

MR. WALKER: The motion is simply to give power to a committee to inquire into the compilation of the rolls.

MR. TAYLOR: I see now that the motion will not cover the ground desired to be covered by the member for Murchison. The resolution carried yesterday for the appointment of a select committee to inquire into electoral abuses will cover that ground; but I am doubtful whether the House will be in possession of that committee's report before the session closes.

MR. HOLMAN: I will leave the matter to some later date.

Question as amended put and passed.

Ballot taken, and committee appointed consisting of Mr. H. Brown, Mr. Lynch, Mr. Price, Mr. Scaddan, also Mr. Walker as mover; with power to call for persons and papers, and to sit during any adjournment of the House; to report on the 15th December.

ADJOURNMENT.

The business on the Notice Paper being disposed of, the House adjourned at 5:34 o'clock until the next afternoon.

Legislative Assembly,

Friday, 1st December, 1905.

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THE SPEAKER took the Chair at 2:30 o'clock p.m.

PRAYERS.

QUESTION—PIPES (CAST-IRON) IMPORTED.

MR. BOLTON asked the Minister for Works: 1, Have Messrs. Clemenger & Monteith, contractors for the supply of cast-iron pipes to the Government, supplied any pipes which were imported from the Eastern States or elsewhere? 2, If so, by whose permission such pipes were supplied to the Government? 3, Is this not contrary to conditions of contract?

THE MINISTER FOR WORKS replied: 1, Yes. The contractors supplied from Victoria 150 8in. pipes out of a total quantity of over 11,000 pipes. 2 and 3, The pipes were urgently required by the Fremantle Water Supply in advance of the date at which they would have been supplied under the contract, and, at the request of the Department, and on the advice of the responsible officers, the necessary sanction was given.

QUESTION—IMMIGRANTS' NATIONALITY AND MEANS.

MR. WALKER asked the Premier: 1, What are the several nationalities to which the 54 third-class passengers belonged who arrived by the G.M.S. "Sharuborst" on or about the 13th inst.? 2, Were any of the third-class passengers who landed at Fremantle possessed of any visible means of support? 3, Was any "educational" test applied to the foreigners? If so, by whom, and in whose presence was the test submitted? 4, Were any of the foreigners possessed of a trade? 5, Have any of these immigrants brought their wives with them?

THE PREMIER replied: The only five immigrants assisted by the Government consisted of one family and brought £200 with them, with more money to follow. The information asked for in regard to the other passengers landed at Fremantle is only obtainable from the Federal authorities.

QUESTIONS ON FEDERAL AFFAIRS.

A LIMIT.

MR. WALKER (without notice) asked the Premier: Is it not customary to get information in this House from the Federal officers, from some member of the Government? How is a member to inquire of the Federal Government in-

formation which affects us in this State? I desire to know if, through any member of the Government, I can obtain an answer to Question 2.

THE PREMIER (Hon. C. H. Rason) replied: I can assure the hon. member that I did not desire to show any discourtesy in the answer I gave. It was the only answer I could give at the moment. I had to ask the hon. member to delay his question yesterday. It was only because of my desire to be courteous that I gave the answer I did to-day. I shall endeavour to get the information for the hon. member; and as soon as I receive it from the Federal authorities, I shall be happy to supply it.

MR. WALKER: Under those circumstances, I give further notice of Questions 2, 3, 4, and 5.

THE PREMIER: With your permission, Mr. Speaker, I should like to take the opportunity of saying that any such action as the hon. member intends to take would be really out of order, because it is not within the power of the hon. member to ask that information from me, since it is not information within my power to supply. I have already volunteered, as an act of courtesy, to endeavour to obtain the information, and I think the hon. member should be satisfied with that.

MR. WALKER: I only wanted a definite reply. We must get the information from somebody.

QUESTION—MINES REGULATION, AMENDMENT.

MR. BATH asked the Minister for Mines: Is it his intention to introduce amending Mines Regulation legislation during the present session?

THE MINISTER FOR MINES replied: No; not this session.

QUESTION—TIMBER LEASES CONDITIONS.

MR. BATH asked the Minister for Lands: What steps are being taken to see that the conditions under which timber leases are held are being complied with?

THE MINISTER FOR LANDS replied: Reports have been called for in respect to all leases on which there is reason to believe the conditions are not

being fulfilled; and it is the intention of the Government to enforce the conditions where the spirit of the Act is not being carried out.

QUESTION—METROPOLITAN WATER SUPPLY, INCREASED CAPITAL.

MR. TROY (for Mr. Daglish) asked the Premier: Is it the intention of the Government to introduce a Bill this session increasing the capital of the Metropolitan Waterworks Board, so that immediate attention may be given to the needs of those localities which require reticulation, or need mains of increased size?

THE PREMIER replied: Yes.

BILL—PERTH MINT ACT AMENDMENT.

Read a third time, and transmitted to the Legislative Council.

BILL—WINES, BEER, AND SPIRIT SALE ACT AMENDMENT (No. 2).

SECOND READING.

Debate resumed from the previous day; the PREMIER in charge of the Bill.

MR. T. H. BATH (Brown Hill): In view of the position of the finances as outlined by the Treasury returns, I can understand the object of the Premier in trying to secure additional sources of revenue; and I hope the Premier will duly appreciate the fact that I have not delayed the second reading of this Bill, the Stamp Act Amendment Bill, or the Totalisator Duty Bill, the three measures by which he hopes to secure additional sources of revenue. At the same time, while I have no objection, if it is possible without committing hardship on the persons concerned, to secure new revenue from the sale of licenses to keep public-houses, yet I do not think that in the proposal submitted by the Premier we have gone the best way to work towards securing it. I notice that the Premier has placed amendments on the Notice Paper amending the proposals submitted in the Bill, by which he intends to differentiate in some small measure between the fees paid by hotels in different districts. The member for Kalgoorlie (Mr. Keenan) has also submitted an amendment by which he seeks to base the amount to be paid for a license on the value of the property. I

should like to point out that in neither proposal is the end sought by the hon. members accomplished. In that outlined by the member for Kalgoorlie, the license fee is practically based on a percentage of the value of the property, that is by taking the difference between the capital unimproved value of the land and the value of the building and land combined, the license fee being based on 1 per cent. of the difference between those two values. But in deciding the value of a license to the holder of it, it cannot be determined by the value of the property erected in which to dispose of the intoxicating liquors he is licensed to sell. For instance, I know in Kalgoorlie properties which are not by any means elaborate, but which have a very valuable right in the licenses they hold, simply because of the particular positions they occupy giving them control over a large trade in liquor, with the result that the licenses are very valuable. I say the preferable course over that submitted by the Premier and that by the member for Kalgoorlie is something on the lines of that outlined by the previous Administration in the Licensing Bill introduced during the last session of the last Parliament, by which the license fees would be fixed on a percentage of the in-going. That would give a much better idea of the license value to the owner. I would like to say, rather than tinker with the measure as the Premier proposes to do, it would have been infinitely better for him to bring down that comprehensive measure he has promised. He assures us we will have to wait for it. I presume we shall have to wait until all members are Rip Van Winkles before we receive that comprehensive measure which the hon. member says it is his intention to bring forward. I can admire the Premier's solicitude for the revenue, but I do not think the Premier has gone the best or fairest way to work to secure the revenue; therefore when the measure goes into Committee I shall offer some amendments in the direction which I think will secure the object in a much better and more equitable fashion.

MR. N. KEENAN (Kalgoorlie): The principal objection that I think can be urged against the measure submitted by the Premier is that, even taking into

account the amendments suggested by him, it proceeds on very hard and fast lines in determining the amount to be paid by the holder of a license issued under the Bill. For instance under the suggested amendments it is only possible to have two classes, a maximum class levied on premises exceeding £500 in value—I mean by value the annual valuation under the Municipal Institutions Act—and a smaller sum in respect of all houses which are under that value. It will be more advisable to make the burden of taxation on a more graduated scale to suit the exigencies of the particular persons on whose shoulders the burden is placed. If a house in one part of Perth has a large volume of trade it is right that the Treasurer should ask for that house to contribute in a larger measure than hitherto to the finances of the State, but it might well exceed the value he has proposed in the amendment and still be a property of very small trade indeed. The suggestion that it should be estimated by way of percentage on the in-going does not seem to be practicable, because it could be easily evaded. The in-going is only another way of paying a portion of the rent, and if a percentage is arranged on the in-going one could evade the taxation by having practically no in-going at all, but having a larger annual rent. I think that all Acts should be so framed that one could not drive a coach and four through them as soon as they are placed on the statute-book. The line I wish to urge on the House is that there should be some definite system of taxation that it could not be possible to evade, and it seems if we take the capital value of the land and the capital value of the premises, including the land, and subtract the capital value of the land, we fix some percentage and we can work out something which is definite. We then have something to juggle with, and it will in all cases be a fair basis of taxation, and a fair result can be arrived at. If there be difficulty in regard to the trade of the house sometimes being very much in excess of the capital value of the house, that difficulty would be met by taking into account the rental. The Leader of the Opposition is aware that if a house has a large trade, whatever architectural qualities there may be, it commands a

large rent, and inasmuch as the amendment I intend to suggest will allow the magistrates to arrive at the value of the premises by taking into account the annual rental payable by the tenant, that seems a fair course.

MR. BATH: Would it not be best to take the capital value of the land?

MR. KEENAN: As a rule the rent is not determined so much by the land but by the trade the house commands, and although the value of a foot of ground may be a small one, a house may be a good one from a trade point of view. It is not perhaps easy to point out instances, but we all know places where the surrounding land is of little value, but a house in a particular trade in the locality is an exceedingly valuable asset. If the magistrates would take into account the annual rent, they would not go very seriously wrong in estimating the sum on which to base the capital value. There is another possible flaw in the Bill that arises from the fact that in certain parts of the State houses are maintained almost entirely for the convenience of travellers, and the amount derived by way of profit is so limited that if we place any burden on the shoulders of the owner we shall destroy those houses. I have already referred to that class of house, and particularly members of the Opposition who represent the back goldfields will understand that the value of land may be almost nothing, but the convenience of a house to the public be very great. I think consideration should be given to this class of premises, and we might frame the Bill so as not to impose a burden on a house by license fees that would lead to their extinction. Therefore when the measure goes into Committee I hope the House will take these facts into consideration, to increase the revenue by placing a higher and larger burden on those capable of bearing it, and to avoid the imposition of a burden which is likely to lead to the extinction of places which it is desirable should be maintained, and also to prevent the burden falling entirely on shoulders that, although they may bear it, would find the burden grievous.

MR. F. ILLINGWORTH (West Perth): This Bill specifically, I understand, is a revenue-producing Bill, and as such the House will give it careful consideration, and the amendments which

have been given notice of will require consideration. I notice on the top of page 27 of the Orders of the Day, a notice of motion given by the member for Kalgoorlie, which opens up not a question of revenue, but a very large and disputed question. In reference to the Bill itself I hope the member will not press that amendment, for it opens up the whole question of Sunday trading. If we are to discuss that question it should be discussed when the whole Bill is under consideration, and not when any special provision is being debated. I think the member would be well advised to leave the discussion of that question until we have the comprehensive Bill before us, and I hope the Government will give us that Bill very early in the coming session to deal with the whole question, and that the principle of the Bill will be local option in the fullest sense. I hope at this stage of our proceedings, when we desire to make the session short, we shall not open up questions of this character on a side issue, because this is so distinctly a Bill for financial purposes. I think it would be well if the whole of these questions of which notices have been given were discussed on the comprehensive Bill, and not a Bill for the purpose of obtaining revenue. I notice the object of the member for Kalgoorlie is to open public-houses on Sundays and Christmas Day, closing only at certain hours. Whether the State is prepared to accept the system should be discussed when the comprehensive Bill is before us. I do not propose to offer opposition to the Bill from its financial standpoint. I hope the best means will be obtained for arriving at the revenue, and I think it is a fair source of revenue. I think from the principle involved in the amendment it will not be wise to attach it to this Bill, and I hope the Government will resist the attachment; but to save that resistance I hope the hon. member will see his way not to move the amendment at this particular stage.

MR. H. E. BOLTON (North Fremantle): While the Premier will have my earnest support in raising additional revenue, on looking through the Bill I find it will bear somewhat hardly on some municipalities. Time was when North Fremantle could afford to bear this ad-

ditional taxation: the time is now when the municipality is so depleted of population and there is stagnation in business there that it will take people all their time to pay their rents without additional taxation. I will remind the Premier that the depleted population is mostly now settled at Midland Junction. I suggest to the Premier that in the schedule of the Bill he should delete the name of North Fremantle and insert Midland Junction instead. I consider I have some justice in this case. It is a well-known fact that very largely the population of Midland Junction has been helped by the population which has left Fremantle, East Fremantle, and North Fremantle. [MEMBER: 700 a day come by train.] If we are to take any notice of the statements of the Premier and his esteemed friends in Guildford and around that district we shall have to admit that Midland Junction is one of the first municipalities on the coast now, both by population and public-houses. I am sure that if members will take a trip to Midland Junction they will find several hotels within a stone's throw of the railway station, all of which have been provided since the removal of the workshops. I think that is a fair justification for my saying that the Premier should delete "North Fremantle" and put "Midland Junction" in place of those words, as there is a considerable portion of our population there and most of our trade.

MR. A. J. WILSON (Forrest): There is one aspect of this licensing question which strikes me as being perhaps the most unfortunate thing in the whole of the business, and that is that most of the licensees have first of all to pay very heavy rents for the right to carry on their business, apart from the landlords or proprietors of the establishments, and in addition to that it is now proposed that that they shall be called upon to pay an additional tax. It is not always the licensee who gets the advantage of a license, but a person who is in no way approached and ought to contribute something to the revenue of our State. I think something ought to be done to aim not at adding to the burdens of the tenant, but at obtaining something from the individual reaping the main advantage, not so much of having his hotel upon a certain block of ground, but of having

the privilege which the licensing court gives him by preventing other people on adjoining blocks from getting a similar license. The monopoly accorded enables him, through the competition for this trade, to demand from the tenant an exorbitant ingoing, and, to be convinced of that, one has only to know the prices charged for the ingoings into some of the hotels in Perth. I believe that no less than £11,000 was paid for the ingoing into the Royal Hotel, at the corner of William Street and Wellington Street, and that something like £7,000 was paid for the ingoing of the Bohemia Hotel in Murray Street. [MR. TAYLOR: For a seven years' lease?] For a seven years' lease, and a very big weekly rental in addition. I assert that the legitimate source for adding to the revenue of the State is not by placing additional taxation upon the tenant, but by devising some scheme for the purpose of appropriating a percentage of the ingoing which is to be paid when one takes over any of those hotels. I do not say for a moment that the proposal to increase the license fees in some quarters is anything other than the most desirable proposition. There can be no question that it is manifestly unfair to charge the same license fee for the opportunity of coining money in one locality as is charged in some other locality where the opportunity is not so advantageous. There is urgent necessity for having some discrimination regarding the license fees which are paid. I hope that before the measure goes finally through, in addition to this very wise provision, the Colonial Treasurer—who I regret to say finds himself so urgently in need of funds—will devise some scheme of appropriating a percentage, whether $2\frac{1}{2}$, 5, or 10 per cent. of the ingoing. I do not care how much the Treasurer appropriates. The probability is that the more he appropriates, the more money there will be in circulation and the more money available for the administration of some of the departments whose expenditure is increased by the existence of the liquor establishments. I think this matter calls for very grave consideration, and I hope that before the Bill emerges from its Committee stage some attempt will be made to cope with this particular aspect of the question, and that those who have

so long had the privilege of enjoying the wealth which accrues from this particular branch of traffic will be made responsible for contributing some portion of that wealth towards the revenue of the State.

MR. M. F. TROY (Mt. Magnet): I believe we would have been dealing more fairly, and this Bill would have been more acceptable to the House, if the Premier had presented the measure in the shape in which it first appeared. Certain amendments are set down in the Notice Paper which will make this clause as embodied in the Bill apply to all municipalities. If this increase in license fees is to apply to all municipalities, licensees in some municipalities are going to receive fairer treatment than those in others in the remote portions of the State and in many large goldfields towns. The only goldfields towns which the Premier spoke of were Kalgoorlie and Boulder; but there are other towns besides those. In goldfields towns, during a time of great prosperity a large number of licenses was granted. Those licensees can barely afford to pay the license fees they are already called upon to pay; and if this measure is carried they will not be able to hold their licenses and give the facilities to the people which are afforded at the present time. I think that if this provision is passed it should apply only to municipalities in the more favoured portions of the State.

HON. F. H. PIESSE (Katanning): There seems to be some doubt in the minds of members as to the application of this clause increasing the fees. It is stated here that it applies to publicans' general licenses. Therefore, I assume it does not apply to wayside-house premises. I hope that the Premier, when speaking in reply, will definitely explain as to the application of this clause. The principal Act states that a wayside-house license is a license granted at a distance of not less than 10 miles from any township. As some members are under the impression that this clause will affect those wayside licenses, I would like to be definite upon the point, because we want to know whether they are to be affected, for in many instances such houses are public conveniences, and I am afraid that if they are to be affected they will be taxed out of existence by the imposition

which it is proposed to make in connection with Clause 2. These wayside houses are very necessary in some districts, especially in the country districts and outlying goldfields districts. And I am sure that a convenience of this character is one that is much appreciated by the travelling public, and should not be affected by the imposition proposed in Clause 2.

MR. P. J. LYNCH (Mt. Leonora): Following on the last speaker, I can quite recognise the injustice that would be wrought to those owners of wayside hotels. As far as serving the public purposes are concerned, they are by far the most important class of hotels which come within my knowledge. We often notice hotels situated within township boundaries which do not to the same extent serve the useful and worthy purposes which these wayside houses do. It is proposed to tax these houses to the extent of £50. Within my personal knowledge, there are many in the back country to whom £50 would simply mean their extinction. If when this Bill reaches that stage an opportunity is afforded me of lightening the burden of that particular class of house, I will take advantage of it. It seems that of all the methods already proposed, the central object to be attained is to place the burden of taxation on the shoulders of those most able to bear it. And as far as I can gauge the respective methods, it would seem that the one indicated by the leader of the Opposition will come as closely to the object aimed at as possible. We know that as far as the annual value is concerned, it never determines the true value of any particular situation, as regards either a successful or unsuccessful hostelry. If we could arrive by means of returns by the several traders at the amount of stuff they dispose of, and could rely upon their honesty in making these returns to the Treasury, that would be an ideal method of computing what should be paid in each particular instance. But such a proposal has "impossibility" written on the face of it; and the determination of value of any particular hostelry should be based upon what indicates its fluctuating value from year to year, the ingoing being taken in conjunction with the annual income. I recognise that there are many wayside hotels the value of which cannot,

under the Premier's proposal, properly be assessed in a way that would enable the Treasury to exact or get a sum in proportion to the business they do. For instance, we know there are, immediately outside the boundaries of municipalities, many hotel-keepers who are doing a far more thriving trade than many within; yet under the terms of the Premier's proposal, the former will be exempt from paying to the revenue a reasonable proportion of their profits. I can but say that while we may abandon the notion of working out with mathematical accuracy the fees which publicans should pay, our duty is at least to adopt the most reasonable method of assessing such fees; and so far as I can judge of the rival methods proposed, that of the Leader of the Opposition is the fairest.

MR. T. WALKER (Kanowna): I have very little to say on this Bill, except to emphasise, if it be necessary, the objection raised to passing the Bill as a hard-and-fast measure, with no elasticity and no consideration for special cases. Certain maximum and minimum fees seem to have been fixed for houses within municipalities, and smaller fees for houses outside municipalities. But particularly on the goldfields will this test prove very false and dangerous if adopted. There is a number of municipalities in my constituency, which may almost be designated villages, where there is an absence of that large population which enables hotel-keepers to pay high license fees. Take the municipality of Broad Arrow and Paddington. These places form one municipality, consisting of small townships that are separated by an enormous extent of country; three, four, or five miles separating some of the centres. It is not one large town where all the population is focussed. I may almost call it a number of small villages, each of the smaller villages having one hotel, and each of the larger villages two or more. The population is absolutely scattered; and there is not in the district one hotel that can be compared with or put on the same footing as an hotel in any of our larger municipalities. Consequently it would be most unfair to make an hotel at Bulong, Bardoc, or Paddington pay such license fee as is paid in Perth or in the large centres of Kalgoorlie or Boulder. I am reminded that there are large cen-

tres of population outside of municipalities, as in the case of the Boulder Block, where hotel-keepers are much more advantageously situated than many within flourishing municipalities. There should be some means of specially dealing with these cases on their merits. It must be manifestly unjust to impose on such hotels as I mentioned, at Bulong, Broad Arrow, and Paddington, license fees equal to those charged in large municipalities; and to insist on such fees will not augment the revenue, for as surely as they are imposed, a number of the smaller hotels will simply close; they will be licensed out of existence. That may be well enough for temperance reformers; but it is not a method of dealing justly with those who already have vested interests in their hotels. Especially on the goldfields, in those scattered outlying districts and municipalities where hotels are more than liquor-vending agencies—where they serve a purpose very useful to the population—it will be unwise to attempt, by making license fees so high that hotel-keepers cannot pay them, to secure reforms such as temperance people desire. I therefore trust that when the Bill reaches Committee some means may be found of judging particular cases on their special merits.

MR. ILLINGWORTH: Temperance people are not in favour of a high license.

MR. WALKER: Not as a means of temperance reform. The high license has been a failure in America, where it has been tried.

THE PREMIER (in reply): I welcome the manner in which this Bill has been approached by those who have addressed themselves to it. It is, as I pointed out on its introduction, and as other members have said, rather a means of increasing the revenue than anything else. In reply to one or two members' remarks as to the need for increasing the revenue, and the allusions to the latest monthly financial returns, let me point out that if the state of affairs disclosed by the last returns is not altogether satisfactory, yet as compared with the corresponding month of last year it is very satisfactory indeed; inasmuch as though in that month there was a much larger revenue than in the corresponding month of this year, yet the expenditure exceeded the revenue by some £57,000, whereas this year, with a

smaller revenue, the expenditure has exceeded the revenue by only about £43,000. Hon. members who wish to make allusions of this kind should look before they leap. I have said, or intended to say if I did not, that I was anxious not to inflict any hardship or injustice on the holders of publicans' general licenses. One of the speakers has said that the persons in the liquor trade who have benefited lately are not the licensees but the landlords. I thought I had made it clear that the licensee must have benefited by the reduction of the duty on spirits. When we reflect that the duty on whisky has been reduced by 4s., and that the price of whisky, as I hear on good authority, remains unaltered, it seems to me a natural inference that licensees are making a largely increased profit.

MR. A. J. WILSON: What has been the increase in the cost for ingoing?

THE PREMIER: I think the rental is generally fixed for years; and the recent reduction in the Customs duty on spirit does not, I think, affect the rental to any large extent. But the publican would have to sell only about $2\frac{1}{2}$ cases of whisky a week to recoup himself for the greatest increase of license fees that we propose to inflict, that is £25 a year. Let me at once say that wayside-house licenses will not be affected. That is a license in itself, and this Bill applies only to publicans' general licenses; so we may dismiss from our minds the case of the wayside-house. But there are, as the member for Kanowna (Mr. Walker) has pointed out, many houses that would still be classed as wayside-houses but for the fact that the districts in which they are situated were in a great hurry to declare themselves municipalities.

MR. TAYLOR: They did so when they were more flourishing than now.

THE PREMIER: Perhaps so; but the volume of trade done by them to-day is in many cases no larger than that done by ordinary wayside-houses. That is a class of licensee on whom, if I can avoid it, I do not wish to put any additional burden. Solutions of the difficulty in which I find myself are suggested on all sides; but all the solutions would have this effect if adopted: the cost of collecting the increased license fee would be more than the increase itself. What-

ever method is adopted must be simple. That we should base the increase of the fee upon the amount paid as ingoing does not commend itself to my mind; because we should find that, rather than pay the increased license fee, a means would be found of refraining from giving any accurate statement of the amount of ingoing paid. We must have some standard that is easily ascertained, something that cannot be evaded. And it did appear to me that the only reliable standard we could set up was the annual rental value. Perhaps that in itself may in some cases inflict hardship; but as a general rule I think it will inflict less hardship than any other method so far suggested. I have no desire at all to rush this Bill through. I had hoped that by introducing it somewhat speedily we might have taken advantage of it before the next annual licensing meeting; but that appears now to be impossible, so there is nothing to gain by hastening more than is absolutely necessary the progress of the Bill. I think it will be admitted that no great hardship can be inflicted on men who are doing a very large trade if we increase the license fee. I wish to find out, if I can, some method that will reach those men without inflicting any hardship on men doing a smaller trade. It seems to me only logical to argue that he who is doing the largest trade, who has the largest turnover, should pay the highest license fee; and I shall welcome any suggestions which may enable us to arrive at that end, and at the same time devise some simple means of collection whereby the amount collected will not be eaten up in the cost of collection. I do not intend to ask that the Bill be taken into Committee to-day, but an agreeable that members may have a farther opportunity of thinking it over. I move the second reading.

Question put and passed.

Bill read a second time.

BILL—STAMP ACT AMENDMENT.

SECOND READING.

Resumed from the previous day.

MR. T. H. BATH (Brown Hill): In the limited time at my disposal this week I have made a cursory perusal of the Bill, and can see in it nothing to which objec-

tion can be taken, but various proposals which are worthy of commendation. The proposal to introduce the system of embossed stamps will be of considerable advantage and convenience to business men, to those connected with banking institutions, and to commercial men generally. I should like to ask, however, in those instances where cancellation is to be carried out by other than the persons executing the deed, whether provision will be made for the cancellation of stamps, not only in the Treasury office in Perth, but also in the offices in the various towns throughout the State where they are established. The Premier has also told us that some slight reductions are made in the stamp duty to be paid under the schedule to the Bill.

THE PREMIER: Slight increases.

MR. BATH: I notice there has been no reduction in the fee to be paid on articles of clerkship, also on the admission of any person to practise as a barrister. In each case, the stamp duty is £10. I understand there are several gentlemen on the Opposition side of the House who are studying for the law, and they are not too well blest with this world's goods. I think it is rather a large amount which these gentlemen, trying to secure some of the privileges and advantages which appear to follow in the train of the study of the law, have to pay before they are allowed to do so. I urge the Premier that in this case at least the amount of stamp duty is high and should be reduced. I have not had the opportunity of comparing the Bill with the principal Act and the amendment of 1902. I therefore hope that the Premier will not take the Committee stage until next week. I have sent a copy of the Bill to the goldfields for several commercial gentlemen who have urged at various times that the Stamp Act should be amended with a view to introducing desirable amendments; and I hope to receive several valuable suggestions from them that I shall submit for the attention of the Premier in the Committee stage, which I hope will not be taken until next week.

HON. F. H. PIESSE (Katanning): In reference to this Bill generally, I am desirous of seeing the revenue protected in every respect, and also of simplifying in every way possible the application of such a Bill in regard to commerce.

The difficulties which beset commercial transactions are sufficiently troublesome already, and where we can in a measure simplify this Bill it should be done. We shall have the opportunity of doing this in the Committee stage. Perhaps one matter that can be considered in Committee is the question of embossed promissory notes. There will be some difficulty in regard to stocking these notes. Unless people have the opportunity of buying them regularly when required, it means that they will need to keep supplies with them in blank ready for use. The difficulty perhaps can be overcome. At present one can keep so many adhesive revenue stamps with certain values which can be applied to the promissory notes by adding together the values of the stamps; but an embossed promissory note form is for a specific amount, and there the difficulty comes in. One cannot add adhesive stamps to make up the value. That difficulty may be overcome; but the important difficulty is if one draws a bill on a person and the other declines to accept it or holds it until a certain date, as is frequently done, and sends his cheque for it. Circumstances occur in which a bill is neither accepted nor paid. I want to know how we are to deal with the question of obtaining a refund of the value of the embossed stamp upon such a promissory note. I take it that the bill partly filled in and not completely signed is now useless, and there should be some provision by which a refund can be obtained from the Treasury on the production of the bill which has not been completed. I know that in many transactions, especially for small sums, persons may elect to hold bills until they mature and then send cheques for them. What is to become of the stamp? After all, it has not been made use of. It seems to me there should be some refund. That was where an adhesive stamp was so useful. It was only because of a Supreme Court decision recently that it became necessary to cancel the stamp by the person drawing the note. A bill, according to this decision, could not be made use of legally until an adhesive stamp was put on and endorsed. Formerly the stamp was put on when the bill was returned. I know that many times evasions took place where bills were held unstamped and

not presented to the bank until they had matured, so that the revenue suffered. It is well therefore that we should adopt this new principle to save the revenue; but under the old system where a stamp had been used on a document and the document had not been signed, upon the document being returned to the Treasury and an assurance given to convince the officer of the Treasury that the stamp had not been used, a refund could be obtained. This should apply to embossed stamps. The Premier might say whether, in the circumstances I have referred to, a refund might not be made. In regard to simplification, let the instructions be as simple as possible, so that they can be understood; and let the application be made simple. In ordinary commercial houses they very soon become conversant with the provisions of a Bill such as this, but there are many persons to whom the provisions of such a Bill are very vague. I notice that liens upon wool carry a stamp of 5s., but I do not notice liens on crops. At least, I do not notice any exemptions, and some difficulty may arise. Any duty on liens on crops should be as small as possible. In many instances some advances to farmers are secured by way of liens on crops. We find a repetition of the old law in regard to wool, and it has not acted harshly; but the consideration in crops is smaller, and therefore the same duty should not be exacted. If the matter were left open, it might be held by the officers of the Treasury that liens on crops should be stamped; and I think there should be some provision in regard to exemption for such liens. These are one or two points that have struck me in a cursory examination of the Bill. This measure needs attention from members who are not only concerned in business but in everyday transactions where stamping is necessary. I understand that it is necessary to have the Bill to protect the revenue. It is a repetition of that in existence for some time; and I hope, now we have it before us, it will be made as simple as possible and as effective as it can be in regard to its application to the revenue.

MR. F. ILLINGWORTH (West Perth): I should like the Premier to give us some reason for doubling the amount of the duty upon promissory

notes. I notice in the schedule that the charge is doubled. Is this intentional, or a mistake? Or is there any special reason for it? The duty on a £25 bill has hitherto been 3d., now it is 6d.; and on a £50 bill it was 6d., now it is a shilling.

THE MINISTER FOR LANDS: There is no mistake.

MR. ILLINGWORTH: Then it is to increase the taxation. I think we ought to have a little reason for this, because bills of exchange and promissory notes always fall on the poor man. The man who can pay by cash gets off by paying a penny stamp duty on a cheque, but the man who cannot has to pay a higher duty on a promissory note.

THE PREMIER (in reply): I have noted what members have said in regard to the Bill. I assured them when introducing it that in most cases the clauses were the same as the existing law, and I pointed out where differences occurred and the nature of them. At the same time I said that in the schedule to the Bill there were some slight increases in the fees. Dealing first of all with the fee for articles of clerkship and the admission of barristers and practitioners of the Supreme Court of Western Australia, these fees are precisely the same as now. [**MR. BATH:** Yes; but they are very high.] Although I can appreciate the desire of some of my friends opposite who are studying for the law and wish to be admitted as practitioners, I am not aware myself that there is any great demand for an increase in the number of barristers of the Supreme Court. [**MR. A. J. WILSON:** Not a demand for numbers but for quality.] I do not think legislators should go specially out of their way in order to encourage even one of their number to study for the law and enable him to be admitted at a reduced cost. There is undoubtedly considerable force in the arguments of the member for Katanning (**Hon. F. H. Piesse**) when he says promissory notes are sent out and very often not returned, and, if bearing an embossed stamp, would be returned, if returned at all, probably with a stamp of no face value; but I should like to remind the hon. member that under the existing law when he sends out a promissory note, unless it bears an adhesive

stamp and that stamp is cancelled by the maker at the time of signing, the promissory note is of no value.

HON. F. H. PIESSE: That is only a recent decision.

THE PREMIER: It is held to be the law.

HON. F. H. PIESSE: It did not apply until recently; that is why they want the law altered, because it is not fair.

THE PREMIER: Under this regulation, a stamp if embossed on a promissory note will ensure that the promissory note for all time will have its value. If it should happen that an embossed stamp should be spoiled, I know that in the internal revenue department at home they will pay the face value of the stamp. That is a detail that can be easily got over. As to the difficulty of keeping a stock of embossed forms, let me remind members that all banks throughout the State will keep full stocks of the different values, and there are not, after all, so many denominations; three or four different values will fully cover the range of a merchant's business, so that there will not be much difficulty in that respect. In order to show that no very great difficulty is anticipated by those who know better than myself, I, with permission, will read a letter from the chairman of the associated banks in Western Australia. That gentleman says:

I have examined the Bill to amend the Stamp Act as far as it relates to bills of exchange and promissory notes, and find that it is satisfactory as it now stands, and am certain that it will fulfil the requirements of the Government and the banks, and trust it will be passed by Parliament as it now stands. As the Treasury have assured us that the Bill will be made law before 31st December, 1905, we are relying thereon, and are taking the necessary steps to act under it.

I have noted what the hon. member said about liens on crops. It was not intended in the schedule of the Bill to insist on any stamp duty on a lien on growing crops. I am not aware at the moment whether the Bill providing for liens does impose any duty.

HON. F. H. PIESSE: While I was speaking the thought came into my mind that the Bill itself exempted liens.

THE PREMIER: Possibly it does. I do not think it would be wise, if they are exempted now, to include growing crops in the schedule of the Bill. Liens

on wool are generally in a more extensive direction than liens on growing crops. Very small amounts are frequently represented by liens on growing crops. In regard to what the Chairman of Committees has said as to the increased duties on bills of exchange and promissory notes, it is true increases have been made in the fees in a few instances only. In revising the Stamp Act and the schedule to it, an Act which has been in force since 1882, and never amended in any way—[MR. BATH: In 1902]—that was a very small amendment, and practically the Bill has not been amended since 1882. In revising the schedule, I thought it advisable to compare the existing schedule with the rates charged elsewhere, and if we could take an average, to do so. We have taken the highest rate, and said that we charge this rate because it is charged somewhere else. We have taken the existing scale in the Australian States, and we have struck an average. The scale proposed here is the Victorian scale and the New South Wales scale, 6d. for every £25. It is true that here previously under £25 has been 3d. Now any bill of exchange or promissory note which does not exceed £25 will pay 6d. My friend says this will inflict a hardship on the poor man, because it is the poor man who gives the promissory note or the bill of exchange, while the rich man pays cash. My experience differs from that of the hon. member, for my experience is that the poor man is not allowed to give a bill at all, he has to pay cash, while the man in more fortunate circumstances will have his bill accepted. I hope members will take the trouble to compare the schedule of this Bill with the schedule in the present Act, and they will find very few increases indeed. Where there are increases they were justified, and if members compare the increases with the schedules of the Stamp Acts of the other States they will find in no case have we exceeded the fees charged elsewhere, and we have struck an average of what the fees in the Australian States are. In complying with the wish of hon. members, although I would have taken the Bill into Committee to-day because we have not a great deal on the Notice Paper, I shall ask the House to go into Committee on Tuesday next.

Question put and passed.

Bill read a second time.

TOTALISATOR DUTY BILL.

SECOND READING—POSTPONEMENT.

MR. A. J. WILSON moved:

That the debate on this Bill be postponed until next Friday.

The select committee appointed the other day at his instigation had been gathering some important evidence on this matter, which would be in the possession of the House not later than next Friday. If the Order of the Day were postponed it would save considerable discussion.

MR. W. T. EDDY: This Bill should be postponed in order that the facts and figures brought out by the select committee might be in the hands of members. It would shorten the discussion not only on this Bill but on the Bill for licensing racecourses. A very large question was opened up and required great consideration. It would be wiser if the matter were left over for a time, as it would give members an opportunity of going fully into the matter and thus save discussion.

THE PREMIER: While anxious to fall in with the views of members and to meet their wishes, to adjourn the Bill until Friday was hardly fair. The select committee appointed to inquire into the evils, or alleged evils, of horse-racing could not have very much effect as to whether we took any part of the earnings of the totalisator. That question could be settled in our minds wholly outside the evils, or alleged evils, of racing.

MR. A. J. WILSON: The goldfields people had had no chance.

THE PREMIER: The introduction of the Bill was forecasted months ago, and everyone who took an interest in the matter must have had, if he paid any attention at all to what was passing, full knowledge that such a Bill was to be introduced. It was not his fault that only quite recently those interested in the question had taken notice of what was forecasted.

MR. A. A. HORAN: On various occasions the Government were to introduce a Bill providing for an old age pension scheme.

THE PREMIER was not responsible for persons who had not carried out their

intentions; he was endeavouring to carry out his. He might meet the reasonable wishes of members if he agreed to postpone the Order until Tuesday next, and then if any member gave an assurance that it was absolutely necessary in order to obtain farther information, the Bill would be farther postponed. No objection would be offered to postponing the Order until Tuesday.

MR. A. J. WILSON accepted the Premier's suggestion.

Question passed, and the Order postponed until Tuesday.

BILL—METROPOLITAN WATERWORKS ACT AMENDMENT.

MOUNT LAWLEY AGREEMENT.

SECOND READING.

Resumed from the previous day.

MR. P. J. LYNCH (Leonora): I do not intend to take up much time in discussing the second reading of this measure, because my duty is simply to acknowledge having been identified with the Bill when it was introduced eight or nine weeks ago. I notice that the Minister for Works has practically agreed to take the Bill as introduced by my colleague in the last Ministry, with a few slight but very necessary amendments; therefore on my part and on the part of those on the Opposition bench, I have only the pleasing task, so to speak, of acknowledging the paternity of the Bill. At the same time I draw attention to the inconsistent attitude of some members opposite, including the Premier himself. When an opportunity was given to discuss the Bill a short time ago the Premier took upon himself to fill some valuable pages of *Herald*, and if he was not unfriendly towards the Bill, he gave some adverse criticism of the measure which his lieutenant now introduced without crossing a *t* or dotting an *i* in the measure. I have only to say that whilst the Minister in charge of the Bill took kindly to it as a stepfather, he had to acknowledge, virtually, that some of his colleagues in the last session were not justified in their criticism. This is acknowledged by his action in introducing the Bill in its present form. He did say that he would prefer to introduce a Bill to pay the whole of the liability to Mr. Copley. The opportunity was afforded, and we now find that he intro-

duces a Bill which was the source and cause of so much adverse criticism on the part of himself and his colleagues, instead of introducing a Bill to satisfy what he contended was Mr. Copley's full claim in regard to the extension of the water service. I do not wish to go over the entire transaction farther than to say that it amounts to the ratification or validation of what was entered into by the former board. As to that, neither myself nor those associated with me have any desire to alter the position we took up some short while ago on the introduction of this measure; but I really think that some form of apology is necessary on the part of the Minister for Works and his colleagues, as they have certainly indulged in a kind of factious criticism of this very simple but necessary measure. Here we have the Minister for Works anxious to edify new members, and he actually introduces the measure which is identical in every degree to the minutest extent with the measure which his colleagues and supporters criticised on a former occasion. So that whilst drawing the attention of new members, it is very necessary for them to notice how hollow sometimes the proceedings of party government are, and how hollow sometimes the opposition is, when the very actions and the very intentions of the people then in power for the time being are endorsed to the fullest extent on the present occasion. As to the proposed alteration to provide for a minimum rate on any land, the annual rate of which will not exceed £1, there is not, and cannot be, any reasonable objection from this bench. It is a source of satisfaction that the board which had been in a chronic state of impecuniosity for a long time has now so advanced, partially under the economical administration of the Labour Government, as not to be obliged to enter into any illegal but perhaps unavoidable dealings as has been the case in the past. The Minister for Works can, I know, assure the House that the board is in a much more solvent position than it ever was before. There are records which show that on my resignation of office no less than between £5,000 and £6,000 stood to the credit of the board after the board had carried on very many works that could have come from capital

account. I only wish to say I agree with the remarks of the Minister in charge of the Bill, and at the same time I hope that he will express some form of regret on the part of his colleagues for their criticism of the measure which he now fathers himself.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

MR. QUINLAN in the Chair.

Clauses 1 to 4—agreed to.

New Clause:

THE MINISTER FOR WORKS moved that the following new clause be added to the Bill:—

Section fourteen of the Waterworks Act 1889 is hereby amended by adding, after subsection nine thereof, a subsection as follows:—

- (10.) For regulating the rent to be paid by consumers for meters supplied by the board.
- (11.) For fixing a scale of charges in lieu of meters for water supplied for other than domestic purposes, or for domestic and other purposes combined.

The object of the new clause was to enable the Waterworks Board or Minister to make a fixed charge in the case of carriers, dairymen, owners of woodyards, refreshment rooms, etc., for water used in business carried on, in addition to water used for domestic purposes.

Question passed.

On farther motions by the Minister the following new clauses were also passed:—

Subsection three of Section four of the Metropolitan Waterworks Act 1899 is hereby repealed, and the following is inserted in lieu thereof:—

- (3.) Commits or permits any breach or neglect or the continuance of any breach or neglect of any of the provisions of the Waterworks Act 1889 the Metropolitan Waterworks Act 1896 or any Act or Acts amending the same, or of any of the provisions of the by-laws made under either of such Acts or under any Act amending the same.

Schedule, Title—agreed to.

Bill reported with amendments.

BILL—PERMANENT RESERVE REDEDICATION.

SECOND READING.

THE MINISTER FOR LANDS (Hon. N. J. Moore), in moving the second

reading, said: This is a formal measure to enable portion of Permanent Reserve 8519A to be rededicated. It is merely a town lot at Broome, having a frontage of two chains to Barker Street by a depth of 300 links. This lot was reserved for the Mechanics' Institute in 1896, but in 1902, six years later, owing to there being no improvements effected upon the block, the block was included in the Class A reserves. Nothing farther was heard of the matter until 1904, when the institute asked that this might be again reinstated; and when the request was under consideration, it was found that the Mechanics' Institute had expended something like £1,000 in erecting the institute. Consequently it became necessary, in order to legalise the action, to exclude the lot in question from Class A reserves.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

RETURN—GOLD-MINING AND MINERAL LEASES.

MR. P. J. LYNCH (Mt. Leonora) moved:

That there be laid upon the table of the House a return showing—1, The number and area of gold-mining and mineral leases that have been taken up each year for the five (5) departmental years ended June 30th, 1905. 2, The number and area of gold-mining leases belonging to companies or syndicates whose offices were without the State of Western Australia, that have been abandoned or disposed of as unpayable or doubtful propositions since 1890, but since taken up or purchased as indicated in Question No. 3. 3, The number and area of such leases that have been again taken up or purchased as unpayable or doubtful propositions by local syndicates and persons in this State since 1890. 4, The number of men at present employed on such leases, and the amount of gold won by the owners indicated in Question No. 3.

MR. T. H. BATH (Brown Hill) seconded.

THE PREMIER (Hon. C. H. RASON): The motion would not be opposed by the Government, but the meaning of the third paragraph was rather obscure. If the propositions therein mentioned were as doubtful as the motion seemed to be,

there would probably be some difficulty in acquiring the information. The resources of the Mines Department were great, but it did not appear how the officers could obtain particulars of leases purchased as unpayable or doubtful propositions. It did not say much for "local syndicates and persons" if with their eyes open they purchased doubtful or unpayable propositions.

MR. LYNCH (in reply): Though the wording of paragraph 3 was somewhat obscure, it was well known on the goldfields that leases, combined with machinery, which from the owner's standpoint were either doubtful or unpayable, had been sold and afterwards worked profitably. He wished to ascertain the number of such leases. The officers must be rather stupid if they had not enough common sense to recognise that certain properties were disposed of because they were bordering on liquidation, or because their outlook was otherwise hopeless. Wardens or registrars could easily call to mind such sales. For instance, the Richmond Gem lease was sold, together with its machinery, by an Adelaide company, and sold because it was either doubtful or unpayable. The present owner had apparently made the property highly profitable. The desire was to find out the number and area of such claims converted to profitable use after the failure of the former owners. Let the officers use their own judgment as to whether such sales had taken place.

THE PREMIER: The hon. member might confer with the Minister for Mines.

MR. LYNCH: That would be done.

Question put and passed.

ADJOURNMENT.

THE PREMIER: I am about to move that the House do now adjourn.

MR. BATH: I should like to ask, when may we expect the Estimates of Revenue and Expenditure, and the Budget Speech?

THE PREMIER: I am happy to be able to say, certainly next week. I am not able at the moment to give the exact date. Before moving the adjournment, I should like to ask hon. members to come, if possible, prepared next week to proceed with the second readings of Bills. To-day there was not enough business on the Notice Paper; and I say

with all respect that Bills have been before hon. members for a length of time sufficient to permit of several second readings for which we are still waiting. I have been anxious to meet members' wishes, and so have consented to adjournments of debate; but I hope that next week we shall be able to enter, if I am allowed to say so, a little more seriously on the business of the House. I move that the House do now adjourn.

Question passed.

The House adjourned at 25 minutes past 4 o'clock, until the next Tuesday afternoon.

Legislative Council, Tuesday, 5th December, 1905.

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THE PRESIDENT took the Chair at 4.30 o'clock p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Annual Report on the operations of the Agricultural Bank for the year ending 30th June, 1905. 2, The Mines Regulation Act—Regulation 27 as to safety fuse.

3, The Mining Act, 1904—Amendments of regulations and new regulations as to pipe track water rights. 4, Copies of Orders in Council issued under Section 35 of "The Audit Act, 1904." 5, Goldfields Water Supply Administration—(a.) Amendment of By-laws for Protection of Catchment Area; (b.) Annual report for the year ended 30th June, 1905. 6, The Public Service Act, 1904—Regulations. 7, Public Works Department—(a.) "Roads Act, 1902." (b.) By-laws of the Port Hedland Roads Board.

QUESTIONS—LENGTH OF NOTICE.

THE COLONIAL SECRETARY requested members to give at least 48 hours' notice of any question to Ministers; for the reason that, as the Houses of Parliament are now situated at a considerable distance from the Government offices, it is found that a notice somewhat longer than one day should be given for the necessary information to be obtained.

ADDRESS-IN-REPLY—PRESENTATION.

THE PRESIDENT reported that the Address-in-Reply to the Governor's opening Speech had been presented to His Excellency, who had returned the following answer in writing:—

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

I thank you for your Address in reply to the Speech with which I opened Parliament, and for your expression of loyalty to His Most Gracious Majesty the King.

FRED. G. D. BEDFORD, Governor.

Government House, Perth,
1st December, 1905.

BILLS (3)—FIRST READING.

Perth Mint Bill, received from the Legislative Assembly and read a first time.

Roads and Streets Closure, received from the Legislative Assembly and read a first time.

Permanent Reserve Rededication, received from the Legislative Assembly and read a first time.

QUESTION—PERTH TOWN HALL, NEW SITE.

HON. J. D. CONNOLLY asked the Colonial Secretary: 1, Is it the intention of the Government to obtain the ratifica-