under the Roads Act and the Municipal Act he would not support it, but there was still a right of appeal under those Acts. The clause would save a great deal of expense, because in every appeal the Government would have to bring witnesses and valuators to prove their case. For the sake of economy the clause should be allowed to stand.

Hon. E. M. CLARKE: Nineteen out of 20 ratepayers, and he spoke from experience, did not know that under the Municipal Act it was illegal to rate them on anything exceeding the rent they were paying. They did not know that each ratepayer was entitled to have 20 per cent. knocked off, and the amount of the rates in addition. The Municipal Act was drawn in such a way that it prevented any individual appealing against the valuation. The ordinary ratepayer would rather leave the thing alone than appeal. Acts should be drawn up so plainly that anyone could understand them. In this case because one wrong existed we should not put another on top of it.

Hon. J. W. LANGSFORD: This clause would lead ratepayers to take more interest in municipal affairs, and if we brought that about we would be doing the country and local government bodies a great favour. Low valuations or high valuations might continue, and people might not take interest in them; but with a land tax in force, the people would realise that the tax they must pay would be regulated by the valuation placed on their properties by the local government bodies, and would therefore take interest in municipal life, and see that the men appointed to make valuations under roads boards and municipalities were capable of doing the work.

Amendment put and passed.

Hon. M. L. MOSS moved an amendment—

That Subclause 4 be struck out.

This Bill was copied from the Land and Income Tax Act of New South Wales. It was obvious that in connection with income tax appeals it was expedient to exclude the public from the sittings of the court; but there was no reason why we should have a Star Chamber inquiry in the case of land tax appeals which should be open to the fullest possible scrutiny. The time had gone past when any court of justice should not be open to the full light of day. There was no more reason for shutting the door on such an inquiry than there was in the case of a local court dealing with a municipal rating appeal.

Hon. W. PATRICK: No doubt the New South Wales Act was copied from the South Australian Act. In South Australia, the assessing officer sat in private, and the system worked splendidly. Of course there was afterwards an appeal to the local court.

Hon. W. MALEY: It was regrettable that the injustices done under the South Australian land tax should have been brought about by a Star Chamber court. If we were to have similar troubles in Western Australia, we should be prepared for it; and if we had to fight for our land, the fight should be in public. The people would then see the inequity of the tax.

The COLONIAL SECRETARY: This clause was a usual one with an income tax, as pointed out by Mr. Moss; but it was also usual in connection with the land tax. No more fault could be found with holding sittings in private in

connection with land tax appeals than with income tax appeals. It must not be forgotten that the court would only sit in private on the application of the parties. Very often it might be essential to exclude the public from an inquiry.

Hon. M. L. MOSS: One had never listened to such an absurd statement before that land tax appeals were held in private. He could not bring to mind any court of justice where it was more necessary that the light of day should be allowed as far as possible, so that its fierce searchlight could prevent the slightest suspicion of any impropriety in fixing values.

Amendment passed, the subclause struck out.

Clause as amended agreed to.

Clause 33—Appeal to Supreme Court:

Hon. M. L. MOSS moved an amendment—

> That the clause be struck out, and the following inserted in lieu:—"There shall be a right of appeal from the court of review to the Supreme Court, and such appeal shall be regulated by the provisions of Part VII. of the Local Courts Act 1904 so far as the same are applicable thereto."

In his opinion there should be a right of appeal not only on a point of law but from the court of review.

The COLONIAL SECRETARY: The clause was necessary. It provided for a right of appeal on a point of law, but not on valuation. If there were a right of appeal to the Supreme Court on valuation, it would be extremely unlikely that the Supreme Court would interfere with a valuation made by the court of review.

The CHAIRMAN: The procedure indicated in the Notice Paper could not be adopted. The proper method would be, first to strike out the clause, and then take the words proposed by Mr. Moss as a new clause.

Clause as printed put and passed.

Clause 34—agreed to.

Clause 35—Notice in *Gazette* when tax payable:

Hon. G. RANDELL moved an amendment that the following proviso be added:

> Provided, however, that the tax may be paid in equal half-yearly instalments.

The COLONIAL SECRETARY: I the proposal was confined to the wor "may," it did not go farther than th clause itself. If it said "shall," he mus object to it.

Hon. G. RANDELL: Purposely h did not say "shall." The amendmen would afford an indication of the opinio of the Committee.

The COLONIAL SECRETAR accepted the amendment.

Amendment passed; the clause a amended agreed to.

Clauses 36 to 46—agreed to.

Clause 47—Publication of regulations

Hon. G. RANDELL: It was intende that if the Houses of Parliament objecte to the regulations, they would be prac tically disallowed. Evidently that wa the original intention. In some instance Parliament had gone a little farther b providing that the regulations might b reviewed by Parliament and disallowed Presumably that would be the effect o the clause as it stood, and if so he ha nothing to say.

Hon. M. L. MOSS: The clause wa entirely unnecessary, because the sam provision was in the Interpretation Ac of 1898, which was deemed to be incor porated in every Act of Parliament These regulations had the force of la unless both Houses of Parliament, afte they had been laid on the table, dis allowed them.

Clause put and passed.

Clauses 48 to 50—agreed to.

Clause 51—Contracts etc. affectin assessment, incidence of assessment et void:

Hon. G. RANDELL: There wer cases in which leases had been draw and the tenant had agreed to pay all rate that might be imposed in the future He understood that this was a feature i all land legislation. It certainly seeme pretty strong that a righteous and prope contract could be upset.

Clause passed.

Clauses 52 to 55—agreed to.

Progress reported, and leave given t sit again.

ADJOURNMENT.

The House adjourned at eleven minutes past 9 o'clock, until the next Tuesday.

Legislative Assembly,

Thursday, 18th October, 1906.

	Page
Questions: Steel Rails Purchase	2371
Fremantle Railway Bridge, Alterations ...	2371
Katanning-Kojonup Railway, Report ...	2371
Tick-infected Cattle	2371
Privilege: Offensive Remarks by a Member, the all-night sitting	2371
Federal Union, Referendum Bill, as to Notice of intention	2376
Bills: Fremantle Harbour Trust Act Amendment (power to borrow, dock, etc.), 2R. moved	2376
Municipal Corporations, Com. resumed, reported	2386

The DEPUTY SPEAKER took the Chair at 4·30 o'clock p.m.

Prayers.

QUESTION—STEEL RAILS PURCHASE.

Mr. H. BROWN asked the Minister for Railways: 1, The name of the purchaser of the £5,196 worth of steel rails taken up between Roelands and Bunbury? 2, The price per ton?

The MINISTER FOR RAILWAYS replied: 1, The material in question was sold to various purchasers, as detailed in the *Government Gazette* on various dates. 2, The total quantity sold was 699 tons of rails at an average price of about £7 per ton, and 42 tons of fastenings at varying prices. The total price realised was £5,190.

QUESTION—FREMANTLE RAILWAY BRIDGE, ALTERATIONS.

Mr. H. BROWN asked the Minister for Railways: When is it the intention of the Government to put in hand the contemplated alterations to the old Fremantle Railway Bridge, to facilitate river traffic?

The MINISTER FOR RAILWAYS replied: No decision has yet been come to as to whether the whole or any portion of the cost of this work should be defrayed by the Government.

QUESTION—KATANNING-KOJONUP RAILWAY REPORT.

Mr. H. BROWN asked the Minister for Works: Do you intend to place on the table of the House the report of Mr. Jeffray, of the Public Works Department, on the Katanning-Kojonup Railway? If so, when?

The MINISTER FOR WORKS replied: There is no officer named Jeffray in the Public Works Department, and I have no knowledge of any report by a Mr. Jeffray.

QUESTION—TICK-INFECTED CATTLE.

Mr. WALKER asked the Premier: In view of the statement of the Minister recently that "no beast suffering from tick fever was allowed to leave the quarantine ground, but was there destroyed," etc., are you aware that early in September (or thereabouts) a number of tick-fever-stricken cattle were landed at a goldfields railway station, three of the beasts being in a dying state, and they were condemned immediately upon being killed?

The PREMIER replied: Yes; 51 bullocks were trucked to Kalgoorlie on August 29th; three developed tick fever, and the carcases were condemned after slaughter. All the cattle were apparently healthy when leaving the quarantine grounds, the disease, which takes a certain time to develop, manifesting itself during transit.

PRIVILEGE—OFFENSIVE REMARKS BY A MEMBER.

THE ALL-NIGHT SITTING.

Mr. A. A. HORAN (Yilgarn): As a matter of privilege, I desire to draw attention to a report that appears in both of the daily newspapers this morning regarding something that is alleged to have transpired here on the occasion of