Legislative Council,

Tuesday, 13th December, 1904.

THE PRESIDENT took the Chair at 4·30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS: 1, Third Annual Report of the Caves Board for the year ending 31st December, 1903. 2, The Prisons Act 1903, Additional Regulations relating to the management of prisons and the discipline therein.

QUESTION—MARRIAGE BY SPECIAL LICENSE, FEE.

HON. W. MALEY asked the Minister for Lands: Is it the intention of the Government to reduce the fee of £10 payable on a marriage by special license?

THE MINISTER FOR LANDS replied: The Government have not yet considered this matter.

QUESTION—PIPES MANUFACTURE, DAY LABOUR.

HON. J. W. LANGSFORD asked the Minister for Lands: 1, Is it the intention of the Government to extend the day labour system in the manufacture of pipes, batteries, boilers, etc.? 2, If so, what work is proposed to be taken in hand first? 3, Has the Government prepared an estimate of the cost of such work; and if so, what does it amount to? 4, Will any plant or buildings be necessary; and if so, what will be the total cost of same? 5, Will the Government call for tenders for the supply of any such goods required and proposed to be manufactured, allowing the department to tender against outside employers under equal conditions?

THE MINISTER FOR LANDS replied: So far as the Public Works Department are concerned, the following is the position. 1, It is proposed to utilise existing facilities at the shops already established in connection with the Fremantle Harbour Works for the purpose of pipe making. 2, This will be done as soon as arrangements now in hand can be made. 3, The cost of the pipes will not, it is estimated, in any case exceed what is now paid; a saving is anticipated. 4, An expenditure of £350 for additional plant is all that is required. 5, Tenders will be called for supply of raw material. The department will not be called upon to tender against outside employers, but strict account will be kept so that a comparison can be made with the prices paid for the same article.

PRIVATE BILL REPORT—KALGOORLIE AND BOULDER RACING CLUBS.

HON. W. KINGSMILL (for the Hon. R. F. Sholl, chairman) brought up the report of the select committee appointed to inquire into the Kalgoorlie and Boulder Racing Clubs Bill.

Report received, read, and ordered to be printed.

CONDITION OF PUBLIC BUSINESS.

REMARKS ON CLOSING.

HON. J. W. HACKETT, referring to the previous Bill, expressed his earnest hope that the Minister for Lands would not drag members over the Christmas vacation into the hot and irritable days of summer. Doubtless the Minister agreed with him that we should keep our business as short as possible. He (Dr. Hackett) certainly would not be here after the Christmas vacation.

THE MINISTER FOR LANDS was in sympathy with the wish of Dr. Hackett, being most anxious that the session should close by Christmas. Otherwise he (the Minister) could not devote proper attention to the administration of his department. He would do all in his power to see that legislation before this House was as far as possible passed before Christmas.

HON. J. W. HACKETT: It was usual for the leader of the House at this stage of the session to make a statement to members, and to propose that the House should sit on extra days. The statement had been made that it would be impos-

sible to close the session unless there was great forbearance on both sides of another place, and unless there was a great "slaughter of the innocents." If the leader of the House had any information as to the intention of the Government in regard to the Notice Paper, it was the Minister's place to impart it to members. The Notice Paper was very lengthy in another place.

THE MINISTER: The Government desired to clear the Notice Paper by Christmas, unless something occurred in another place to prevent this being done. At the present rate of progress, the Government had every hope that the Notice Paper would be cleared.

LOCAL COURTS BILL.

THIRD READING.

THE MINISTER FOR LANDS moved that the Bill be read a third time.

HON. J. W. WRIGHT moved an amendment "That the Bill be recommitted to amend Clause 29."

THE PRESIDENT: The hon. member had not given notice.

HON. J. W. WRIGHT had not been aware until to-day that certain petitioners wished to have the clause amended.

THE MINISTER FOR LANDS opposed the amendment. Notice should certainly have been given of the hon. member's intention.

Amendment negatived, and the question passed.

Bill read a third time, and returned to the Legislative Assembly with amendments.

ASSENT TO BILL.

Message from the Governor received and read, notifying assent to the Truck Act Amendment Bill.

PRIVATE BILL — KALGOORLIE TRAMWAYS RACECOURSE EXTENSION.

Read a third time, and returned to the Legislative Assembly with amendments.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

SECOND READING.

Resumed from the 7th December.

Hon. J. W. HACKETT (South-West): In approaching this Bill, I can assure the Minister that I do so in the most friendly spirit. It has been recognised for some time that amendments to the Municipalities Act of 1900 were needed. These have been the subject of consideration at many Municipal Conferences, and there have been complaints in the public Press, while individuals have felt certain hardships which it was entirely desirable to remove. I therefore looked upon this Bill, when it came before the House, with particularly impartial eyes, thinking that a large number of the objections felt in the past would be removed. I congratulate the Government on introducing a Bill which has certain points to recommend it. It removes some of the objections and difficulties in the old Act, and it generally may serve the purpose of bringing our municipal system a little more up to date. I use that phrase advisedly, despite that I am aware that in this State largely, and to a great extent in the aspect of the Government of which Mr. Kingsmill was a member, bringing up to date was synonymous with making some change. The aspect assumed by one whom I am delighted to call a friend, the present Agent General, was that the phrase "up to date" meant bringing in new legislation. In regard to the present Bill I am disappointed that, beyond very few matters of minor importance, the Bill has not attacked those questions of detail—not so much questions of principle as questions of minor arrangement—which formed blots on the old legislation. The chief alterations proposed in this measure are such that I for one can hardly see my way to support them now. There are three alterations which deal with changes in the methods of rating, of voting for mayor, and of rating various companies who are engaged in the supply of services to towns in Western Australia, which services the towns have not undertaken themselves. When the Bill was first introduced there was an idea abroad that we should be brought down to one-ratepayer-one-vote in the first instance, and if possible that a still farther reduction to the Parliamentary voting list should be accomplished. New Zealand is a country which has been several times on the lips of my friend the leader of the House, and for which I have not the same intense and enthralling admiration that many in this State have. I observe that many arguments

are drawn from that country which are manifestly on the face of them inapplicable to this State. It may be that in New Zealand mayors are elected on the one-ratepayer-one-vote system, but it is quite certain that the Progressive party, as they are called in that State, or the Labour party, are now moving for a reduction to adult suffrage for municipalities. If anything is recommended to us from the New Zealand standpoint it would be well if the hon. gentleman assured us, in order that we might exercise our own discrimination in accepting it as a useful or beneficial precedent, either as to what New Zealand has done in the past or as to what it intends to do in the future. We shut out New Zealand, however, so far as this point is concerned; and in no other case does the election of mayor hinge on one-ratepayer-one-vote, save in the one case of South Australia. The Minister is reported to have said that the same principle prevailed in Sydney. I think he is under a misapprehension.

THE MINISTER FOR LANDS: The City of Sydney.

HON. J. W. HACKETT: In the City of Sydney the mayor is elected, so far as my recollection goes, by and from among the aldermen, in the same way as the mayor is elected in Melbourne.

THE MINISTER FOR LANDS: That was the system till 1902.

HON. J. W. HACKETT: The hon. member may be more up to date than I am. However, whatever may be the precedent in other places, we have to consider the matter in Western Australia on the basis of the principle itself; and it seems to me that we should never lose sight of the fact that the mayor is the binding element in our municipal institutions. He it is who forms the link that holds the whole system together. He represents in the fullest way the ratepayers of the municipality, and every ratepayer should have his vote in the appointment. If plural voting is abolished, the voting for mayor would be entirely limited to a single class of ratepayers which is entirely opposed to the municipal constitution adopted in this State, and which has been in force for many years past. I am prepared, however, if there is a feeling in favour of that, to reduce the four votes granted as a maximum to the elector for mayor, to three votes. However I shall require some strong reasons to alter the good system which has worked so well in Western Australia in the past. The second matter is one on which I shall not detain the House long. It is the question of rating tramway companies and gas companies. It is worthy of consideration whether we are not imposing, in charging three per cent. on the gross receipts of a tramway and one and a-half per cent. on the gross receipts of electric and gas companies, a burden on companies at the outset which will make it exceedingly difficult for them to pay their way, and as a last resort the burden will fall on the ratepayers and the citizens of the municipalities. If these companies do not pay, the persons primarily to suffer are those whom it is intended to benefit by the service. So far as the Perth Gas Company is concerned, the legislation which will compel them to pay one and a-half per cent. on their returns means trebling the contribution they make to the city funds. That may be right or wrong; there will be an opportunity of discussing that question in Committee, I do not intend to discuss it now. While companies like the Perth Tramway Company and the Perth Gas Company can well afford the higher rate, in the case of smaller municipalities and smaller companies struggling to supply people with the elements of civilisation, we may altogether block progress in this direction throughout the State. There is a far more important question than either of these, that which relates to the rating system. It has been noticed by every member in the House that a sweeping alteration has been made with regard to the mode on which the valuation should take place. In the various municipalities at present it is optional whether the councils apply the new system or retain the old. I must say, considering the magnitude of the alteration and the importance of the issues at stake, and the singular results that the small investigations made have disclosed, it would have been more to the credit of the Government, for I believe to a large extent the Government are acting at the instigation of others, if they had gone more deeply into the question and shown a fuller appreciation of the consequences

involved. Personally I have no objection to the rating on capital values in contradistinction to the annual or rental value. Personally I have no objection to that, provided that it is carried out in a statesmanlike and sensible way and after a thorough appreciation of the consequences involved. Every square yard of land I possess in the city of Perth is improved in one way or another to its highest point. As far as I can see, it will mean a reduction in the rates which I pay personally, or which I pay as a member of a company, on the land in which I am interested.

HON. J. A. THOMSON: Rightly so, too.

HON. J. W. HACKETT: I do not think so. I would point out to the hon. member that is where he and I part company. My friend believes that buildings should not be rated, although he is not a member of the Labour party. I think that building property should be rated, and I make this prophecy, that if the member is returned to this House, and I trust he will be—I speak with the general appreciation of the House—he will be found to be one of the most eager, acting on the part of the organisation to which he does not belong but which he is in sympathy with, to see that the species of property called buildings as well as the land on which they stand shall be taxed. I have been thinking for a long period on the question, and I cannot understand why buildings should be exempt. To repeat what I said a minute or two ago they are a species of property on which the rates or charges, as we may call them, are easily collected. They are a form of realised property which of all others is one of the taxable assets of the State to which attention should always be drawn. Why do people build houses, stores, warehouses, printing offices and so on in this State? Does the hon. member think from philanthropic motives, to add to the beauty of the city? These are good taxable reasons; but whatever may be said on that point I do not think that in nine cases out of ten, probably in all conceivable cases, a man building a house, a factory, or a store——

HON. J. A. THOMSON: Is the best man.

HON. J. W. HACKETT: Is the man who has the means to do it, and does it in order to increase his means, to add to his income, and to add to his property and not to pose as a philanthropist. I was utterly surprised to find, apart from the single tax idea, that this important species of property, which as a rule is as proper food for the Treasurer's taxes as would be an income tax or any other kind of property or land itself, should be now, for some reason or other which I cannot explain, made a favourite of a section of individuals in the State as a class of property to be removed from all taxation. The hon. member will find when the time comes to raise more money in the State that property will be looked on as a source from which money can be obtained, and that property called buildings will not escape, and the hon. member will be found voting in its favour. There are other reasons why buildings should be taxed—the more handsome, the more stately, and the more useful, the more my argument applies. These buildings are rated in a town where the people of the town have to contribute largely to their value. There are lighting, the formation of roads, the cleansing of the town, fire brigades; all are provided by a municipality, not for the use of the land on which the buildings stand, but for the buildings themselves and the occupants. In the name of common sense, if the taxpayers give these advantages and these benefits, why should not the owners be prepared to pay for the advantages in some degree?

HON. J. A. THOMSON: The same has to be done for a vacant lot as for an improved building.

HON. J. W. HACKETT: The fire brigade is of no use to the vacant lot; the roads are of no use to the vacant lot until a building is placed on it. What is the good of lighting to a vacant lot?

HON. J. A. THOMSON: Does it cost the municipality more to look after a vacant lot than after an improved lot?

HON. J. W. HACKETT: The hon. member will be able to point to that argument, which I do not grasp just now, when I have finished. The argument running in the hon. member's mind, apart from the single tax theory, is that the special taxation of vacant land will lead to the land being usefully employed. That is the only other argument I have heard in favour of the special exemption of buildings. It is said the present tax is directed against enterprise, that it is a

tax on improvements, and that the unimproved tax will lead to vacant land being used. As far as vacant land being used is concerned, we have a drastic provision in the Municipalities Act. Occupied and improved lands are rated on four per cent. of their capital value, while unoccupied and unimproved lands can be rated up to 10 per cent.

HON. M. L. MOSS: Seven and a-half per cent.

HON. J. W. HACKETT: I may be mistaken, but my copy of the Act says up to 10 per cent.

HON. M. L. MOSS: You will find I am right if you look at page 97.

HON. J. W. HACKETT: Not less than seven and a-half per cent. However, I may pass that by: it is three and a-half per cent. more. Ten per cent. was running in my mind at the time. It is a very considerable advance, and the man who chooses to sit down on his vacant land and pay the extra three and a-half per cent. is punished for his folly. In any event this Act will not alter that state of things very considerably; because once the charge is made on the land it rests there, and the man may truly say "I am now charged 2d. or 4d. on the capital value: I cannot make myself better off." The answer to that will be that it is so much more costly to pay the rates on the land than if it were improved. It is curious that this argument is most fallacious, especially in view of the excellent efforts made by our respected Mayor of Perth (Mr. H. Brown, M.L.A.), who deserves the thanks of all the ratepayers for bringing down the proposed maximum rate on the capital unimproved value to 2d. for his city. Comparing this with the present rate, in some towns the difference will be against the 2d. We shall pay less under the 2d. unimproved value rate than we pay now on the annual value.

HON. M. L. MOSS: In Fremantle the rates will be nearly doubled.

HON. J. W. HACKETT: Probably.

HON. J. A. THOMSON: Is not the Mayor of Perth only voicing the opinion of the conferences?

HON. J. W. HACKETT: Not on this point. All of us, even the single taxers, have our little fads; and when we get an arena in which to air our fads, we like to seize the opportunity. The Mayor of Perth is an enthusiast as to taxing the capital unimproved values. It is his contribution to the politics of the State. For my part, I am entirely indifferent as to which system is adopted. The less I am rated, the more I shall like it; and that I may be rated less heavily in the future is mainly due to the efforts of my friend Mr. Brown. I have prepared some figures dealing with this point, and may have an opportunity of reading them when in Committee. But I wish to point out that this proposal for unimproved value rating should be postponed. It is in an altogether too immature condition to permit of our giving a decision on it. It would require a Bill to itself, and a very exhaustive consideration of that Bill, if it is not to work great injustice to the individual and a pecuniary loss to the municipalities. Of those who supported the proposal in the Bill, only one gentleman seemed to think it necessary to collect any data in its favour. To Mr. Daglish's credit be it recorded that he conceived the idea—which one would have thought was obvious, though it did not occur to anyone else—to ask the various municipalities what the rate of 4d. on the capital unimproved value would produce; whether the product would be equal to the rate of 1s. 6d. on the annual improved value; and if not, what unimproved rate would equal that rate of 1s. 6d. This was a most sensible question—the only sensible question put in the whole discussion. I say that these enthusiasts, such as my excellent friends the Mayor of Perth and the Hon. J. A. Thomson, ought to have prepared something tangible to present to us, and should not have left this duty on the shoulders of the overworked Premier. Apart from the Premier, not one contribution has been made by anybody to what I may call the literature of this question. The result is most chaotic. As to our good mayor, at every municipal election if I have four votes he shall have them; for as to the rates on the unimproved capital value, the mayor has saved Perth; and after all, as Perth has probably a predominating voice in both Chambers, the mayor has certainly saved his own seat. His proposal of 2d. will be better than the 4d. rate proposed by the municipal conference. With regard to that conference, a charge is made by the secretary,

various members of the conference, and municipalities concerned in it, that this Bill does not at all represent their views; and I warn this House in the strongest terms not to accept any statement that it does. The Bill is introduced by the Government, and embodies some of the suggestions of the conferences, which by-the-by have not always been unanimous; and the Bill has been greatly altered in another place. We must take it on its own merits. It comes to us simply fathered by the Minister. Let us see how the other municipalities will fare under the capital unimproved value rate. Claremont states that a rate of 4d. on the unimproved value will produce 15 per cent. more revenue than that obtained by 1s. 6d. on the improved value; therefore Claremont is put in what I may call the 4d. group in the return presented to us. There are three groups: first, the 2d., represented by fortunate Perth; the next, not so happy and fortunate, the 4d. group, contains all the other municipalities outside the goldfields; and the third, the 9d. group, contains all municipalities within proclaimed goldfields. Claremont, because it will get 15 per cent. more than it now raises, is put into the 4d. group. North Fremantle, because it will require more than twice a 4d. rate, is also put into the 4d. group. It declares it will require at least a 9d. rate to pay its way; but that is not considered. South Perth declares that the product of a 2½d. unimproved value rate would be equal to the present 1s. 6d. rate; and South Perth is therefore placed in the 4d. group. No rhyme or reason can be discovered for this classification. Subiaco states that 3d. would be sufficient. Perth is content with 2d.; and Fremantle is apparently content with 2d. also, but for some reason or other the Mayor of Fremantle has not been so effective as be of Perth, and Fremantle is put in the 4d. group. So throughout. Some municipalities asked for 8d.; others for 2d.; others required alterations of one kind or other; yet all are clapped into this hard and fast 4d. group. Now we come to the goldfields, the source of so much wealth; goldfields municipalities are to be made to pay through the nose. Boulder declares that it must strike a rate of 9d. on the capital unimproved value; and it is put in the 9d. group. Coolgardie declares that 6d. will suffice, and it is put in the 9d. group also. Day Dawn says that 4d., not 9d., will give it all that is needed, and something more than the 1s. 6d. rate; yet Day Dawn is put in the 9d. group. Leonora, when consulted as to whether it would need a 9d. rate, declared that it must have a rate of 1s. to continue solvent; so Leonora is put in the 9d. group. Mount Magnet states that with a 4d. rate it would get 15 per cent. more than is now raised; so it is put in the 9d. group. Mount Malcolm refuses to discuss the proposal, which it says is unworkable for Malcolm. Norseman declares it would like a 6d. rate, so Norseman is put in the 9d. group; while Southern Cross winds up by saying that if it is to pay its way it will need a 1s. rate; and therefore it is put in the 9d. group. I read out these particulars, not to ridicule the efforts of the Government or the Premier, but to show the exceeding difficulty of application of this proposal, and that it is absolutely impossible to rate on the capital unimproved value without a much more serious and intelligible classification than is here presented. I am one of those who believe it is almost impossible to carry forward our municipal system without classifying the municipalities. To make the conditions of Perth apply to Esperance, or those of Fremantle to Wyndham, seems to me absurd. While I am prepared to join with the Government in passing the less salient parts of this measure, I earnestly trust that the larger principles involved will be left for a future occasion, which I hope will offer not later than next session.

HON. J. A. THOMSON: Can you not trust the local authorities?

HON. J. W. HACKETT: Then why have three groups at all? Make the maximum unimproved rate 1s. 6d. or 2s. It is another place which does not trust the local authorities; and the Government do not trust them. In addition to these extraordinary results, another matter has to be considered. When our properties are at stake, when it is a question of whether a municipality shall be a pleasant and wholesome place to live in, there is one unknown quantity, and that is the valuation. If this new system of rating is to be introduced, we shall

need some system of valuation very different from that which now prevails. Assume that three valuators are unimproved rating enthusiasts, as enthusiastic as my friend Mr. Thomson. Is it not clear that first of all they will lay themselves out to show that this system of rating pays? They will extract the very utmost from the ratepayers. Next, in the absence of rules and regulations of any kind, these valuators will be simply masters of the situation. Members will discover by reading this Bill that the only remedy of an overcharged ratepayer, and I believe that almost every property in most municipalities will have its valuation challenged, is an appeal in which, however it goes, the ratepayer must pay his own costs, no matter how iniquitous may be the valuation of these enthusiasts. The appellant has to bring only a moiety of his year's rates, an improvement on the present Act, which specifies the whole, and must hand this over to the clerk; and whether victorious or beaten, the appellant must pay his own costs. That iniquity will, I am quite sure, be removed before the Bill passes out of the portals of this House. I do not wish longer to delay the House; but two other points must be considered. One is that alluded to by Mr. Randell. To show the precipitation with which this Bill has been drawn I need only point out that with the single exception of the Premier, Mr. Daglish, in the apparent indifference of all those responsible for this sweeping revolution to its effects, they have not taken the pains to use accurate arguments. The hon. member referred to the Waterworks Act. I do not think it was mentioned in any debate on this Bill that the Waterworks Act depends for revenue on the annual and not on the capital unimproved value of the land. They are entitled to demand a shilling on the annual value as set down by law, and if they do not get it on the annual value they cannot get it at all unless the law be altered. So it will be evident that to meet the wants of the community, the whole of the waterworks question will have to be gone into in regard to the new system of rating in Perth under this Bill, and of course the waterworks managers will require to have their own staff of clerks, collectors, and valuers, because they will then have to do through their own staff all those things which they have been accustomed to get done for them through the local municipal body. By having these new charges thrown on the waterworks, the cost will be increased probably 20 per cent.; and besides going to all these additional expenses, there will be the delay in time, whereas if the enthusiasts who are responsible for this proposal had only considered it more carefully, they might have perceived the consequences I have pointed out and tried to avoid them. Another matter will be found in Clause 24, Subclause (*z*), paragraph (*g*), which says:—

> When land is held by trustees under a grant from the Crown or under a statute, subject to restrictions upon the mode of its use, the value of the land shall be estimated at a reduced amount, and the amount of the reduction shall be proportionate to the extent by which the availability of the land for profitable use is reduced by reason of such restrictions.

This language is full of ambiguity; and as to "availability," that is a word not in the dictionaries, I believe. What I want to learn particularly from the Minister is, what land is subject to the extraordinary provisions of that clause, which is to be interpreted by valuers who are to be appointed (estimable gentlemen no doubt, but not learned in the law)? We may well ask also, what meaning will they be likely to attach to those words. They may attach to them any meaning they choose. Take such a property as the King's Park: that land apparently is to be valued and rated at a reduced amount, and the reduction is to be proportioned to the availability of the King's Park for profitable use. Does that mean its availability for building purposes, for pasture, or for public recreation? I contend that the King's Park is being most profitably used when devoted to the purposes of public recreation, even so used in its natural state. But would the valuers take that view? I think not. There is no reason why a valuer appointed under this Bill should not say, "You have got 1,000 acres here, and I consider that 500 acres are sufficient for recreation purposes, and the other 500 should be utilised for building houses;" and so he would rate that land accordingly. If a valuer did that, a Bill would have to be passed through Parliament immediately to repair so serious a mistake. I say these public reserves should, according to the Act of

1900, be exempt from all taxation and all charges for rates. I do not notice that this clause meets the greatest abuse of its exemptions, that is in the case of land held by trustees for religious purposes. I believe the land vested in the Harbour Trust at Fremantle will come under the same ruling; in every other respect it conforms to the subclause. The Karrakatta Cemetery, the Zoological Gardens, and the estates belonging to municipal bodies throughout the country will stand in the same relation to that clause. All will have to be rated. These are some but not all the disabilities which I find in the Bill, and I submit that such a crude, ill-considered proposition should not go forth as the law of the land. There is some talk of sending this Bill to a select committee. It seems to me that if we agree to excise the innovations—not on the ground that they are bad or wrong in themselves, but that they should not be thrown haphazard into a Bill without sufficient consideration—by excising those provisions we can deal with the rest of the Bill in the ordinary way. If the Bill does go to a select committee, I trust the committee will do their work as rapidly as may be practicable, so as to enable us to pass some of the clauses into law this session. Taking the Bill as a whole, it is too ambitious and too gigantic an attempt to settle more than one difficult question, with a sufficient consideration of all the interests affected by it.

HON. W. T. LOTON (East): When this Bill came before us, I was hopeful that it would be worthy of the close attention of hon. members. I rise now not to speak at length on it, but to say a few words on the principles which it proposes to alter in the Municipal Act. Firstly, in regard to alterations proposed in Clause 6, the qualification of electors is to remain the same; and although the qualification and privileges of electors for the Legislature of this State have been brought down to the principle of one man one vote, I have yet to learn that it will be in the interest of municipal life to bring the same principle to bear in municipal elections. I am entirely opposed to it, and I see no reason to reduce the qualification or the number of votes from what they are at present. The existing system has worked well; we hear no complaints; and every ratepayer has a vote. In regard to the proviso in Clause 6, that the owner and occupier shall not be separately registered as electors for the same land, I think this opens a very wide argument. I cannot see that any injustice will be done if the owner of property has a vote in a ward in which his property is situate, as well as the ratepayer who occupies that property. Why should the owner of property be debarred from a vote? Take an owner in the central ward of Perth, where there are properties worth in some cases £10,000, £15,000, or £20,000. The owner of any of these properties may reside outside the ward or outside the town in which his property is situate, and he is not to have a vote simply because he is not a resident in that ward. An occupier paying a small rental of 5s. a week is to have a vote, but the owner of that property is not to have a vote unless it is by reason of his residing in the ward. In many cases the occupiers of various rooms in a large building pay no rates—the owner pays; for though the occupier is supposed to pay, yet the owner is finally responsible for payment, and in many cases he does pay the rates. I see no reason why the owner should not have the right to vote as well as the occupier. There is another point with regard to the qualification of voters. Provision is made that any elector who has paid his rates up to the 1st of September according to the existing Act shall be entitled to vote. Clause 7 proposes to repeal the existing provision which requires all rates to be paid by the 1st September, and proposes that the 31st October shall be the latest time for paying the rates due to secure the right of voting. This would give the ratepayer an opportunity of being a voter if he paid his rates on the 31st October. It will be evident to those who have had experience in municipal affairs that the end of October is the end of the municipal year; and as the annual elections take place within 12 or 14 days after, it will be almost impossible to get the whole of the rolls printed within the time. With regard to this radical change in the system of rating on the unimproved value, Dr. Hackett has applauded the Mayor of Perth for the action he has taken in bringing down the maximum general rate from fourpence as originally pro-

posed in the Bill to twopence in the pound on the unimproved land value. I think the hon. gentleman said he had no objection to rating on this system, and that personally, if the whole of the lands were improved, he would come off beneficially; that the rates he would have to pay under the unimproved value system would be less than they are at present. As a matter of fact, as the hon. member pointed out, all depends on the valuator, because rating depends on the valuation of the property. The Mayor of Perth, in advocating this system of rating on the unimproved value, stated that 1d. 11/16ths of a penny in the pound, say 1¾d., in Perth would bring in practically about the same amount as the general rate at 1s. 6d. in the pound does now. That may be true. I am not prepared to say that statement is not correct, but he never told the other place how this new system of rating would affect different ratepayers in any part of the city; whether some would have to pay 25 per cent. or 50 per cent. more than others. We had no information of that kind whatever. We find from inquiry instituted by the Premier that we have to vary this rate on the unimproved value from 2d. as a maximum in Perth to 9d., and this shows the very great uncertainty there will be in following this system of rating unless very strict and particular inquiry is made in the first instance. I am surprised, and I think it is very much to be regretted, that the Government took upon their shoulders to father a Bill of this kind without making more definite inquiries in the matter. It was, I submit, the duty of the Government before proposing a Bill of this kind in another place to have shown what effect the measure would have on different ratepayers in the different municipalities, or pretty nearly so, and it was the duty also of the mayors and councillors to see how they would be affected. I have been to a lot of trouble to get out a few figures, which members may take as reliable. I have not gone outside Perth, but they are figures which will show what the rate is now; that is to say, the general rate at 1s. 6d. in the pound on the annual improved ratable value, and what the rate would be on the same properties at 2d. in the pound on the estimated unimproved land values. I say the present unimproved estimated values, because I submit, so far as I have been able to gather, there has been no special preparation made even in the city of Perth to arrive at a fair, true, just, and equitable valuation on unimproved values. It has been the custom I suppose both in Perth and other places to set down the estimated unimproved value of the land which hitherto has been rated, and I will give members a few figures. I will start first in Hay Street, on the northern side, commencing not from the corner block, because I believe the corner blocks vary probably more than the other blocks. I will start with P19, Eagle Chambers. This is a half a full grant, having a frontage of 75 links to Hay street. The annual ratable value is set down at £899. The rate paid—that is the ordinary rate of 1s. 6d. in the pound at the present time—is £67 8s. 6d. The unimproved value of that land is put down at £10,788. The ratable value at 2d. in the pound would be £89 18s., or an advance of something over 25 per cent. This is on the general rate only. It is proposed to substitute for this general rate of 1s. 6d. a rate not exceeding 2d. And supposing this rate at 2d. were to be collected, that particular tenant would have to pay an increase amounting to the difference between £67 and £89 on the general rate. The other rates in Perth amount to practically the same, 1s. 5d. at the present time; so that the rates are 1s. 6d. and 1s. 5d.; therefore instead of paying £22 extra in rates, the tenant would have to pay £44 extra. The next building, which has the same frontage has a rental value a little less, but the unimproved value is put down the same and the payment is the same. In those two properties in Perth there is a full grant of 150 links, a chain and a-half frontage, and the unimproved capital value is £21,500 for the full grant. The next grant that we come to is a full grant, in fact it is a little more than a full grant, being 155 links, the Shamrock Hotel. The ratable value of that property is put down at £1,438, or nearly £200 less than the two properties adjoining. The unimproved capital value is set down at £18,600, whereas the property within five links of this frontage is put down at £21,500. The Shamrock Hotel, I suppose,

brings in rent nearly double the others, according to the profits we find hotel-keepers are able to make after paying very exorbitant rents and large sums of money for entry; yet the rental value is put down at £2,096, or nearly £300 less than the two others. I do not desire to weary members, but I am giving these figures, which can be relied upon. I have taken the trouble to verify them, and I am giving them to show how deep is the uncertainty we labour under in attempting to say what the result of the rating would be, if they imposed 2d. in the pound on unimproved values; because practically there has been no satisfactory attempt—no attempt at all—to fix what I may call a fair unimproved value. And, as a matter of fact, from what I have already stated, members will see that the unimproved values will vary by practically 50 per cent., more or less as the case may be. We will come a little farther down: F, 15, another full grant, 150 links; ratable value £1,775, rates, £133. We have already had the unimproved value of the Shamrock Hotel, £18,000, and two other properties, £21,000. We have now with the same frontage in the same street, Moore's building, a huge soft-goods establishment, £24,836. There is another difference of about 50 per cent. in excess of the Shamrock Hotel. The ordinary rate on this would be £133, but on the unimproved value system the amount, instead of being £133, would be £206 19s., or £413 including the extra rates, instead of £260. We go on a little farther; F 13, 150 links, not far from the Economic Stores, on the same side of the street; ratable value £600, rates £45. Under the proposed system the rate would be £83. The unimproved value on the last full grant I mentioned is put at £24,836. That of equally valuable ground, if not more so, close to the corner of William Street, is put down at £10,000; less than half the value of the previous full grant. Does not this show the absurdity of the thing? I am surprised at his worship the mayor, who can boast of six years' service, three as councillor and three as mayor, standing up in another place and making the statement he did that a rate of 1½d of a penny in the pound on the unimproved land value system would give us the same value as the present system. Why did he not tell us how it would affect the different ratepayers? In some cases it would mean ruination to people. I think that is enough to say in regard to those items. Dr. Hackett stated that he would come well off. It is not a very serious item, but the W.A. Newspaper Company has 147 links, practically a full grant. The ratable value is put down at £1,120 and the rate at £84. The unimproved value is put down at £18,000, and the amount payable at 2d. in the pound would be £110. [MEMBER: Cheap.] I am making no comment whether these values are right or wrong. I am only showing the extraordinary discrepancy in the estimated unimproved values of this land, one block adjoining the other. The hon. member says he has no objection to the system personally, but whereas under the present system he is paying £84, he would under the unimproved value system have to pay £110. Taking Lot F 10, with frontages to St. George's Terrace, Hay Street, and William Street, the total valuation is £51,733. The rate at present received at 1s. 6d. is £317, but on the system proposed it would be £431. I will give just one other instance. I am sorry to detain the House so long, but we will go a little farther along Hay Street westward. Lot G 12, which is not the corner block, but on the west of William Street, 150 links; that is a full grant; rental value £690, annual ratable value £414. The rate at present on this is £31 1s. The unimproved value of this property is put down at £9,000. It is almost opposite Foy & Gibson's, or somewhere there about. The present rate is, I say, £31 1s.; and the rate under the proposed system at 2d. in the pound would be £75. The next grant is one well and favourably known as the Bungalow; and if our late Premier, Sir John Forrest, its owner, had been here, this would have frightened him. There are two lots, G 11 and H 14, double the size of that adjoining to which I have just alluded. It is set down at present at the annual ratable value of £460. I suppose one could get it at half that now. The rate is £36. Under the proposed system of 2d. the rate would be £100; and with the sanitary rate, the health rate, and loan rates, the total rating would be £200.

The next grant still farther on has the same frontage of 150 links, a portion of it being taken up by a right-of-way to give access to tenements at the rear, which makes it all the more valuable. Under the proposed system the rate would be £65. At present it is £24 15s. The unimproved capital value would be £7,800. We have one lot to the eastward of these two Bungalow lots at £9,000 and this one on the west side, £7,800; the two aggregating £16,800, two blocks containing the same area as the Bungalow lots, whereas the Bungalow lots are estimated at £12,000. It is quite evident that if £9.000 is a fair value on the one block, £18,000 would be a fair value on the Bungalow blocks which are double the size; and by the same reasoning, if £12,000 is a fair value for the Bungalow blocks, £6,000 would be a fair value for the one block. It would be an absurdity to pass a measure of this kind without the closest investigation as to where we would find ourselves under this unimproved value system. I will only trouble the House with three other items. I will give the ratable value of F 1 to 10, comprising the block bounded by William Street, Hay Street, Barrack Street, and St. George's Terrace. The amount payable on the ordinary rate at present for these blocks is £1,960. Under the proposed system of rating at 2d. on unimproved values, these blocks would pay £2,707, which would be an addition of 50 per cent. Taking lots F 11 to 20, comprising the block bounded by Hay Street, William Street, Murray Street, and Barrack Street, the present rate derived is £1,771. Under the proposed system it would be £2,836, nearly 70 per cent. additional. Then taking the block bounded by Hay Street, King Street, St. George's Terrace, and William Street, the present rate is £545. Under the proposed system it would be £1,100, more than double. If we are to have this enormous increase on some of these items, as I have shown, and on what people consider to be a fair rate at present, as Mr. Randell showed in the case of blocks across the railway line, I think it will satisfy every member, without going into a select committee on this question, that there will be no difficulty in committing this clause to the waste-paper basket, so that we may have something better brought forward in the future.

THE MINISTER FOR LANDS (in reply): I do not intend to make any reply on the second reading of this Bill. I desire to deal with the Bill in Committee, where it may be discussed clause by clause.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 5—agreed to.

Clause 6—Qualification of electors:

HON. M. L. MOSS: There was a principle involved in this clause. In Section 52 of the Act 1900, it was a qualification to vote that rates should be paid by the 1st September. It was an inducement for people to pay their rates. Under this clause the qualification was simply to be a natural-born or naturalised citizen.

THE MINISTER: This clause merely provided for registration. The next clause stipulated that rates must be paid before the 31st October, otherwise defaulters would be disqualified.

HON. M. L. MOSS: Then the returning officer must have two lists before him to show whether rates had been paid. The 31st October was the end of the municipal financial year, and persons not paying rates before the 1st September should not be entitled to vote. The clause should be struck out, as the wording of the section of the principal Act was sufficient.

HON. G. RANDELL: Payment of rates to the 31st October would be inconvenient to the officers of councils. There was no necessity for any alteration to the original Act in this respect.

HON. F. M. STONE: Some means should be adopted by which lists would not be liable to error. At present the person had to pay rates by a certain date before his name appeared on the electoral list; but many persons who paid rates in time had their names omitted from the list. It would be necessary to alter all the dates so as to provide, first of all, that a list be made up of all persons liable to be rated, and if a person paid rates on a certain date that person should be entitled to be placed on the voting list. That would do away with the errors that had crept in in the past. The clause said every person who was the owner or

occupier should be entitled to be placed on the list. Who was the occupier? Supposing in a boarding-house there were fifty boarders, all would be occupiers and entitled to be placed on the list. The keeper of the boarding-house would pay the rates. The work of putting the fifty names on the list was unnecessary. Some definition of "occupier" should be given.

HON. M. L. MOSS: It was defined already—the inhabitant occupier.

HON. F. M. STONE: A boarder living in a house would be one of the inhabitants of the house. He wished to save the town clerk an unnecessary amount of work.

HON. M. L. MOSS: If we left the principal Act alone and did not tinker with it, the system would be perfectly workable. What could be more plain than the state of the law at present? It was perfectly understandable; but if we adopted the clause we would be in a most hopeless muddle. The existing law was desirable except in one regard, that was the proviso contained in Section 52 of the Act of 1900, which provided that a person being the occupier of ratable land was entitled to be enrolled in the place of the owner. That was unjust, the owner being disfranchised.

THE MINISTER: The clause was suggested by the municipal conference. A large number of ratepayers in municipalities omitted to pay their rates by the 1st of September, and when the election was approaching these ratepayers became discontented and caused trouble to the municipal authorities. The conference thought that the time could be extended to the 31st October, when there would be some municipal excitement. People would come forward and pay their rates, with advantage to the municipalities and with satisfaction to the voter.

HON. G. RANDELL: If a person did not pay his rates he did not deserve consideration.

HON. E. M. CLARKE intended to support the clause as it stood.

HON. R. LAURIE: If the clause were passed, one section of the ratepayers would be asked to carry on the work of the municipality to the 30th October, while another section of the community kept their rates in their pockets. As treasurer of a municipality for four years, he knew how impossible it was to get some ratepayers to pay their rates. The rates in the business portion of a town would be paid, but probably in another ward the rates would remain unpaid.

HON. C. SOMMERS: If people did not take an interest and pay their rates they should be penalised by having no vote.

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

HON. F. M. STONE moved an amendment that all the words after "hereby," in line 1, be struck out, and the following inserted in lieu:—

amended by striking out of the said section all the words after "thereof" in the 16th line.

This would have the effect of eliminating the proviso at the end of the clause: "Provided also that the person in occupation of any ratable land shall be entitled to be enrolled in respect of such land instead of the owner." The object of the proviso appeared to be to enroll the tenant rather than the owner on the ratepayers' roll, notwithstanding that the owner paid the rates. By the amendment, whoever paid the rates would be entitled to vote.

THE MINISTER opposed the amendment, which would take away from the tenant a right he now possessed. The tenant paid the rates in every instance, indirectly if not directly. Did not the landlord include the rates in the rent? If not, he was a poor business man.

HON. J. D. CONNOLLY: The tenant voted on all municipal matters that affected the property.

THE MINISTER: Sanitary questions, for instance, concerned not property owners only, but every resident. By the Bill property owners had the sole voice in deciding loan proposals.

HON. R. F. SHOLL: The Minister's argument was good in theory, but did not work out in practice. The tenant could easily make it a condition that he should pay the rates. Frequently the owner paid the rates; and if he did, he should have the vote. The Bill should state distinctly whether the tenant or the landlord should pay the rates.

HON. M. L. MOSS: Municipal government was based purely on a property qualification. Though tenants indirectly

helped to pay the rates and insurances, yet the owner might be paying heavy rates, and be shut out from all voice in the municipal government if his property were tenanted. True, the Bill proposed that none but owners and leaseholders should be heard on loan proposals; while hitherto the tenant had a controlling voice as to these. It did not appear that the striking out of the proviso would give us a perfect system; but he was prepared to listen to any proposal giving the vote to both owner and tenant; otherwise he would support the amendment. If the tenant arranged to pay the rates, he would have the vote: if not, the vote would belong to the landlord. Many landlords were now shut out, though they paid the rates.

HON. T. F. O. BRIMAGE: There seemed some reason in what the Minister said. In a large block of offices each of the tenants should have a vote, even if the landlord paid the rates. The landlord also should have a vote. In the city of Perth he had occupied an office for three years, yet had not a vote, the rates being paid by the landlord. The ownership of a large block should carry more than four votes for mayor. The clause should be postponed for farther consideration.

HON. G. RANDELL: There was no desire to deprive the tenant of his vote, but only to secure to the owner the vote which he ought to have. In New South Wales this was the system, as he understood.

THE MINISTER: It would be better to postpone the clause.

HON. M. L. MOSS: The Minister might during the postponement consult the Parliamentary Draftsman, with the object of drafting an amendment for giving votes to both owners and tenants as ratepayers. A clause of this kind would require careful consideration.

THE MINISTER: This Bill came here from another place, and he could not guarantee to do what Mr. Moss suggested. His intention was that the clause might be postponed to enable members to frame a suitable amendment.

HON. W. T. LOTON: The clause might be passed as it stood and amended on recommittal, the desire being not to exclude the tenant, but to give the owner the right to vote as well as the tenant.

Clause postponed.

Clause 7—Mayor and councillors, by whom elected:

HON. E. M. CLARKE moved that the clause be struck out.

HON. F. M. STONE: The clause had some relation to the previous clause, and should be postponed.

HON. J. W. HACKETT: The connection with the previous clause was not apparent. This clause should be struck out, because it would create two kinds of electorates; for in the central portion of Perth there would be many large properties exceeding £500 in value, and a constituency of large owners would thus be created, while in the poorer suburbs about Perth there would be few such properties, and there would thus be a wide distinction created which was not desirable. The existing law on this subject should be left as it was, and the present clause be struck out; for while he would personally accept a small modification, he was not prepared to go into the large question which this clause would raise.

Clause struck out.

Clause 8—Electoral lists:

HON. G. RANDELL: This clause referred to Section 56 of the Act, and the difference between it and the Act was not obvious, though he had tried to discover it. He moved that the clause be struck out.

THE MINISTER: Looking at this clause and at the existing section in the Act, he could not readily discern the difference.

HON. J. W. HACKETT: The difference was that in the existing Act two lists were created; one for the election of councillors and the other for the election of mayor. The present clause provided for only one list, the difference between the two lists being abolished.

Clause struck out.

Clause 9—agreed to.

Clause 10—Repeal of s.s. (*z*) of Section 94.

HON. G. RANDELL: This clause should be struck out.

THE MINISTER: It was to be hoped this clause would not be struck out. It had been inserted because there had been a great deal of traffic in voting, in connection with absent voting. A man who lived perhaps in Albany was not in a

position to know who would be the most suitable man to elect in say Geraldton, or *vice versa*; having no knowledge of the candidates for the municipal council, he voted haphazard. In connection with Parliamentary elections there was always some guiding principle; but in relation to municipal elections, if one lived at a distance he had nothing whatever to go upon.

HON. J. D. CONNOLLY: One need not vote.

THE MINISTER: But one generally did vote, and perhaps against the interests of the municipality.

HON. G. RANDELL: When speaking on the second reading of the Bill he gave his reasons pretty fully. By repealing Subsection 2 of Section 94 of the principal Act we should be disfranchising a lot of very valuable ratepayers. We should if we passed this clause, be getting rid of what he considered a very satisfactory method of absent voting for one which he was sure would not work out so well, and he hoped that the Committee would insist on retaining the provision in the original Act.

Clause negatived.

Clause 11—Repeal of Section 106:

HON. J. W. HACKETT: The clause might be postponed for the present, for the matter to be brought before the draftsman. He thought we were not prepared to accept the clause in the new Bill, but the section in the old Act required alteration. That section provided that one should keep counterfoils in the same manner as the ballot papers, but did not specify what one had to do with them. He moved that the consideration of the clause be postponed.

HON. G. RANDELL: No doubt the intention when the original Act was passed was that books should be issued, and that persons who took the votes should retain the counterfoils in their possession for some considerable time, to give an opportunity for scrutiny to take place. So far he had heard of no difficulty arising. It would be better if we rejected the clause in the Bill, and attention were given to some amendment of the section on recommittal of the measure, or on the third reading.

HON. J. W. HACKETT: No greater mistake was made by the House than in trying to draft Bills, and above all in trying to draft clauses for final adoption. He had never seen that a success. We should adjourn the question so as to give the Crown Solicitor—upon whom he was prepared to throw all the responsibility, for this was a machinery clause—an opportunity to redraft the clause.

HON. J. W. LANGSFORD: Section 106 of the old Act made no provision for those who were absent on the day of voting. It only provided for those who were registered ten miles away. A ratepayer often had to go away on the day of voting. When the clause was redrafted, that ought to be provided for.

MEMBER: That was provided for.

Clause postponed.

Clause 12—Absent voters:

HON. R. F. SHOLL: This clause, which dealt with absent voters, should be struck out. It was substituted for the original section in the Act which provided for absent voters.

THE MINISTER: This clause was consequential to the clause which had been struck out, and now it would be unnecessary.

Clause negatived.

Clauses 13, 14—agreed to.

Clause 15—Amendment of Section 167:

HON. M. L. MOSS: At the request of Mr. Kingsmill he moved that this clause be postponed to the end of the Bill.

Clause postponed.

Clause 16—Amendment of Section 169.

HON. M. L. MOSS moved an amendment—

That the following words be added: "And by inserting after the word 'thing' in the fourth line of the last paragraph thereof the following words:—And any licensed person committing a breach of any of such conditions."

The difficulty in the section was that we might grant licenses to persons on conditions, and the performance of those conditions was a very important matter, but there was no penalty in Section 169 of the original Act for a breach of those conditions. There was a penalty only in the case of an unlicensed person who did something for which a license might be granted; and the result was that in the event of a person breaking these important conditions the only punishment that could be imposed upon him was to refuse to give him a license the following year.

Amendment passed, and the clause as amended agreed to.

Clause 17—agreed to.

Clause 18—Strips of lands adjoining streets may be included therein:

HON. R. F. SHOLL: What was the meaning of this clause?

THE MINISTER: The clause gave power to municipalities to resume a strip of land not more than 15 links wide to give access to a street dedicated for public use. It would afford a convenience to various municipalities which had made a demand for it.

HON. E. M. CLARKE: When two persons holding adjoining blocks were hostile, the one owner might not meet the wishes of the other owner by giving half the land to form the street along the boundary of the blocks. The one owner would then have to provide the whole of the land to form a street; but sometimes this owner, in order to prevent his neighbour having access to the street, would run the street a little inside the boundary. This provision was to enable the council to resume that narrow strip so as to give the neighbour access to the street; and it also provided that if a man wished to do this sort of thing he must leave a considerable strip of land between the street and his neighbour's property.

Clause put and passed.

Clause 19—agreed to.

Clause 20—Amendment of Section 322, Subsection 7:

HON. M. L. MOSS: This clause provided that only half the fines under the Police Act should be paid to municipalities. At present the municipalities received the whole of the fines under the Police Act. He was sorry to see this effort to cut down the revenue of municipalities. Perth would sustain a severe loss of £1,500 a year. He did not know whether the people of Perth were satisfied to sustain this loss; but he did not think the people of Fremantle would view with equanimity being deprived of such a large portion of revenue. No public money was expended with so much supervision as was the case with the revenue of a municipality; and rather than decrease municipal revenues, the Government should do what they could to increase them, provided the finances of the country would stand it. He objected to the proposal to take away half of these police court fines, and moved an amendment that in line 2 the words—

By striking out the word "all" and inserting "half" in lieu thereof, and—be struck out.

THE MINISTER could not accept it. Mr. Kingsmill could give the experience of the past Government in regard to this matter. The past Government had to adopt strong measures to get over the difficulty. Whenever a prosecution took place under the Police Act the municipality could claim the fine. As a matter of fact only Perth, Fremantle, and Bunbury knew that such a claim could be made; but the result of the section was that the Government had frequently to prosecute people under the Criminal Code to avoid the Municipalities Act; otherwise there would have been an enormous reduction to the revenue of the country. Why should municipalities get all the police court fines? The State paid for the upkeep of the police and magistrates. The provision in the principal Act was extraordinary, and he (the Minister) had been under the impression that it got into the Act by mistake.

HON. G. RANDELL: No.

HON. M. L. MOSS: As a matter of curiosity, what Minister had instructed the Crown Law Department to prosecute under the Criminal Code instead of under the Police Act so that municipalities could be deprived of this revenue? He would not say he did not believe the statement, but he could hardly credit it. The municipal councils carried out important duties, which if the councils did not exist would be thrown on the Government. Since 1900 the municipalities of Perth, Fremantle, and Bunbury had been depending on this income, and in the case of Perth, to slice off £1,500 a year would to some extent unhinge their finances. In Fremantle a considerable amount of injury would be done.

HON. W. KINGSMILL: So far as his memory served him he could not recall any difficulty of the kind the Minister spoke of in the Colonial Secretary's department. He did not know what was done in the Treasury or the Crown Law offices. He did not remember any great trouble arising from municipalities getting all the fines in the past.

THE MINISTER FOR LANDS: What about the betting cases?

HON. W. KINGSMILL: That was a matter for the Crown Law office.

HON. J. W. LANGSFORD: How did the clause apply in regard to municipalities in which there was no police court? In such municipalities cases were taken to the Fremantle or Perth courts. Who received the fines in such cases? The municipality that provided the business for the court ought to receive the fines.

HON. G. RANDELL: In 1895 the municipalities received the fines, and he believed long before that. The Act was not altered in 1900.

Amendment passed, and the clause as amended agreed to.

Clause 21—struck out.

Clause 22—Amendment of Section 325:

HON. J. W. HACKETT: What was the point in this amendment?

THE MINISTER: The council had to prepare an annual statement.

HON. M. L. MOSS: Would the Minister point out briefly what was the alteration effected by the clause.

THE MINISTER: The only difference was that the word "may" was inserted in place of "shall."

Clause passed.

Clauses 23, 24—struck out.

Clause 25—agreed to.

Clause 26—Valuation of tramways:

HON. R. F. SHOLL: The present tramways were paying 3 per cent., and the clause provided that all tramways constructed after the passing of the Bill should pay this amount. When the Perth tramways and the tramways on the goldfields were constructed the promoters were prepared to agree to any tax because they wished to float a company, and in no British town would any notice be taken of the 3 per cent. The Perth tramways had issued debentures to the amount of about £400,000, and in addition there were about £100,000 of ordinary shares. The consequence was that the company had never paid a dividend on the ordinary shares. He moved an amendment:—

That in Subclause (2), line 5, the word "three" be struck out and "two" inserted in lieu.

HON. M. L. MOSS: There was not much in the amendment, for the clause provided that the provision was subject to any agreement made between a municipality and the promoter. A different agreement might be arrived at. The object of the clause was that if an agreement was silent on the matter the promoter would have to pay 3 per cent.

THE MINISTER FOR LANDS: In accordance with an agreement 3 per cent. was paid in Perth, and if the clause were passed 3 per cent. on the gross earnings would have to be paid in all cases, subject to any agreement being come to. This was the law in Queensland. The 3 per cents. covered all rates on buildings and tramway premises.

HON. J. D. CONNOLLY: It would be much better to strike the clause out, for the provision was subject to any agreement entered into between the promoters and a municipality. In some cases a company might be prepared to pay a good deal more than 3 per cent., and any agreement would override the clause of the Bill.

HON. J. W. HACKETT: Better let the clause pass.

THE MINISTER: If the clause did not pass, a tramway company could not be rated except by mutual agreement with the council.

HON. W. PATRICK: Better leave the clause unaltered.

Amendment put and negatived, and the clause passed.

HON. R. F. SHOLL moved that progress be reported.

Motion put and negatived.

Clause 27—Valuation of gas mains and electric lines:

HON. R. D. McKENZIE moved an amendment:

That the words "or water," be added after "gas" wherever it occurs in the clause.

This would apply more particularly to the goldfields, where it would not be fair that suppliers of water should not pay the same rate as suppliers of gas or electric light.

HON. J. W. HACKETT: This would apply to the goldfields water scheme.

THE MINISTER moved that the clause be postponed.

HON. M. L. MOSS: The clause involved an important principle. In a law suit between the Perth Gas Company and the City Council, the Full Court laid down the principle that in putting the annual

value on a gas company's property for rating purposes, the valuer must take into account not only the improvements on the land actually occupied for the manufacture of gas, but on so much of the streets as was occupied by the gas mains. Lawyers generally regarded that as almost impossible. The clause proposed that the assessment should be computed on a percentage basis, as with a tramway company. The Fremantle Gas Company pointed out in a circular how inequitable a percentage of £1 10s. would be as a basis. The Minister should inform the Committee in what amounts the gas companies in Perth, Fremantle, and elsewhere had been assessed on the annual ratable value, the rates paid, and what they must pay if this clause came into operation. While such companies should contribute towards municipal taxation, we should not treat them more harshly than we treated other ratepayers. Last year the Fremantle municipality had serious difficulty with the gas company; and litigation was only averted by a mutual compromise with which neither party was satisfied. A percentage basis was fairer.

Clause postponed.

Clause 28—Amendment of Section 344; notice of appeal:

HON. R. F. SHOLL: An appellant must deposit £1 1s. as security for costs; but in the event of his succeeding, he was not entitled to costs. It was generally recognised that costs should follow the verdict. He would move an amendment to Clause 30.

Clause put and passed.

Clause 29—agreed to.

Clause 30—Amendment of Section 345:

On motion by HON. J. W. HACKETT, clause postponed.

Clauses 31, 32, 33—agreed to.

Clause 34—Power to expend money on libraries, recreation grounds, etc.:

HON. E. M. CLARKE: What was the object of the clause? The second paragraph authorised expenditure on museums, libraries, and reading rooms. For this, Section 276 of the principal Act seemed to give ample power. Most towns spent too much for recreation purposes, while the streets and footpaths were not properly maintained.

THE MINISTER: The clause had been demanded, he thought, by the Municipal Conference. Hitherto there was no power to spend money on libraries or reading rooms.

HON. G. RANDELL: Section 366, Subsection 9, authorised such expenditure from loan. The clause proposed that it be authorised out of rates.

HON. J. W. HACKETT: One of the prime blots on the municipal system was the uncertainty of the law as to libraries, and especially lending libraries. Every town like Perth, Fremantle, or Kalgoorlie, should provide a lending library for its citizens. In all the cities of Europe and in the entire municipal system of the United Kingdom, provision was made for technical education, for free libraries, for entertainments, and for recreation generally. Hitherto these purposes had been met out of loan funds, but now it was proposed that they should be provided out of the ordinary revenue of the municipality, and with this he agreed.

Clause put and passed.

Clause 35—agreed to.

Clause 36 — Farther amendments (schedule):

HON. W. KINGSMILL: This clause provided for a number of amendments to the principal Act, and they were put in the form of a schedule. It was difficult to differentiate between amendments made in the schedule and amendments specified separately in the clauses of the Bill. Why was this form adopted?

THE MINISTER: In speaking previously on this matter, he was under the impression that it was an innovation; but now he found there was a precedent for it introduced many years ago by Mr. S. Burt, when Attorney General.

HON. W. KINGSMILL: What was the object in this case?

THE MINISTER could not say what the object was, unless it was to save space; and the amendments would appear in their proper place when fresh copies of the statute were printed.

Clause put and passed.

Clause 37—Method of showing amendments:

HON. R. F. SHOLL: This dealt with the schedule, and he felt inclined to move as a protest that the schedule be struck out.

THE MINISTER: Another example of what had been referred to was found

in the Criminal Code passed by the James Government.

HON. W. KINGSMILL: That case was all right.

Clause put and passed.

New Clause—Municipal bonded store:

HON. R. D. McKENZIE suggested a new clause (as in Notice Paper) relating to a municipal bonded store at Kalgoorlie, and for making the payment of duty to the Federal Government a charge on the municipal revenue.

HON. M. L. MOSS: Would the Federal Government take the bonds of the Kalgoorlie Municipality?

HON. R. D. McKENZIE: Kalgoorlie was the only municipality in this State which had undertaken this work, and the power proposed in the new clause was necessary to enable the council to guarantee to the Commonwealth payment of duty on goods stored in the council's bonded warehouse.

Subject postponed.

New Clause—Cart licenses, how payable:

HON. M. L. MOSS moved that the following be added as a clause:—

Section 7 of the Municipal Institutions Act Amendment Act 1902 (No. 3) is hereby amended by striking out the word "within" in the said section, and substituting in lieu thereof the words "by the council of."

The provision in the Act of 1902 was that municipal councils might license under the Carts and Carriages License Act of 1886; but the manner in which that section was drawn enabled a person for instance residing at North Fremantle to take out a license there, but use his horses and carts for doing all his business in Fremantle, without paying anything to the Fremantle revenue. The object of the amendment was to require that a person doing business in any municipality with carts and horses should pay a license to that municipality. Under the old system a license taken out was operative all over the colony.

HON. J. W. HACKETT: How could this be remedied?

HON. M. L. MOSS: A carter should be required to take out a license in the municipality where he carried on his business, and the new clause provided that this should be done.

HON. W. KINGSMILL: Would it not be possible, under the present legislation, for adjoining municipalities to come to an agreement in regard to the licensing of carters who resided in one municipality and did their business mostly in an adjoining municipality? It looked almost like greed on the part of one municipality to claim the whole amount of the license in such cases.

HON. G. RANDELL: Was it fair that roads should be cut up as they were by people who lived outside Perth carting heavy materials into the city, and that these people should not pay the municipality of Perth for a license? He believed that a person who had a two-wheeled sulky had to pay £1, whereas a man paid for a heavy cart 10s. He was not referring to any carts excepting those engaged in carting heavy material and which belonged to people residing outside Perth. It might be said that a carrier was conducting his business for the convenience of the public; but at the same time it could not be denied that he was carrying it on for his own benefit; so he ought to pay something to the revenue of the city. One was not referring to vehicles plying between one locality and another regularly, whether they were trams, 'buses, motor cars, cabs, or buggies.

HON. W. PATRICK: If the arguments of Mr. Randell and Mr. Moss were applicable, they went to show that licenses should be abolished altogether. It was impossible to arrange licenses so that they should act quite equitably. It would be better to leave the provision as it stood.

On motion by the MINISTER, progress reported and leave given to sit again.

BILLS, FIRST READING.

(1) DISTRESS FOR RENT RESTRICTION (2), LICENSING ACT SUSPENSION, received from the Legislative Assembly and read a first time.

SUPPLY BILL (No. 4).

ALL STAGES.

Received from the Legislative Assembly, and read a first time.

On motion by the MINISTER FOR LANDS, the Standing Orders suspended to allow the Bill to be passed through the remaining stages at one sitting.

Bill passed through the remaining stages without debate.

ADJOURNMENT.

The House adjourned at 9·27 o'clock, until the next day.

Legislative Assembly,

Tuesday, 13th December, 1904.

MR. SPEAKER took the Chair at 2·30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR WORKS: Return showing estimated cost of Marble Bar Section of Port Hedland-Nullagine Railway, with books of plans.

By the MINISTER FOR RAILWAYS AND LABOUR: 1, Return showing stock killed on and cost of fencing Bridgetown Railway, as ordered by the House on 6th December. 2, Closing of Wiley's railway siding, papers moved for by Mr. Nanson.

By the COLONIAL SECRETARY: Additional Regulations relating to the management of Prisons.

LAND SOLD FOR RATES IN ARREAR.

MR. RASON had given notice to ask the Premier:

1, What are the number and particulars of the blocks recently sold at Cottesloe for non-payment of rates? 2, What are the names of the purchasers and the prices paid? 3, What is the amount of rates due upon each lot?

MR. SPEAKER: The proper form would be to move for a return.

THE PREMIER: The information was now available, if desired.

MR. RASON: That being so, any member besides himself desiring to see it could do so.

QUESTION—JANDAKOT RAILWAY ROUTE.

MR. GORDON (for Mr. Diamond) asked the Minister for Railways: 1, Has the route for the Jandakot Railway as far as the Agricultural Hall, Forrest Road, been decided on by the Government? 2, If so, will the Government inform the House as to the details of such route?

THE MINISTER FOR RAILWAYS replied: 1, Route has been decided upon as far as the Agricultural Hall. 2, Plan showing details will be laid upon the table to-morrow.

QUESTION—RAILWAY TICKETS, TENDERS FOR SUPPLY.

MR. NEEDHAM asked the Premier: 1, What was the latest date to receive tenders for the supply of railway tickets? 2, Is there a local firm that required extension of time in order to allow them to get information to enable them to tender for the supply? 3, Were any tenders received from England, or elsewhere outside of the State, after the date advertised for receiving same? 4, If so, why was the local firm refused extension of time by the Tender Board?

THE PREMIER replied: 1, Noon, 21st November, 1904, simultaneously in London and this State. Advertisement first appeared in local papers on the 28th September, 1904. 2, Yes. Messrs. Detmold, Ltd. This application was not entertained, as the Tender Board considered ample time had been given, viz. between seven and eight weeks, to enable intending tenderers to obtain necessary information. 3, No. 4, Answered by No. 3. The lowest local tender was £117 13s. 1d., and the Agent General's cable tender was £84 3s.