

which case we should be doing nothing but feeding doctors all our lives.

On motion by the TREASURER, debate adjourned.

#### ADJOURNMENT.

The House adjourned at eleven minutes to 11 o'clock, until the next Tuesday.

### Legislative Assembly,

Tuesday, 31st July, 1906.

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

#### PRAYERS.

#### PAPERS PRESENTED.

By the MINISTER FOR MINES AND RAILWAYS: 1, Comparative Statement of Railway Timber Freights in Western Australia and Eastern States.

By the MINISTER FOR WORKS: 1, Return of Moneys expended on the Metropolitan Sewerage Scheme. 2, Plan of Reticalation of the Metropolitan Sewerage Scheme.

By the TREASURER: Report of the Education Department, 1905.

#### GOLD STEALING, A CORRECTION.

THE MINISTER FOR MINES mentioned that in the typing of Detective Kavanagh's report on gold stealing, an error occurred, the word "ounces" appear-

ing instead of "pounds," after the words "many thousands."

#### QUESTION—AFGHANS EMPLOYED, WHY.

MR. HOLMAN asked the Minister for Works: 1, Is he aware that Afghans are employed carting material, stores, etc., also repairing saddles, on Tulloch's section of the rabbit-proof fence? 2, Will the Minister issue immediate instructions that their services are to be dispensed with, and the work given to white men who are available and anxious for the work? 3, Is it his intention to issue general instructions that, under no consideration, are Asiatic aliens to be given employment while white workers are available?

THE MINISTER FOR WORKS replied: 1, Yes. The transport of fencing material is carried out by Government and contract teams, the owners of the latter being paid at per ton and employing their own drivers, some of whom are Afghans. The latest Government pay-sheets show that two Afghans are on wages, one Zereen has been continuously in employ of the department since 12th January, 1905, the other, Sultan, has been in the employ of the department since 18th March, 1906, engaged on special repairs to saddles. 2 and 3, Owing to the distance from the nearest base to the head of the fence (300 miles from the north coast) it is necessary to employ all available means of transport at Government rates. The foremen in charge have explicit instructions that, wherever possible, white labour only is to be employed.

#### QUESTION—MINE ACCIDENT, MURRIN.

MR. LYNCH asked the Premier: 1, Was an inquest held on the body of Peter Touhy, who was killed at the Princess Alex mine, Murrin, on 23rd June last? 2, If not, why not?

THE PREMIER replied: 1, No. 2, Because, when considering all the circumstances of the case, the Resident Magistrate was of opinion that an inquest was unnecessary.

#### QUESTION—LABOUR BUREAU, PERTH.

MR. TROY asked the Premier: 1, What is the salary of the correspondence

clerk and registrar at the Government Labour Bureau, Perth? 2, What was the total number of individual registrations and renewals dealt with last year at the Perth Office? 3, What is the total number of officials employed in the men's and women's branches of the Perth office of the Labour Bureau. 4, What is the total amount of their salaries?

The PREMIER replied: 1, There is no correspondence clerk and registrar. The officer-in-charge receives £170, and the clerk who assists generally £110 per annum. 2, Registrations 5,213, renewals, 3,039. 3, Four. 4, £460.

#### BILLS (2)—THIRD READING.

(1) GOVERNMENT SAVINGS BANK, (2) LEGAL PRACTITIONERS ACT AMENDMENT, transmitted to the Legislative Council.

#### BILL—STAMP ACT AMENDMENT. RECOMMITTAL.

MR. SCADDAN moved that the Bill be recommitted for amendment.

THE TREASURER, in explanation, supported the motion, and apologised for having omitted, when the Bill was in Committee, to explain why Clause 2 of the Bill was amended by the addition of paragraph (e.), reading, "Under the heading 'Policy of Insurance on any vessel,' all the words and figures from the word 'Policy' to 'and see Sections 67-69,' inclusive, are struck out." The principal Act provided that marine policies should be taxed at 6d. for every £50, or 1s. per cent. Recently it had been pointed out to him that certain marine insurance business, such as the insurance of gold, effected at between 2s. and 2s. 6d. per cent., was absolutely lost to companies operating in this State. Marine policies were quite free from taxation in South Australia, Victoria, and Tasmania, while in New South Wales and Queensland the duty was 3d. In Britain it was 1d. for every insurance effected at a premium of 2s. 6d. or under, and 3d. if effected at a premium exceeding 2s. 6d. It would thus be seen how easily this class of business could be driven from the State; for to avoid the tax an insurer had only to wire to South Australia or, as was usual, to effect the insurance in London. On a 2s. 6d. pre-

mium a 1s. duty was of vital moment, for it raised the premium to 8s. 6d. per cent., and insurers would not do business locally. The Government had therefore been losing not only the stamp duty but the one per cent. payable by insurance companies on their gross business, in lieu of dividend duty tax. Hence he had concluded that the best course was to bring marine policies under the ordinary rate of 3d. per cent. when the premium was above 2s. 6d., and 1d. when under 2s. 6d.; in other words, to make the rate identical with that payable on this class of policy in the sister States mentioned and in England. The object was to secure for this State the revenue now slipping through our hands. He made this explanation so that, if desirable, members could on recommitment discuss the amendment.

Question put and passed.

#### IN COMMITTEE.

New Clause—Friendly Societies' Receipts:

MR. SCADDAN moved an amendment—

That paragraph 8 under the heading "Receipts," in the schedule to the principal Act, be struck out, and the following paragraphs be inserted in lieu:—

8. Receipt given by any registered friendly society, lodge, or branch, for any money paid to such society, lodge, or branch, by any of its members or by any other society or any lodge or branch.

9. Receipt given to any registered friendly society for any money paid by such society to any of its members or to any person claiming under any of its members.

10. Receipt given by any labourer, artificer, or workman for or on account of wages received by him.

Under the principal Act receipts given by the society for money paid to it by its members were exempt; and the amendment would farther exempt receipts given to the society by members, and receipts for moneys paid to any person claiming under a member, such as the widow of a member. Friendly societies, though not exempt to the extent indicated in the amendment, had not until recently been stamping any receipts, except those given by doctors for fees. Recently the societies were notified that all receipts except those given to members for dues paid must be stamped. The amendment would not affect receipts for public

moneys, but only receipts as between member and society or as between two societies.

**THE TREASURER:** The original Act provided that moneys received by friendly societies from members were exempt from taxation. It was therefore fair that we should exempt moneys paid out by friendly societies to their members.

Question passed.

Bill farther reported with new clause.

#### BILL—FREMANTLE RESERVES.

##### MUNICIPAL POWER TO SELL.

##### SECOND READING MOVED.

**THE PREMIER** (Hon. N. J. Moore) in moving the second reading said: In 1902 the Fremantle Municipal Council were granted the fee simple of Fremantle town lots 711 and 712, on condition that lot 711 be improved as a recreation ground and that portion of lot 712 be devoted to the extension of Church Street connecting with Attwell Street, while the balance was to be used for municipal purposes. In accordance with these conditions the council provided the thoroughfare referred to; but as there are now other recreation grounds in the vicinity, permission is sought by the council to sell the two blocks referred to, on condition that the proceeds of the sale shall be applied to improving reserve No. 1513, which is at present in the possession of the council and is better adapted for recreation purposes than the two small blocks referred to. As the deed is for a specific trust, no dealings can be registered in the Titles Office in regard to these two lots; consequently it has been found necessary, before any transfer can be registered, that a special Act of Parliament shall be obtained to give the council the necessary permission. I have had a lithograph prepared showing the lots referred to, and on inspection of the lithograph members will understand that the lots are absolutely unsuitable for recreation purposes. I have pleasure in asking that the permission now sought be granted.

**MR. T. H. BATH** (Brown Bill): I have always in this House, when questions of this kind have arisen, taken objection to any change in the dedication of land or to allowing people in whom a

reservation has been vested to sell it with the idea of using the funds for some other purpose. The House is called upon from time to time to grant these reserves for various purposes, and apparently one of these lots, No. 711, was granted for recreation purposes and the other for municipal purposes. I think we should have some substantial evidence supplied to us as to the wisdom of allowing the change, before we consent to an alteration in the dedication or to an alteration in the purpose for which they were originally designed. The Premier has not informed us as to whether lot 711, which was originally granted for recreation purposes, has been put to the purpose for which it was granted, that is whether the Fremantle Council has since 1902 devoted the land to the purpose for which it was granted. If it has not, then we should pause before we pass a Bill of this kind to allow the council to sell the block and devote the money to some other purpose. We have not had an opportunity in connection with this proposal to find out exactly where the reserves are situated, and whether the proposal is one that is commendable. I think we should have some information from the members for Fremantle before we consent to the second reading of the Bill.

On motion by Mr. TAYLOR, debate adjourned.

#### BILL—NELSON AGRICULTURAL SOCIETY LAND SALE.

##### SECOND READING MOVED.

**THE PREMIER** (Hon. N. J. Moore): This Bill is somewhat similar to the Fremantle Reserves Bill, only in this instance it is for giving power to trustees of a certain recreation ground at Bridgetown to sell the ground with the object of devoting the proceeds to the improvement of a recreation reserve outside the town. We are bringing in this Bill in accordance with a promise made by an ex-Premier (Mr. Throssell) some years ago when on a visit to Bridgetown. The Bill has for its object the giving authority to trustees of this agricultural society to dispose of these two lots, 29 and 30, and to apply the proceeds to the improvement of reserve 6877. It has been found that the present show ground is not nearly large enough for the wants of the

district or the society, and the trustees, Mr. Allnutt and Mr. Doust, have practically decided to sell certain of these blocks of land with the view to devoting the proceeds for improving a reserve of 16 acres in the vicinity of Bridgetown.

MR. TAYLOR: How far is it from the present site?

THE PREMIER: A little more than half a mile. The present block is only some four acres in extent. It will take a considerable amount of money to improve the new ground, because it is heavily timbered. A deputation waited on me quite recently in connection with this matter and asked me to redeem the promise made by Mr. Throssell. It was anticipated that it could be done without having recourse to Parliament, but the Registrar of Titles informed me that it would be much better if parliamentary approval were obtained. I regret that the hon. member for Nelson (Mr. Layman), who has a thorough knowledge of this subject, is not here to-day to support the second reading.

On motion by MR. BATH, debate adjourned.

#### BILL—LAND TAX ASSESSMENT.

##### MACHINERY MEASURE.

##### SECOND READING MOVED.

Message from His Excellency the Governor received and read, recommending a Bill to provide for the assessment of land for taxation.

THE TREASURER (Hon. Frank Wilson): In rising to move the second reading of this important measure, I do so of course with a certain amount of diffidence, more especially as I recognise full well how repugnant any measure of increased taxation is to people of the British race. I assure members that if I could have had my way, and if members of the Ministry could have had their way and could have seen any reasonable probability of being able to do without farther taxation, we would have been only too pleased to omit a measure of this description. But we have a duty to perform to the country, and being Ministers of the Crown and members of this Parliament, we must see that the finances of the State are kept on a solid founda-

tion, that the expenditure is as far as possible covered by the revenue derivable from year to year; we must see that the revenue, if it has been depreciated in any shape or form, is kept at any rate at a figure commensurate with the needs of the country; and if the incidence of taxation has altered or changed so as to seriously affect the revenue, it must be our duty to endeavour to set it right. If it is found necessary by the representatives of the people in this Parliament to raise money to carry out any specific aims for the benefit of the people, the Government must then take into consideration the ways and means for that purpose, and suggest to Parliament how it should endeavour to provide the additional funds. If there is a shrinkage of revenue from any cause, that shortage must be made good; and to in a general way provide for the needs of the country I take it it is the duty, not only of the Government but of Parliament, to consider what is the best means for raising revenue, what is fair and equitable to our citizens, and then to fearlessly bring such measures before Parliament, consider them, and pass them so as to make that revenue good. I recognise there are three aspects from which a question of this sort ought to be considered and viewed. The first aspect, and of course the one of paramount importance, is whether it is necessary, whether we require this extra revenue. Then we have to consider from every point of view whether the proposition we are putting before Parliament is a fair and equitable means of raising revenue from the people. And we have farther to take into consideration very carefully whether taxation of this description lends or tends to the prosperity of the State as a whole, and in that respect whether it will deter land settlement, which is of such importance to us at the present moment. To deal with the first aspect of the question, whether we require this increased revenue, I propose as briefly as possible, and as concisely, to place before members certain figures to show

##### *How the Revenue has Decreased*

in certain respects. We take the great revenue-raising department of the Customs. That of course, as hon. members are aware, has passed out of

our keeping for the last five years to the Federal Government and the Parliament. During the first nine months of Federation, that is from the 8th October, 1901, to the 30th June, 1902, nine months, we collected under the uniform tariff £1,134,000—I am purposely omitting the odd pounds and hundreds, so that members may follow me more easily. Under the special tariff, the interstate duties that Western Australia was permitted to impose for five years under the sliding scale, we collected £201,000; and the surplus revenue returnable to the State was £1,225,000, that was for the nine months. In the next year 1902-3, the uniform tariff provided £1,162,000, very little more than was received during the nine months of the previous year, and £223,000 was collected under the special tariff; very little more, as members see, than in the previous nine months, the surplus returnable to the State being £1,255,000. In 1903-4, under the uniform tariff we collected £1,061,000, under the special tariff £196,000, and the surplus returnable to the State was £1,065,000. In 1904-5, we collected under the uniform tariff £1,029,000, under the special tariff £142,000, and the surplus returnable to the State was £1,027,000. It is estimated for the year 1905-6 just completed, and for which we have not the actual figures and shall not get them until the Budget Speech is delivered by the Federal Treasurer this afternoon, that the uniform duties will be £1,031,000, special duties £73,000; but I can tell hon. members the actual revenue derived was only £872,000, that is the amount of surplus returnable to Western Australia only amounted to £872,000; a falling-off, therefore, as will be seen by members, of £352,084 in four years, in the Commonwealth surplus revenue. In addition to that, during that period we have to consider the increases in our interest bill and sinking fund. Our

#### *Interest Bill and Sinking Fund*

during the year 1901-2 was, when we first entered Federation, £602,138; last year it was £822,036, an increase of £219,898. Arising from this revenue decrease and interest increase, there was a shortage as compared with the year 1901-2 of £571,982. We were this

amount worse off last year than the year when we entered Federation, as far as revenue and interest bill added together are concerned; so that we had, in round figures, £571,000 less of consolidated revenue available for expenditure for general purposes last year than we had five years previously. This year there will be a farther decrease in the Commonwealth revenue, estimated at least at one hundred thousand pounds, and a farther increase in interest and sinking fund account of at least £30,000; so that the shortage, putting all these items together, amounted to the fairly respectable and large sum of £701,982. I do not want members to run away with the idea that there is no compensating aspect of the question. There is the State revenue, as distinct from the Commonwealth revenue. This has increased in four years by £556,901; and the principal increases are shown under the head of harbour dues, which increased from £23,000 to £70,000—that is between the year 1901-2 and the year 1905-6; the land revenue increased from £145,000 to £191,000 (in these instances also dropping the hundreds); the mining revenue has increased in five years from £113,000 to £170,300; and licenses have increased from £29,000 to £42,000. Railways increased from the very respectable amount of £1,486,000 to £1,648,000; water supply, including the goldfields water supply scheme, jumped from £15,000 to £114,000; stamp duties increased somewhat; and the dividend duties increased from £85,000 to £137,000; so that we have a very respectable increase in State revenue in the sum I mentioned, £556,901.

#### *Expenditure, how Increased.*

On the other hand, we had also considerable increases in the Land and Surveys Department, the Agricultural Department, and the Mines Department expenditures during the same time. The expenditure in these departments jumped from £173,000 in 1901-2 to £392,000 in 1905-6, the last financial year.

MR. ILLINGWORTH: Does that include the purchase of copper?

THE TREASURER: I cannot now say. That shows an increase of £219,000 for

new departmental works in the Lands and Mines Departments last year. Taking this amount from the increased revenue, we have £337,000 available as a setoff against the decreases I have just explained in our Customs revenue through the Commonwealth Government and the increase in our interest bill; that is, we have £337,000 available to set off against the decrease of £701,000 shortage mentioned. This leaves a net shortage of £364,000 this year as compared with the year 1901-2 when we entered the federal compact, and not taking into consideration any new growth of development such as in the Education Department, which naturally goes on increasing as population increases and the settlement on our land takes place and mining increases on the goldfields. Wherever there is settlement, we have to give the people educational facilities, and the Education expenditure has increased during the last four years by £64,000. To decide this question as to the necessity of raising farther revenue either by this proposed land tax or by other means, let us compare it in a different way. Let us compare the last year 1905-6, and the present year 1906-7.

#### *Recent Deficits.*

Last year we had an actual deficit, as members are aware, not including the deficit brought forward from the previous year, of £73,378 for the year. This, I want members to know, was with an expenditure in the Public Works Department of only £238,000, much less than has been expended out of revenue for a considerable time. In addition, it is estimated that, as I have previously explained, the surplus received from the Commonwealth by this State will be £100,000 less than last year. This is made up by the abolition of the State duties, estimated last year at £78,000. That, of course, was out of the pockets of the people. That reduction is caused by the shrinkage in the uniform tariff, and perhaps—I hope not, but perhaps—to some extent by increased expenditure on the part of the Commonwealth. Interest and sinking fund, as previously explained, will be this year at least £30,000 more than last year. Twenty-six thousand pounds of this is interest and sinking fund on the 1901 loan, of which only a portion was chargeable last year. As

members know, a certain period elapses before interest is chargeable, and of course it is only chargeable as the money is raised from time to time. The balance of the £30,000 which it is estimated we will have to provide this year in excess of last year for interest and sinking fund, is for farther contemplated loan. So that we have briefly this position. The expenditure for 1905-6 was £3,632,318, and the revenue for that year was £3,558,940, leaving a deficit of £73,378; Commonwealth shortage next year, £100,000, increased interest and sinking fund, £30,000; total, £203,378. To which has to be added the deficit for 1904-5, £46,521, leaving a shortage of £249,899. These figures, I submit, show that we have a quarter of a million of money to make good, even if our expenditure is on exactly the same scale as it was last year; and I ask members to take into earnest consideration how we are to make good this quarter of a million.

MR. JOHNSON: How about the restoration of confidence?

MR. HEITMANN: It is dead.

THE TREASURER: The restoration of confidence is all right. Has the hon. member lost confidence? I have not.

MR. FOULKES: Can you guarantee that it will put us right?

THE TREASURER: I cannot guarantee it; I am asking members to assist me to put it right. The very reason I am introducing this measure is that Parliament may realise its duty and responsibility to assist me to put this matter right.

#### *Reasons for Taxing Land.*

I think members will agree that the figures show there is necessity, and we want to admit the fact that there is necessity, for some farther means of raising revenue, and that this tax is therefore necessary in the best interests of the country in that respect. Now we have to consider the question as to whether it is a fair and equitable tax to place on the people of this country; and I look at it broadly from this aspect, that the land is the foundation or basis of all wealth, that it gains in value from population living on it and surrounding it or working it, that it gains undoubtedly in value from the industry of all people, all classes of people, in the country. And

the action of the Government, whatever that action may be, tends to increase that value. [MR. HEITMANN: Change your seat; come over to 'this side.] As the land belongs to the country, it is a national asset. I do not care if it is held in fee simple or is held under lease, as leasehold the land is a national asset, and cannot be removed from the country. So long as we take care to protect the small man who is struggling to establish a home, so long as we take care to protect the small agriculturist who is struggling to establish himself on the land, to settle it and make it bring forth the wealth so necessary for the well-being of the people, I think we must admit that this is a fair and equitable tax to submit for the approval of Parliament and the people. There is another aspect to take into consideration, and that is the example set by other States, and the fact that so many British Parliaments have approved the principle of the taxation of land. We find that in all the States of the Commonwealth, with the exception of Queensland, there is a land tax of some description or other, and in New Zealand they have not only an ordinary land tax but a progressive land tax as well. (Interjection.) We can, if Parliament wishes it, impose a progressive tax or an ordinary tax, whichever members think desirable. We may come to the conclusion that this taxation is fair and equitable, and also to the conclusion that it will not deter settlement on the land. So long as we can pass reasonable exemptions, it ought not to be any deterrent to settlers going on the land; and when we get down to that portion of the Bill members will see for themselves that it is proposed to give fairly liberal exemption to those settled on the land—up to £250 in value total exemption; and up to £1,000 in value, exemption to the extent of £250. I look at the other States and I find that people have continued to settle upon the lands of New Zealand, New South Wales, Victoria, and South Australia, where such a tax as this is in vogue. And I hope that if it is a deterrent at all, it will deter those large holders who are simply holding for speculative purposes, in order to get the unearned increment.

MEMBER: The member for Claremont.

THE TREASURER: I do not think there is any reference to the member for Claremont (Mr. Foulkes), because he has improved his land and spent a lot of money.

MR. FOULKES: It seems rather strange to hear these views from you.

THE TREASURER: The hon. member has evidently not read the Bill, or not listened to my remarks. I wish to point out to the House that this is merely a machinery Bill: in itself it does not provide any actual taxation. It is a Bill to provide for the assessment of land, so that it may be taxed annually or from time to time as Parliament may decide, and at such rates as Parliament may determine.

#### *The Taxation Bill*

will be introduced at a later date. I have no doubt—

MR. STONE: We want the amount fixed.

THE TREASURER: I shall be glad if members will kindly give me an opportunity to get through. It is not an easy job.

MR. STONE: I know that, not for you.

THE TREASURER: I mean that it is a most intricate question, a most complicated question, and I think members might just remain quiet until I get through; they will then have an opportunity of speaking. I was about to remark that I hope the Taxation Bill itself, providing for the amount—and I may as well inform members that it will probably be 2d. in the pound, with exemptions of course as specified in this Bill—will be down to the House before we get through Committee on the present Assessment Bill. Perhaps it may be interesting, and assist members in considering the merits of the measure, if I briefly recapitulate some of the

#### *Systems in other States*

which are now in vogue. In New South Wales they have an Assessment Act, the same as we propose introducing here. I may say at once that our measure follows pretty closely the lines laid down in New South Wales. The land tax is passed separately, as we propose, with a view to periodical amendment as the necessities of the State require, the tax holding good until such

amending Act is passed. At present the tax is 1d. in the pound on unimproved values, and it is imposed on all lands, town and country. But they have exemptions, which hold good throughout, to any one person or company, up to £240. This amount is clear from all assessments. The amount collected under that Act in 1905—the last year for which we have a record—was £323,267. The Act is administered by three commissioners. In Victoria they adopt another system altogether. There the land tax is specified in the Assessment Act. It is fixed at  $1\frac{1}{4}$  per cent. on the capital value, but it is levied only on estates of 640 acres and upwards. Under 640 acres they are exempt, but separate areas not more than five miles apart owned by one person and making 640 acres or more are liable to taxation. There is, however, a large monetary exemption in Victoria, up to £2,500. So members will see at once, in this respect, the tax is upon rural or country lands only. It aims at large estates, and not at small holders. The Act is administered by three commissioners. There are classifiers appointed as required, and the land is valued under a unique system, as to the number of sheep it will carry. It is classified in four classes, according to the number of sheep it will carry, on the following scale:—If it will carry two sheep per acre, the land is valued at £4 per acre; one sheep and a-half, £3 per acre; one sheep, £2 per acre; less than one sheep, £1 per acre. That is the system adopted in Victoria. There is an appeal to the commissioners from the classifiers, if deemed necessary by the taxpayer. In 1904-5 the amount collected was £97,840.

MR. H. BROWN: Will you give us the cities?

THE TREASURER: I cannot. The hon. member surely did not listen when I was explaining that this tax is only levied on estates of 640 acres and upwards, and is actually a tax on country lands only in Victoria. In South Australia, for the year 1905 the tax was  $\frac{3}{4}$ d. in the pound on the unimproved value, with an additional  $\frac{3}{4}$ d. in the pound on estates over £5,000 in value; and I was informed this morning by wire that this year there is to be a  $\frac{1}{2}$ d. tax instead of  $\frac{3}{4}$ d. There are no exemptions in South Australia, except for the

additional tax. In South Australia the absentee question comes into force after an absence of 12 months. After such absence they have to pay 20 per cent. extra. The Act is administered by one commissioner, and the amount collected in 1904-5 was £115,033. In Tasmania, as in Victoria, the tax is evidently framed so as to affect rural lands principally, instead of town lands. They have a progressive tax in force in that State, and the scale ranges from  $\frac{1}{2}$ d. to 1d. in the pound in the following scale: If the value is under £5,000 they pay  $\frac{1}{2}$ d. in the pound; between £5,000 and £15,000,  $\frac{3}{4}$ d. in the pound; between £15,000 and £40,000,  $\frac{1}{2}$ d. in the pound; between £40,000 and £80,000,  $\frac{3}{4}$ d. in the pound; over £80,000, 1d. in the pound. The amount collected in 1904-5 was £54,151. I may say that the machinery clauses in the Tasmanian Bill are practically the same as in New South Wales, and what we propose to hon. members to adopt in our Bill. In New Zealand the Assessment Act fixes the progressive land tax, and they have in addition what is termed an ordinary land tax, which is fixed annually by a rating Act, both on unimproved values. The progressive land tax is levied on all land having a value of £5,000 and upwards. The scale varies by stages of 1-16d. in the pound for land between £5,000 and £7,000, to 3d. in the pound on land over £210,000 in value. It is a very comprehensive scale, and there is great variation. Members will perceive that the lowest value taxable is £5,000; so that the New Zealand exemption is very extensive.

MR. COLLIER: That is under the progressive tax.

THE TREASURER: That is so. Absentees for 12 months are taxed 50 per cent. higher than the schedule rates. The ordinary land tax for 1904-5 was 1d. in the pound; and native land occupied by Europeans was, I am informed, taxed at  $\frac{1}{2}$ d. The exemption on all land up to £1,500 in value is £500; that is, the owner of land valued at £1,500 pays on £1,000, diminishing on a sliding scale for land values exceeding £1,500, and ceasing on land valued at £2,500. The amount collected in 1904-5 was £352,854; and I may mention that owing to deductions by way of exemption, the number of land taxpayers represent only 20 per cent.



of the total land-owners in the country. A section in the Act provides that if land is undervalued by the owner, and he refuses to increase the valuation as required by the commissioners, the Government may repurchase the land at a sum representing an increase of 10 per cent. on the owner's valuation. In the sister States the cost of administering the land tax Acts varies. I may say at once that I cannot well distinguish the cost of collecting the land tax from that of the income tax where land and income tax are combined, as they are in most of the States. In New South Wales the land and income tax cost 7·74 per cent. to collect; in South Australia, 4·70 per cent.; in New Zealand, the graduated land tax and the mortgage taxes together cost 4·28 per cent.; and in Victoria the cost of collecting a land tax only is 2·30 per cent.

*Proposed Rebate, 50 per cent.*

I now return to our own Bill, which will substantially enact the Assessment Act of New South Wales, providing for the assessment of all improved or unimproved lands. But in addition to the provisions taken from the Act of New South Wales, we have introduced a rebate of 50 per cent. of the tax to be levied on the unimproved value of improved lands. Wherever the owner has shown himself willing and anxious to improve his land, and has improved it to the extent of 50 per cent. of the unimproved value, he is chargeable with only half the amount of tax levied by the Act which Parliament may pass.

MR. GULL: That applies to all estates?

THE TREASURER: That applies to all estates, under different conditions which I will explain later on. The preliminary clauses of the Bill contain some important definitions.

MR. BOLTON: The whole Bill is only preliminary.

THE TREASURER: It is only a machinery Bill for the purpose of assessing land for taxation, and providing the necessary machinery for collecting the tax when it is imposed. In the preliminary clauses the definitions of "owner" and "unimproved value" are most important, and I desire to call members' attention to them. The term "owner"

includes lessees under the Land Act of 1898, trustees and mortgagees in possession, and protects the Crown against bogus transfers for the purpose of evading the tax. The clause farther defines the meaning of unimproved land. Provision of course is made for the appointment of the necessary officers to administer the Act. As I have already explained, there is a provision that Parliament shall from time to time pass a Taxation Act, as in New South Wales. This Bill itself will not come into operation unless Parliament, by a Tax Act, empowers a tax to be levied; and this Bill will stand unaltered unless an alteration be specially provided for in the Tax Act. When we bring in our Tax Bill this year we purpose levying a tax for a year only, so that whatever Government may be in power next year must pass through Parliament an Act empowering the collection of the same or some other land tax.

*Absentees, 50 per cent. More.*

Provision is made that absentees for 12 months from Australia shall, as in the case of New Zealand, pay a tax increased by 50 per cent. In South Australia the absentee pays an increase of 20 per cent. The Bill provides also that foreign companies registered under the Companies Act of 1893 are exempt from these absentee provisions. As is well-known, such companies are forced to have registered officers and attorneys in this State, and therefore cannot, by any stretch of imagination, I think, be termed absentees and treated as such.

*Rebate, how Defined.*

Provision is made, in the case of improved lands, for a rebate; a provision quite new, and is not found in any of the Acts of other States. The reason for it is obvious—to encourage the improvement of land. The tax on improved lands is reduced by one half; and agricultural and pastoral lands are deemed improved if it be certified that the improvement is within the meaning of the Land Act of 1898 or any amendment thereof, or any subsequent enactment, and that the prescribed improvement has been effected. For instance, conditional purchase land will be considered improved if the yearly improvements prescribed under the regulations have been carried out,

and have not been permitted to become exhausted. If the land has been cleared, and has been allowed to fall into disuse and to revert to a state of nature, it will not be considered improved. So long as improvements are carried out from time to time and from year to year, and a certificate is obtained from the Under Secretary for Lands, then these agricultural and pastoral lands will be considered improved, and the owners will be entitled to a rebate of 50 per cent.

MR. GULL: In case of freehold land?

THE TREASURER: In case of all other lands, 50 per cent. of the unimproved value. In case of town lands or country lands, freeholds having improvements to the extent of 50 per cent. of the unimproved value of the lands will be considered improved.

MR. GULL: That will be almost impossible.

#### *Necessary Exemptions.*

THE TREASURER: Then the Bill provides for certain necessary exemptions, such as are found in the New South Wales Act. Roads and parks, church lands, lands owned by charitable institutions, municipal lands and roads-board lands, are all exempt unless they are being utilised for profit. If they are a source of profit to the owners, they come under the Act for taxation. Members will notice also that provision has been made to exempt mining tenements and timber leases. "Mining tenements" include miners' homestead leases and residential areas. It is considered that, generally speaking, these two classes of holding will come within the monetary exemption; and it is hardly worth while bringing them within the four corners of the Bill. Timber leases, of course, are covered by special rentals and royalties. But the most important exemptions of all under this clause are those in respect of lands the unimproved value of which does not exceed £50. That is the first exemption. By it we propose to assist the struggling man who is attempting to fashion a home on his own freehold. We do not think that the worker who has purchased a small block of land for £30 or £40, and who is endeavouring to put up a home on that land, should be taxed under this measure.

MR. COLLIER: He would pay 4s. a year.

THE TREASURER: He would pay 4s. 2d. a year at 1d. rate if the land were improved, and 8s. 4d. if it were unimproved. Farther, we wish to carry out the pledges which I think most members made on the hustings, to exempt those who are struggling to settle themselves on the land, and at the same time to increase the wealth of the country. They are to be exempted to some extent, at any rate during the earlier years of their struggle; and we propose that all lands used for agricultural, horticultural, pastoral, or grazing purposes, the unimproved value of which does not exceed £250, shall be exempt. In the drafting of this clause there is an omission which can be remedied in Committee. We propose to deduct from the value of all lands of this description the sum of £250 until we reach £1,000. Lands valued at less than £250 will be totally exempt. Land valued at £1,000 will pay on £750; and so on. But there will be no exemption over £1,000. I am of course referring to agricultural, horticultural, or pastoral lands. As members will see, these exemptions are new in Australia. They are specially drafted to suit what we consider are the conditions of our country and our people. This provision is made in the Bill so that where two or more persons are jointly concerned in the ownership of land, or are tenants in common, freeholders, lessees, etcetera, they may apportion the tax between themselves according to their respective interests. And any one owner, being called upon to pay the tax for the time being levied on the land, shall of course have the right of recovering from his co-partner or partners as the case may be. The agents for absentees are made liable to pay the tax levied on the absentees' lands; but the agents are liable only for the amount of the funds or the value of the securities in their possession belonging to the absentee, and the agents are of course protected by being given under the Bill power to recover from the owner for whom they are acting, or to retain any moneys belonging to him which may be sufficient to cover the amount paid in taxation.

#### *Assessment Machinery.*

Then there is a number of machinery clauses taken from the Act of New South

Wales. All landholders, whether or not they are exempt under the Act, will be called upon to make certain returns; and the Treasurer, who it is proposed shall administer this Assessment Act, will have power to prepare the assessments on the values of local bodies such as municipalities and roads boards. Members will, I think, agree that this is a wise power to confer. I hope that some provision will be made later on in the Roads Act and the Municipalities Act so that unimproved values may be made by these local bodies, which we can utilize for the purpose of collecting a land tax. Then there is a necessary provision in connection with a Court of Appeal, and anyone may appeal from an assessment to the Court of Review. In the first place the assessors have to make a valuation, and if the valuation exceeds that of the local authority, the owner may appeal to the Court of Review, but no appeal shall lie unless the valuation is greater than the current valuation of the local authority. If an appeal is held to be good and a reduction is made, or if an increase is made and in the meantime the tax has been collected, it is provided that the extra tax may be collected, though a receipt has been given in the meantime. If a man is charged £5 and it is found later on that it should be £6, although the collector may have collected £5 and given a receipt for £5, the taxpayer can be called upon to pay the additional £1. Of course we have no appeal from the Court of Review, its decision being final so far as the taxing is concerned; but there is an appeal from the Court of Review on questions of law to the Supreme Court.

*Collection of Tax, Penalties.*

I may add that there are certain clauses in the Bill dealing with the collection of the tax. The Treasurer is empowered, if the tax is two years in arrear, and after he has given one year's notice by proclamation in the *Government Gazette*, to let the land for a period not exceeding three years, and the rentals he may derive from the letting of the land may be devoted to the payment of the tax, the balance of course being held in trust for the owner. After that period of three years, if the Treasurer does not see an

opportunity of letting the land, he may apply to the Supreme Court to get an order to sell the land to satisfy the payments of the tax that have fallen in arrear. All the remaining provisions of the Bill deal with the power to make necessary regulations, and to provide the necessary penalties. They are all taken more or less from the enactments of New South Wales. There is a penalty for neglecting to give returns, the fine for which is a sum not exceeding £20. There are penalties for wilful neglect, false statements, fraud, etc., the fine being not exceeding £100 and treble duty. These are the ordinary powers which it is necessary we should have in this Bill to enforce its provisions, and to collect the moneys which will be payable under the taxing Act if it be passed. I think I have gone through the Bill as it appears to me pretty fully. I hope I have given members sufficient information.

MR. JOHNSON: I thought the Minister would have at least given an idea of how the land was alienated in the early history of the State, such as that large estate on the goldfields, the Hampton Plains and others.

THE TREASURER: If the hon. member had asked me to give him a dissertation on the early history of Western Australia, including the alienation of certain blocks of land under Crown grants, all of which he is no doubt fully conversant with, I should have been happy to have given it; but I do not think it is any part of the duty of a Minister introducing a measure of this description, taxing all the land in the State, to give the history of certain portions of the State which have been alienated by special grants or otherwise. As a matter of fact, at the present moment I could not recall to memory the history of those special grants.

MR. JOHNSON: That is the trouble. No member knows anything about them.

THE TREASURER: Perhaps the hon. member will give the history himself when he rises to speak.

MR. JOHNSON: No other member has your opportunity.

THE TREASURER: I shall be pleased to give the hon. member every opportunity of getting the information.

MR. BATH: You have not explained why you have divided up the two measures, the tax and the assessment.

**THE TREASURER:** For the simple reason that we consider this the better method of dealing with the subject. We give the machinery in one measure, and if Parliament at any time considers that the necessities of the country do not require the imposition of a land tax, the tax may be dropped.

**MR. BATH:** Why not bring them in simultaneously?

**THE TREASURER:** For the simple reason that the amount of the tax depends on the Estimates, and until I have the figures for the Estimates for this year in my hands, I can hardly advise the Government as to the exact amount of the tax they should ask Parliament to pass.

**MR. BATH:** It has a bearing on the exemptions also.

**THE TREASURER:** I quite admit that; but we should adjust our tax to suit our financial requirements. I think the hon. member will agree with me in that view of the question. In the meantime there can be no harm in taking into consideration the machinery that will give the power to collect the tax when it is passed.

**MR. BATH:** This measure is half tax and half machinery.

**THE TREASURER:** I cannot agree with the hon. member. It is all machinery. This is purely a machinery Bill, just the same as has been in vogue in New South Wales for years past, and was introduced four or five years ago by Mr. Reid when he was Premier of that State. It is drawn up on similar lines, and gives the same powers with the exceptions that I have endeavoured to point out to hon. members.

**MR. WALKER:** How will this be affected by the imposition of a Commonwealth land tax?

**THE TREASURER:** I think that if we do not impose a land tax ourselves we have a much greater chance of having a Commonwealth tax. That is my own opinion. There is going to be a land tax in any case, and we had better impose one ourselves. I hope members will lend every assistance to the Government in discussing this measure in Committee; that they will endeavour to sink any feeling of animosity to the tax; that they will agree that it is shown to be necessary, that it will advance the revenue,

and that it is an equitable tax; and that they will assist the Government in passing a machinery measure which will work well if it is adopted by the House.

**MR. J. E. HARDWICK:** I second the motion.

#### AMENDMENT, TO POSTPONE.

**MR. J. C. G. FOULKES (Claremont):** I intend to move an amendment. We have just been informed that this is a machinery Bill for carrying out certain purposes. Those purposes in this case are the imposition of a land tax. To my mind it seems a curious thing that we are told very little about this tax so far as it affects us ourselves. We have had the fullest and most complete information as to the incidence of the tax in other States, but no information has been given us with regard to the effect a land tax will have in this State. The Treasurer refrains from giving us the amount of the tax because he says the amount has a direct bearing on the Estimates. If I had any doubt as to the necessity for full information concerning the amount of the tax, that doubt was removed at once when I heard the Treasurer make that statement. The amendment I move is—

That the consideration of this Bill be postponed until the Bill declaring the specific amount and rate of the proposed land tax is laid on the table.

The fact that I sit on the Government side of the House will, I hope, be a fair amount of proof to the Government that I, at any rate, do not look upon this Bill as a party measure. I respond heartily to the appeal made by the Treasurer that we should not look upon this as a party measure, and that we should do our utmost to assist the Government in improving our financial position; but I cannot shut my eyes to the fact that it is absolutely necessary, before passing this machinery Bill, that we should have the fullest information possible before us. The Minister says he hopes that before we pass the Committee stage of this Bill the second measure will be produced. He at any rate sees that it is due to the House that members should be given full information as to the amount of tax it is proposed to levy; but I am not satisfied with this general assurance, this expression of hope on the part of the Minister;

and for that reason I hope the Treasurer will agree with me that it is right and fair that we should have full particulars of the second Bill laid before us before we proceed with this machinery Bill. There is no reason why the two Bills should not be discussed practically on the same day, and that the second reading of the machinery Bill should follow the second reading of the taxing Bill.

MR. W. B. GORDON: I second the amendment.

THE PREMIER (Hon. N. J. Moore): I need hardly say that in considering this question the members of the Ministry gave a certain amount of consideration to the question as to bringing in the Taxing Bill with the Assessment Bill. At first when the Bill was introduced it was understood that it could be included, but afterwards it was found that the general custom in measures of this kind has been the procedure which the Treasurer proposes to adopt in the present instance. At the same time we recognise there is no great necessity for getting the second reading of this measure through; but the Treasurer has explained that he was anxious to make every inquiry in regard to his Estimates before he definitely stated the amount of the land tax. In my policy speech I said approximately what amount would be derived with an exemption of £250. It amounted approximately to something like £70,000. That was on a tax of 1d. in the pound with an exemption of £250 on all property. Since then we have altered the Bill to a considerable extent by reducing the exemption on municipal lands from £250 to £50, while the exemption stands at £250 generally, with this exception, that after £1,000 there is to be no exemption at all. That is to say, a property valued at £1,000 will be taxed up to £750. I hope the member will not press the amendment, because I am prepared to give the assurance that before the Bill goes into Committee I shall have the Land Tax Bill brought down. It is simply a question of revenue. If members look at the question from the particular point of view of the valuation of property, they are perfectly competent to make the valuation, for the £70,000 which I referred to was the

amount to be collected on the basis of 1d. in the pound. If rebates are allowed we shall endeavour to obtain all the information on the alteration made, but I can assure members that it is difficult indeed to secure the necessary valuations. The valuations arrived at at the present time are those procurable from the municipal councils and roads boards. I hope the member will not press his amendment, in view of the promise that the Land Tax Bill will be brought down before this Bill goes into Committee.

MR. T. H. BATH (Brown Hill): In regard to this question, I interjected when the Treasurer was speaking that the measure was more than a machinery Bill; that it must be considered as part of the taxing measure. Any one who understands what is meant by the term "machinery Bill" knows it means the machinery in the way of the appointment of officers and the necessary arrangements for carrying any measure into effect; but there are certain provisions in the Bill, the amount of exemption for instance, which cannot by any stretch of imagination be designated as part of a machinery Bill.

THE TREASURER: Mr. Reid called his Bill a machinery Bill.

MR. BATH: In New Zealand when a land tax was introduced, the land assessment and taxation proposals were embodied in one measure; and for an intelligent discussion of the measure by the House we should have both Bills placed before us ere the discussion is entered on, either on the second reading or Committee stage, as it will have a considerable bearing on our attitude towards the taxation proposals, as to the amount or its incidence, when we discuss what exemption should be permitted. There is not the slightest doubt there will be some diversity of opinion as to the exemption and the particular incidence of the tax; and it is opposed to the practice that should obtain in the House on important measures of this kind that a Bill should be emasculated by taking out the very meat of the proposal, the amount of the taxation itself, and embodying it in another measure. We can only have an intelligent discussion, I repeat, on the proposal when we have the two Bills embodied in one measure.

While I have no desire to see the discussion of this proposal postponed beyond the least necessary time, yet I do say we should have had the land tax proposal before the machinery Bill, if the measures were to be considered separately, the tax first and the machinery Bill afterwards, rather than have the machinery Bill placed before us with the promise that the Taxation Bill would be before us at a later date. I hope the Treasurer will see his way clear to postpone the consideration of the measure before the land tax proposal is placed before the House.

**MR. A. C. GULL (Swan):** I hope the Government will see their way clear to accept the amendment. I have very strong views on the question of land taxation, and although I have said before that I am prepared to assist the Government to carry the land tax, still I want to know the incidence of that tax before I am pledged to the principle, because if I do not consider the incidence is fair and equitable to all parties in the community I shall vote against the tax altogether.

**THE PREMIER:** The Treasurer has said it will not be more than 2d. in the pound.

**MR. GULL:** We have not a word as to whether there will be any graduations. If there are to be graduations we should be told so. I cannot understand why the other measure could not have been laid before members at the same time as the machinery Bill. I do not care whether it is a question of Estimates. I do not want it to go to the country, and I know other members are in the same position; that we are to regard this as a stopgap and that if the revenue does not look too good for the Treasurer he will put on another penny in the pound. I am not going to stand that proposition at all. When the Treasurer looks into his accounts no doubt he will find them a good deal worse than when he first looked at them, and then is he to put on another penny? I cannot see why the Government could not take the House into their confidence fully as to whether there is to be any graduation or not. It is to be borne in mind that a very large section of people in the country and the cities are very heavily land-taxed

at present. I am not going into details to-night; I will reserve them for the Committee stage. Estates now under roads board taxation are paying a tax up to 2d. in the pound on the unimproved value; the Government are to put 2d. on to that, and there is almost a moral certainty, the Attorney General notwithstanding, that the Federal Government will put another tax on; that means three twopences. I have a very good case before me, but I am not going to deal with it to-night; I will reserve it for the Committee stage. Then there is another question we must consider strongly, that of exemptions. I have not made any secret of my attitude in regard to this. I consider this tax is imposed for revenue purposes, to take the place of what has been thrown away under the Federal Union. As we desire the tax to take the place of that revenue there should be no exemption whatever: let everyone pay his portion. I may say that I am going to vote for the amendment, because in the first place I cannot see what objection there is to the two Bills being on the table at the same time, and I want to be in the position, that having agreed to the machinery Bill I am in no way obliged to follow up with the other.

**MR. P. STONE (Greenough):** I have paid great attention to the speech of the Treasurer, and I have gone through the Bill clause by clause. As it is necessary we should have more money to carry on the business of the State, I cannot see anything to take objection to in the proposed measure. I think, with hardly any exception, all members have pledged themselves on the hustings to a land tax, but now the Bill is brought forward it appears to me members want to crayfish out of it. I am rather surprised at the attitude Labour members seem to take on this question, because their stock words at all time have been "a land tax." Now they do not seem to render any assistance to the Government when the Bill is brought in. No one likes direct taxation, but I cannot see for the life of me where the objection comes in. If any alterations are required, they can be arranged in Committee.

**MR. BOLTON:** Alterations to what?

**MR. STONE:** This Bill.

**MR. BOLTON:** There is no Bill there.

**THE ATTORNEY GENERAL** (Hon. N. Keenan): In order that there may not be any misunderstanding about the issue, may I be permitted to point out to the House that it is far and away the more correct proceeding to have a permanent machinery Bill, and the Tax Bill passed every year, than attempt to mix the two. First of all, direct taxation, if members will look up historic records, took place in the old country on this basis in the first place. A machinery Bill is one that points out the methods of levying the tax, because a tax of so much in the pound has to be levied on so much assessment. And the manner in which you arrive at the assessment, no matter what assessment you have, must be by a machinery Bill and nothing else. Surely members will recognise that. To get the assessment on which a tax is to be based is nothing else than machinery, although to arrive at that taxation you may have to debate the principle and give consideration to matters which may lead to divided opinions. These principles are solely concerned in the assessment, and that would apply to what the leader of the Opposition said as to exemptions, rebates on improvements and total exemption on certain lands held by certain people, such as churches and religious bodies. These, although matters of considerable debate, are matters solely and entirely of assessment. When we have determined these, we have determined the assessment and nothing more. Is it not a common-sense proposition that that should be done before we impose the tax? Supposing the House were to take the view that the exemption proposed by the Treasurer was far too low; assume that for a moment to be the case, and that we raise it to the Victorian exemption. That would become permanent, and the taxation would have to be correspondingly raised because so many would be inside the exemption, and it would not be a commercial proposition to collect it. If it were open to reduce the exemption proposed, there would be a corresponding increase in the area of taxation, and in the wisdom of members afterwards they might not feel bound to impose such a rate of taxation.

**MR. BATH:** All the more reason why the two should be together.

**THE ATTORNEY GENERAL:** The hon. member says or wishes me to understand that the tax should precede the assessment.

**MR. BATH:** We should have them together.

**THE ATTORNEY GENERAL:** I am taking the hon. member's words, "precede assessment." If we have the tax first and the assessment afterwards, we put the cart before the horse.

**MR. BATH:** I said they should be in one measure.

**THE ATTORNEY GENERAL:** I am sorry I misunderstood the hon. member, but I carefully took a note of what he did say, and therefore I can only assert that I wholly misunderstood what he said. Let me take them as being both together. It is impossible for the House to run two measures absolutely together in this sense through our sittings: one must in some degree precede the other.

**MR. BATH:** In one Bill.

**THE ATTORNEY GENERAL:** Let me point out the position taken up by the Leader of the House in regard to this Bill. He said he would absolutely bind himself to bring down the Taxation Bill before this Bill goes into Committee. In other words he says, "If you pass the second reading of this Bill," which after all is a matter solely of principle, and if a division takes place it will only be on the lines as to whether members object to taxation on land values or are in favour of it. (Interjections.) I am putting the position from the point of view of the Premier's proposal. If members vote for the second reading of this Bill, they do not commit themselves to any of the provisions of the Bill, but they commit themselves to the principle. Is not that so? And it remains open for any member of the House to move for the deletion of any clauses of the Bill or any portion of a clause, or to propose a new clause which would make the measure more consonant to his own idea. One therefore simply assents to the principle, and then the other Bill is brought down to the House; and surely no member can suggest that there could be anything closer than that, unless we are to have an alternate discussion, discussing one Bill for a time, and then adjourning the debate on that measure and discussing

the other Bill. Do members really suggest that?

MR. BATH: No.

THE ATTORNEY GENERAL: Then we must admit that one measure must precede the other.

MR. BATH: We suggest that they should be together.

THE ATTORNEY GENERAL: I have already dealt with the question that we should have a permanent machinery Bill, and then have a Taxation Bill.

MR. TAYLOR: That is not the view of members on the Opposition side.

THE ATTORNEY GENERAL: I take the first statement on the Bill made by the Leader of the Opposition to the House. His first statement, which I misunderstood, was that a Taxation Bill should precede assessment; but I find that what he meant was that they should be in one measure, concurrent.

MR. BATH: They should be one Bill and not two.

THE ATTORNEY GENERAL: The third meaning is that there should be one Bill. We have had three versions, and I doubt which is the one the hon. member wishes the House to entertain. Let us assume the third one, that the taxation proposed should be part of one and the same Bill, that the Assessment Bill and the Tax Bill should be in one measure. When I first began to speak I pointed out to members that if they chose to hunt up historical precedents they would find that the principle adopted is to have a machinery Bill as an entirely separate measure, which remains absolutely permanent on the statute-book, and therefore not made subject to an amendment whenever an alteration in the amount of the land tax is required. And that is a far better course than having the two Bills together and having to bring down every year, according to the necessities of the times, an amendment of the land assessment Act. Surely members will recognise that. Is it not far better for the House to have an absolutely free hand every year in fixing the tax, and the amount which in their opinion is the right sum for the benefit of the country, instead of having to bring down an amending assessment Bill every year?

MR. BATH: Where do they have to amend the tax every year?

THE ATTORNEY GENERAL: If we vary the tax in any respect, we have to amend the measure. The hon. member must recognise that. It is not necessary for me to repeat that if we pass a Taxation Bill and if in the following year the necessities of the State require the amount of that tax to be reduced or increased, we must bring in an amending Bill. On the other hand, if we have a machinery Bill, permanent for the purpose of making our assessment, our hands are absolutely free, and we simply have to introduce a Tax Bill to make the taxation on all-fours with the necessities for the year. Our hands would, I say, be absolutely free, and we should not have to bring down—as might well be objected to—a whole column of amending Bills to serve the object of one permanent Act. Here we propose a permanent Act to remain in force, unless we see fit to extend the principle of assessment. As long as we accept the principle of assessment, that measure remains unaltered and untouched. On the other hand, every year, according to the necessities of the year, we frame our Tax Bill, and I submit that this is far more businesslike than it would be to mix the two together in the way suggested by the Leader of the Opposition. However, I was dealing with what the Premier has offered. He has offered to bring down a Bill which will fix the tax for the current year, as soon as this Bill goes into Committee, and to lay it on the table of the House. In other words, the Taxation Bill will be actually preceded by the Assessment Bill by one stage. The first stage is purely formal, namely the first reading, which will take place as soon as this Bill has been disposed of on the second reading, and then this Bill being in Committee, the other Bill will be down for the second reading, and there will be simply the difference of one stage between the two Bills.

MR. JOHNSON: The Premier said he would bring it down before the Committee stage.

THE ATTORNEY GENERAL: Before the present Bill goes into Committee. That farther accentuates the argument before the House, that there will be just one stage between the two Bills. One Bill will precede the other by one step, and it is impossible to bring them any



closer. To do anything else would be to make a farce of the proceedings. It would be a farce to attempt to deal with the Assessment Bill in regard to a certain number of clauses, and then adjourn the discussion and turn round and discuss the Taxation Bill, which I may say will be a remarkably short one. [Interjection by MR. TAYLOR.] In reply to the member for Mt. Margaret, let me say now that around this Bill will centre the whole division of opinion, because on this measure depends the acceptance of the principle of land value taxation. If we accept this Bill, although we reserve fixing the amount of the tax according to the needs of the State, we accept the principle of land value taxation; and although we may fix the amount at 1d. or 2d. or even 3d., if it be necessary to do so, that has nothing to do with the principle. Therefore, I take it that the whole discussion in the Legislative Chamber now is in regard to the acceptance or rejection of the principle of taxation on land values. When the Bill comes down to enable the Treasurer to collect 2d. in the pound on the unimproved values of land, that measure will be accepted as being a consequential part of the acceptance of the Bill now before the House; but it is important in matters of this kind that we should proceed on business lines, and therefore it is equally important that we should proceed to discuss this measure without attempting to bring in any extraneous causes and extraneous reasons for our action. If members feel bound to oppose the principle of land values taxation, let them get up in the House and say so. We invite them to do so, because we are here for free discussion; we are here to give vent to our opinions. On the other hand, if members are in favour of it, I would suggest that it is a very poor way of showing it to hunt for every excuse for putting this measure out of the House. If they want to place this amendment on the statute-book, if they think the principle of the measure is one worthy of their support, they will look not for any excuse for throwing it out, but for supporting it.

MR. BATH: All we are asking for is a straightforward way of introducing it.

THE ATTORNEY GENERAL: If the Leader of the Opposition is looking

forward for everything he thinks in his mind to be the right course to be accepted as the only right course, he is looking for something he will never receive. If the hon. member wishes to tell us that because in his opinion the two Bills should be amalgamated into one, when there are many reasons pointed out, historical precedents and law from time immemorial, to go in the other direction, we should put aside those historical precedents and bow to his views, I can assure him that is a position which will not meet with any acceptance. What we ask the House to do is to bring common-sense reasons to apply. Let members ask themselves this: is it a reasonable proposition, to bring in a machinery Bill to precede a taxation Bill, by a single stage?

MR. BATH: This is half taxation and half machinery.

THE ATTORNEY GENERAL: There is not any taxation in it. If the hon. member doubts what I say, let him point out a single clause.

MR. BATH: I can point out half a dozen.

THE ATTORNEY GENERAL: It is no use saying this is taxation. I know the Bill from end to end, and if the Bill were passed to-morrow and no other measure were passed, it would not give a single halfpenny of taxation. As a matter of fact, I understand that this Bill has been lying on the table of the House for some time, and members should be able to discuss it with some degree of accuracy. I do not wish to press the point any farther. If this amendment were carried, it would indirectly mean that the House does not wish for the principle of land value taxation.

[Dissent expressed by many members.]

MR. JOHNSON: Can you accept the amendment?

THE ATTORNEY GENERAL: I have no right to accept the amendment. I am saying the position is simply this, that if members support a postponement of the motion, and that postponement knocks this Bill off the Notice Paper for the time being, they are taking a course which any man in his senses would take to be hostile to the Bill. It is of no use for members to preach that they are in favour of a measure, and then do something directly hostile to it. Let me put it perfectly clearly to the House. Supposing the

amendment were accepted by the Government, what would the position be? It would not mean that the two Bills would become amalgamated. It would merely mean that the farther consideration of this Bill would be postponed until the other Bill was laid on the table of the House, and therefore for the mere purpose of having that Bill laid on the table of the House members are prepared to strike this Bill off the Notice Paper. Is that not so? [Interjections by MR. FOULKES and MR. BATH.] The member for Claremont says "Yes," and the Leader of the Opposition says "No."

MR. FOULKES: It is to leave it off the Notice Paper until to-morrow.

THE ATTORNEY GENERAL: There is no question about to-morrow.

MR. FOULKES: And bring your other Bill down. That is all you have to do.

THE ATTORNEY GENERAL: The point is this. The member for Claremont wants to strike this Bill off the Notice Paper until the other Bill is brought down. If that proposition were accepted, it would, as I have pointed out, mean that the other Bill would be on the table of the House, and the position would be no different from what it is now. The Premier has undertaken to put members in exactly the same position as would be arrived at if the amendment by the member for Claremont were carried; but there is this difference, that no party can pass the amendment to strike the Bill off the Notice Paper of the House without causing a position which would be a difficult one for any Government. Members know that if the Bill were struck off the Notice Paper, no Government standing on its dignity would tolerate it for one moment. After all, we are fighting much over a shadow, because if the amendment were not accepted by the Premier and the Bill were postponed for a few days until the other Bill was laid on the table of the House, the position would be absolutely no different from what it would be if the amendment were carried out. It is a trifle, but a trifle in which the honour of this side of the House is concerned. If it is forced to a finish, it can only be with one object, and that is to put off the Notice Paper a Bill which those members do not particularly care for, and which they may wish to slay in any manner they can.

At 6:30, the SPEAKER left the Chair.  
At 7:30, Chair resumed.

HON. F. H. PIESSE (Katanning): While I agree with the procedure of the Government on introducing this Assessment Bill, I feel that it would have been perhaps much better, and might have produced a more conciliatory attitude on this and probably on the other side of the House, if the Government had followed the Assessment Bill by a Taxation Bill. I certainly agree with the Government that an Assessment Bill is absolutely necessary. A Taxation Act may have to be changed according to the circumstances of the country; and if that Act embodies sections providing for assessment, then in the event of any alteration being needed in the taxation sections, the assessment sections will be subject to farther amendment in the House; and this will mean the re-opening of a question which will probably entail endless discussion, and bring about results with which the country cannot feel satisfied. I am speaking, as I have already spoken, in a manner which I think all members of the House will thoroughly understand. I consider that the introduction of a Taxation Bill is in any case a mistake; and I am speaking as an opponent of such a Bill. At the same time, I wish to be fair. I will not agree to any motion that the Bill now before us be read this day six months, or that an amendment similar to the one we are discussing shall be passed. In the first place, if the amendment be carried, the Bill will be wiped off the Notice Paper. But there is nothing to prevent the reintroduction of the Bill, after proper notice given; so, by passing the amendment, we are not likely to avoid the introduction of the Bill. Moreover, if we agree to the farther procedure proposed by the Government, we are not pledged, I take it, to support the Bill; and every member has a perfect right to oppose it at every stage if he pleases. Though I speak as an opponent of the measure, I wish to act fairly. I should prefer to see the Bill thoroughly threshed out through all its stages. I should prefer that we finish it to the death, as it were; that those who oppose it should bring forward all their arguments and objections, and if possible gain a victory. If the oppon-

ents of the measure fail, they will at least have had an opportunity of thoroughly threshing out the measure in this House, and they will know what it means. In these circumstances, I think it unfair at this stage to pass an amendment postponing the Bill, when the Government are not prepared for its postponement under the conditions mentioned in the amendment. Nevertheless, I am certain that a little more information from the Government would have paved the way much better; and I think that a little more information was due to the House. As to the question of assessment, the Premier made, in his policy speech at Bunbury, a bald statement that £70,000 was likely to be realised from the land tax. That estimate was based on information obtained from the municipal councils and the roads boards of the country. Now we know that roads board assessments are subject to farther consideration. They may have been made by varying methods; whereas one uniform system of assessment, and proper valuations, will perhaps realise a much larger revenue than the Government assume will be raised under the Land Tax Bill. Therefore it would have been better had the Government given us full details of the sources of revenue, and the assessment values of the properties to be taxed, so that the House might have had some notion of the amount likely to be realised. That amount has been estimated at £70,000; I believe that some estimates have reached £100,000; but, from what has been said of the 2d. in the pound limit, I believe that the amount realised will be nearer £250,000 than £100,000. Therefore, if the Government proceed on the lines indicated, they will have an excess of revenue rather than too little. On this point they should have given us a little more information; but I intend to deal with that matter when the principal measure is before the House, and not on an amendment such as this. These remarks I make merely to show that more information would perhaps have prevented the amendment of the member for Claremont. However, I am not in accord with the amendment, though I feel that the Government might have and ought to have brought down the other Bill, if not simultaneously with this Bill, at any rate within a day or so after-

wards, so that we might have grasped their taxation proposals. I do not think it right to agree to an amendment asking for a postponement of this Bill. We have a right to discuss this Bill on the second reading, and at every stage. Clause by clause we can deal with it at the most important stage, in Committee. I think we should be satisfied with the promise that the Government will bring in the Taxation Bill prior to the Committee stage of this Bill; and I hope that in these circumstances the member for Claremont will see his way to withdraw the amendment. He has raised certain objections which I also will raise to the proposals for progressive taxation. Around that clause, I suppose, the fiercest battle will be fought. I am prepared to face the question when it comes before the House; and I think we should give the Government an opportunity to adopt the rightful course proposed, and to deal with the Bill in Committee. I am not now in favour of the proposal of the member for Claremont, though I will make some little excuse for him. In his opinion, he had not sufficient information regarding the taxation proposals; hence he moved his amendment. With that proposal I am not in accord, and I do not intend to vote for the amendment.

MR. T. WALKER (Kanowna): I take objection to the opinion expressed that members who vote with the member for Claremont are vetoing the principle of land values taxation. The whole question now under consideration is, has the wisest course been taken in submitting this measure to the House? There is a possibility that the main measure may be distasteful to the House. I do not think it will be. It certainly will not be distasteful to me. The principle of land values taxation I endorse; I am pledged to it; I believe in it. But the majority in this House may be opposed to such a Taxation Bill in the form in which it is presented; and if so, the House will be in the ridiculous position of having passed machinery for a measure it afterwards rejects; in other words, we shall have passed a Bill for machinery that is not needed, that is of no service, that has no relationship to anything that is to follow. No matter how convenient

the course taken may have been to the Government, I hold that it is very vicious to introduce piecemeal measures so intimately related as this machinery Bill and the main Bill itself. We should know what we are providing machinery for; and though we have the Premier's assurance that he will soon bring in the Taxation Bill—and he has made certain statements regarding it—still, I submit that this is not the proper form in respect of which the House should act. We should not act on the statement of a Minister, but upon the measure itself; for, however much we may confide in the Premier's statement, there is always a possibility of finding, when the measure does come before us, that he may have, quite unintentionally, misinterpreted it, and that the House has been misled. I do not say that this is so; but we have to guard against such a danger. I submit that this House cannot be too careful in weighing these measures. We are asked to vote to-night for the machinery of a Bill that is not before the House. We have had the promise of the Bill, and statements concerning it; but we want the real thing. The Attorney General told us that, in the opinion of the Government, the course taken was the best; and I should almost infer from what he said that it was about the only way in which this thing could be done. If there be any country in Australasia that is setting an example in the passing of measures of this kind, it is the colony of New Zealand. Mr. Ballance introduced a Bill which, following the example I believe of South Australia, is practically the measure we have before us; and when that hon. gentleman introduced the measure in 1891, he said:—

In moving the second reading of this Bill, I desire to call the attention of hon. members to the mode in which the Bill is arranged. The body of the Bill is mainly devoted to procedure and to the method of imposing the tax. The machinery of the Bill, in other terms, is in the body of the Bill, and the particular taxes on incomes and land are to be found in the schedule. That, I think, is the most convenient way of presenting the matter to the House.

With due respect, I put that opinion against the opinion of the Attorney General and against the course the Government has taken. In New Zealand a measure of this character was introduced

with the machinery. The main measure was before the House, so that every member of the House, in voting for the machinery, knew precisely what else he had committed himself to, and what he was voting for. Similarly, in New South Wales in 1895, though two measures were made of it, they are numbered 15 and 16 on the statute-book. There was no intervening measure between the two; they were companions; so to speak, they were twins; they were considered together; and every member of the New South Wales Parliament knew precisely what he was providing machinery for. In Tasmania the same course was pursued as in New Zealand, the machinery being provided for at the same time as the tax was passed; and the wisdom of that action is, I submit, evident. Because if we are to commit ourselves to a principle, the inference is that in voting for or against this Bill we are asserting ourselves either for or against the principle. Therefore it is absolutely necessary that the principle should be before us. The Premier has said that before the Bill gets into Committee the chief measure imposing the tax will be brought before the House. Now, if there is such a brief interval between the two, what harm can be done by delaying this measure until the other measure is brought before us? If the one is promised to follow so speedily, why the alarm at postponing this measure for a day or two? Because it must only mean a day or two. Look at what follows the natural course this debate takes. In all probability this amendment will be lost, and some speaker will move the adjournment of the debate, and the debate will be hung up for some considerable time.

THE TREASURER: That is the proper way to proceed.

MR. WALKER: I submit there is more in it than that. This is the point I want to drive home. We should never legislate with our eyes bandaged; we should see precisely the end of the journey we are taking, and we should know whither we are going. We are committing ourselves, I submit, to-night to something we may disagree with when we see the principal measure as it is presented to the House. That is the wrong way of conducting legislation. We should

know the whole facts relating to the circumstances with which we are dealing. That is our danger. This is an evil precedent. It commits the House in a surreptitious manner to a course of procedure. Who would like to go back on the measure, having voted for the machinery for it? If I may say it, it looks like trapping people into an assertion of their approval before they know what it is they are approving. Let us have the whole substance before us, and then we can provide the necessary machinery, and we will be better able to deal with the machinery Bill itself—and that is an important matter—when we see the main Bill and know precisely what the Treasurer intends to do by means of it. We can see whether this machinery Bill is likely to affect that particular purpose he has in view; and we can see whether his method of assessment is in accordance with what he desires to obtain by means of the proposals he makes. We might favour clauses dealing quite differently with this measure if we knew what the real measure was; and we might be prevented afterwards from dealing with the main measure because we had allowed certain clauses to pass in this Bill which, had we known what the real measure was, we should never have passed. We are dealing with this measure piecemeal. That is the point. We are not wholly apprised of all the matters pertaining to the subject with which we are asked to deal; and I submit, therefore, that there can be no possible harm in adjourning this matter. I do not see why it should be made a party question, or why there should be any feeling exhibited in regard to it. It is only a matter of postponement for a day or two. If the other Bill is ready, and if it is going to be brought down before this Bill can reach the Committee stage it is ready, so there can be no possible harm in adjourning this question until then. Let us then consider what this measure is that we have seen. Above all must we protest against the view that those who are conscientiously of opinion that this course of postponement should be taken are, by taking this course, voting against the principle of land values taxation. We are voting not on any principle whatsoever, but on a mere matter of procedure as to whether

or not the right course is taken. If I sit to-night with the member for Claremont, it by no means argues that he and I are one as to land values taxation. By no means. He might have quite different views from mine as to land taxation or non-taxation.

MR. BOLTON: The Attorney General says it means the same thing.

MR. WALKER: It cannot be. This is only a question of procedure; and I submit that the Government have taken the wrong course in giving us this taxation measure by piecemeal. They want us to get the cart fully ready and painted and trimmed up, before we know the size of the horse that is to be put into the shafts. I submit an entirely wrong course is taken. I may also say that the Opposition will help the Government through with their land values taxation, help them through with all the arguments they have taken from us to begin with; but we cannot, I submit, conscientiously vote for this separation of the main measure and the machinery. We want the two together; and as there is no loss of time necessary according to the Premier, there can be no violation of principle, sacrifice of honour or of dignity, in submitting to the postponement of the measure until the other measure is before the House.

MR. P. J. LYNCH (Mount Leonora): In common with the member who has just sat down, I think it is necessary to have at least the third term of the proportion in order that we may arrive in our own way at something approaching the correct calculation; but as regards this taxation proposal now being insisted on by some members, for my part I shall be perfectly content if I can get from the Premier an assurance as to the exact amount he intends to insert in the Bill. When that information is given, each member in his own way can make calculations and strengthen his arguments accordingly; but at the present the position seems to be something like the position of a man who has made up his mind to build a house. He gets the plans drawn and goes into all forms of details, but he is entirely at sea in a matter of making up his mind as to the price; and when that price is submitted, being beyond all former conception on

his part, he may simply abandon the idea. So I say that the present position of this House is very much like that of the man who has not got a price for the building of his house. So far as I am concerned, I would be content if the Premier would go a little farther and state definitely and exactly what amount he proposes to exact in the Taxation Bill when it comes down. He has gone so far as to state a maximum. I think his words were that he assured the House that it was not going to exceed 2d. If the Government have their minds made up on the subject, surely it is not a very rash proceeding to take the House into their confidence and state definitely their intentions as to the exact amount they are about to impose. Failing that assurance, I feel inclined to support the amendment.

MR. F. ILLINGWORTH (West Perth): I am not inclined to support the amendment, for various reasons, without touching on the question of the tax. If the Government are strong enough to maintain their position they should be able to lead this House; and if they are in a position to lead this House they should be in a position to direct its business. As to the Bill itself, the point raised, it seems to me, is beside the question; because so long as we decide that we are going to tax at all, whatever may be the amount of the tax it will not be affected by this Bill. The question is: how are we to do a certain thing we have to do? Practically, the position is this. The tax may be 1d. or 2d., more or less; and the Bill, I presume, that hon. members are calling for will be practically a Bill of one clause. That will settle the question as to what the amount of the tax will be. As far as this Bill is concerned, it does not matter whether the tax is 1d. or 1s., or any figure in between, because if there is anything to be collected at all it will be collected under this machinery Bill.

MR. BATH: The exemptions have a considerable bearing.

MR. ILLINGWORTH: They are in this Bill. The Government will have to settle the question of exemptions before they fix the amount of the taxation.

MR. JOHNSON: In other words, the Government want Parliament to take the

responsibility Ministers should shoulder.

MR. ILLINGWORTH: Parliament takes the responsibility of all measures. The majority of this House settles all questions of legislation. The position the member for Claremont is taking up is one that affects the position of the Ministry. If the hon. member wants time, the easiest way is to move the adjournment of the debate. The course he adopts is practically a motion of want of confidence in the Government.

MR. BATH: Nonsense!

MR. ILLINGWORTH: Members may laugh; but as a question of constitutional practice, it is, in a sense, a motion of want of confidence in the Government. The Government have the right to control this House and to control the order of measures. It is no uncommon thing for measures to be provided in this way. We have done it ourselves in previous Parliaments, and it has been done all over the world; and the question of machinery is one that will call for a considerable amount of debate. The Bill itself is ruled more by the measure here proposed than the Bill affects the machinery.

MR. BATH: We want to adopt the same course as was adopted in New Zealand, Tasmania, Victoria, and South Australia.

MR. ILLINGWORTH: It does not follow we should do that. We have our own practice.

MR. HOLMAN: In what way?

MR. ILLINGWORTH: The Redistribution of Seats Bill.

MR. HOLMAN: The Redistribution of Seats and Constitution Amendment Bills were brought down and considered together.

MR. ILLINGWORTH: All that members want to know is the amount of taxation.

MR. BOLTON: We want to see the Bill.

MR. ILLINGWORTH: It will be a Bill of one or two clauses. The point I want to make is this. Members want time, all they have to do is to take the ordinary procedure and adjourn the debate on the question.

MR. SCADDAN: We are ready to proceed at any time. We want to see the Bill.

## TO ADJOURN.

MR. A. J. WILSON (Forrest): I rise to support the amendment moved by the member for Claremont, and I do so for somewhat the same reasons advanced by the member for Kanowna.

I do not want to cover the same ground as that member did, but I want to emphasise this point. In the consideration of this important matter, the very basis of that consideration should be the amount required by this method of taxation, and the amount the Government propose to raise by it. It has been said that it is not necessary to have the amount of the tax before us, or the amount of revenue to be derived by that taxation while considering the machinery portion of the Bill. I want to emphasise this point. The consideration of the machinery portion, or the Assessment Bill, will to a large extent be influenced by the amount of the tax. What I expect from the Government, and from every Government, is for them to come down and definitely state that "We propose a land tax of a certain amount, and we propose to raise it by a certain assessment;" also to bring down both Bills and state "Here are the measures," not to come down as in this case and in the case of the Police Offences Bill, and say "There are certain portions we do not like, but if Parliament likes to amend the Bill we will be pleased to accept it." We want to know if the Government will take the responsibility of the measure, and not to bring down measures piecemeal. Let us do the business and amend the Bill in accordance with the will of the House. I wish to take strong exception to the attitude of the Attorney General, and I would like to give that member a little of the good advice which he gave members in the debate on the Address-in-Reply. The member then deprecated that members should get in a fury and introduce personalities. I will not accuse the Attorney General of indulging in personalities; still I will say that he introduced into the debate an unnecessary amount of feeling. Members recognise that on this measure there will be a stormy debate if

## RESUMED.

MR. W. D. JOHNSON (Guildford): I rise to support the amendment moved by the member for Claremont, and I do so for somewhat the same reasons advanced by the member for Kanowna. I do not want to cover the same ground as that member did, but I want to emphasise this point. In the consideration of this important matter, the very basis of that consideration should be the amount required by this method of taxation, and the amount the Government propose to raise by it. It has been said that it is not necessary to have the amount of the tax before us, or the amount of revenue to be derived by that taxation while considering the machinery portion of the Bill. I want to emphasise this point. The consideration of the machinery portion, or the Assessment Bill, will to a large extent be influenced by the amount of the tax. What I expect from the Government, and from every Government, is for them to come down and definitely state that "We propose a land tax of a certain amount, and we propose to raise it by a certain assessment;" also to bring down both Bills and state "Here are the measures," not to come down as in this case and in the case of the Police Offences Bill, and say "There are certain portions we do not like, but if Parliament likes to amend the Bill we will be pleased to accept it." We want to know if the Government will take the responsibility of the measure, and not to bring down measures piecemeal. Let us do the business and amend the Bill in accordance with the will of the House. I wish to take strong exception to the attitude of the Attorney General, and I would like to give that member a little of the good advice which he gave members in the debate on the Address-in-Reply. The member then deprecated that members should get in a fury and introduce personalities. I will not accuse the Attorney General of indulging in personalities; still I will say that he introduced into the debate an unnecessary amount of feeling. Members recognise that on this measure there will be a stormy debate if

the Attorney General continues in the course in which he has started to-night. We have to give great consideration to the measure, and we want above all things to give to it calm consideration. I regret that so much warmth has been introduced into the debate at this early stage. I desire to take strong exception to the attitude of the Attorney General in stating that this is practically a no-confidence motion.

THE ATTORNEY GENERAL: I did not say so. When you interjected, I distinctly said I had no right to say so.

MR. BATH: And you went on saying so.

MR. JOHNSON: The hon. member said that if we supported the amendment we were opposing land values taxation or the land tax; and if the member takes the amendment as meaning that, it is nothing less than a no-confidence motion. The point I want to make is this. While the Attorney General takes up that position, the Premier does not take up that position. I want to know who is Leader of this House. I want to get back to the amendment, and the reason I support it. We support the amendment because we believe the two measures should be before the House, so that the whole matter can be considered at one and the same time. The Premier pointed out that he would guarantee the Bill would not go into Committee until the other measure was before members. Then the Attorney General followed and stated that it is possible there may be amendments on the Assessment Bill, and these may have an influence on the taxation proposals. Now we must all realise there is a vast deal of difference in the two statements. If we are going to amend the Assessment Bill we shall have to do so in Committee. The Bill will have to go into Committee to give us an opportunity of amending it. And if the Premier can bring down the other Bill before this one goes into Committee, he can do so at once. If we follow the course marked out by the Attorney General we must wait until the Bill passes through Committee, and then the Government will take that Bill as an indication of the wishes of the House as to what sort of measure they will introduce. We want the whole taxation measure before us now, so that we can give it full consideration which a measure

of this description requires. An illustration was given, unfortunately for the member for West Perth, in connection with the Redistribution of Seats and Constitution Amendment Bills, that they were identical with the measures under discussion; yet the Premier at that time introduced both those measures at the same time, and had the one discussion on the two Bills, because, as it was pointed out, if that had not been done there would have been a repetition of the discussion. So it will be in this case. Those opposed to the measure will use the Assessment Bill as an opportunity for opposing land taxation.

**THE PREMIER:** They are using it now.

**MR. JOHNSON:** We can look to that. I would advise the Premier to rule his side, and not to look after us. I want to emphasise my point in conclusion, for these interjections lead one astray, and may lead one to get heated, and I do not want, like the Attorney General, to give good advice and then to act oppositely. Both Bills should be brought down at the same time, and taken into consideration at the same time. By that means we shall avoid a double discussion. Let me appeal to the Premier that when he has a caucus meeting, to consider measures of this sort; and there was a meeting, according to the newspapers. These are matters which should be discussed in caucus, and if the Premier does not want friction amongst members on his side, in caucus they should deal with these matters, so that members can then follow the dictates of caucus on such matters.

**MR. C. A. HUDSON (Dundas):** I do not desire to labour this debate on the amendment, because the point is a very simple one, but I do wish to say the attitude of the Government in not taking this House fully into their confidence has caused what irritation has been brought about in the debates during this session of Parliament. I have very great regard for the opinions of the Attorney General on legal matters. He told us this afternoon, however, that it was the proper course, and he would lead us by the force of his observations to suppose that the only course to be adopted was to bring down two separate measures for the imposition of such a tax. It has

been shown by the member for Kanowna that in other places that procedure has not been adopted. The member for Kanowna instanced New Zealand; and similar Bills have been brought down in South Australia, Tasmania, and New South Wales.

**THE ATTORNEY GENERAL:** They were separate in New South Wales.

**MR. WALKER:** Yes.

**MR. HUDSON:** They were brought down as one measure in the other States I have named. Whilst having high regard for the opinions of the Attorney General, I have high regard for the opinions of other legal gentlemen in the Commonwealth, one of whom has been the Treasurer of his own State and the first Treasurer of the Commonwealth, the Right Hon. Sir George Turner. When Sir George Turner, although then Mr. George Turner, brought forward the income tax in Victoria, he did not deem it necessary and expedient—and in him we had the dual capacity of lawyer and Treasurer—to bring the proposal forward in two Bills. He brought the taxation down in one measure. His experience and knowledge of political affairs exceed those of our Attorney General, and his opinions and actions should have been followed in this case. When the income tax was proposed in Victoria in 1895, the whole of the machinery clauses were included in the taxation Bill. Certainly that section which imposed the tax limited its operation to one year; and to show the fallacy of the argument of the Attorney General that the one Bill requires amendment constantly and it cannot be done without bringing forward the whole measure, I will instance the Income Tax Act of Victoria. That law has been renewed from year to year since 1895. No trouble has arisen in connection with it. The only matter considered was the amount of the taxation. One year it was increased, and another year it was reduced. The whole thing was included in one Bill. When the Parliament of Victoria had to consider the income tax, which I consider is analogous to the land tax as to procedure, the Parliament of Victoria considered the two matters together. The House had before it the whole of the propositions of the Government, and Sir George Turner had the courage to bring down the whole of the



proposals in one Bill, so that Parliament could deal with them. That should have been done in this case. Parliament has not been treated as it should. We have not the opportunity of considering the whole subject at the one time. I shall vote against the amendment as a protest against the procedure adopted.

MR. H. DAGLISH (Subiaco): I must confess my surprise at this debate, and at the fact that it is regarded as proper by members of the House to proceed at once with a second-reading discussion of the importance of that now being dealt with. When a measure like that dealing with the Nelson Agricultural Society's land sale is brought forward, it is found necessary to adjourn the debate on the second reading, so that the provisions may be considered by members; but when a measure of the importance of that before the House, imposing entirely new legislation as far as Western Australia is concerned, affecting as it does the majority of the population of the State, is introduced, members are prepared to rush straight away into a discussion of it, are prepared to defeat it—a large number of them—without giving the opportunity to themselves or to other members to consider the provisions of the Bill fairly and impartially.

MR. BATH: We are not discussing its provisions.

MR. DAGLISH: A large number of us have advocated for ten years past the necessity for a land tax in Western Australia. We have some of us urged that our principles demanded we should insist on the imposition of a land tax; but now some of us find that we do not want a land tax unless we can get it in the same Bill as embodies the machinery which shall give it effect. This is really the contention of members. [SEVERAL LABOUR MEMBERS: No.] The member for Kanowna (Mr. Walker) says I have not heard what was said. I heard what the hon. member said, and I want at once to check one of his statements only. That was in relation to those twin measures which passed through the New South Wales Parliament in 1895, which were Acts Nos. 15 and 16. I found that in New South Wales the Land and Income Assessment Bill had its second reading moved by Mr. Reid on the 22nd November, 1894, and

that the second reading of the Land Tax Bill was moved on the 18th June, 1895.

MR. WALKER: The Bills I referred to were both assented to on the 12th December.

MR. DAGLISH: I welcome the hon. member's statement that they were both assented to on the 12th December, and the hon. member will find that the date of the introduction does not determine the number of the Bill, but the date of its passing, and although there was a discrepancy, an interval, of only seven months between the second readings of these two measures, they both got through the Houses at about the same time, and received the assent of the Governor on the same day, therefore they took consecutive places on the statute-book; but there was, I say, a seven-months interval between the second readings of the two measures.

MR. BATH: Did you read up New Zealand?

MR. DAGLISH: I have not had time since the hon. member for Kanowna spoke to wade through the *Hansards* of all Australasia. I hope that if I read up New Zealand I would not find the same difference between *Hansard* and the member for Kanowna. The position is that if we want land taxation we require good machinery, and if it be good machinery, we require it so long as the land tax is necessary, and if for a year or two we decide that no land tax is necessary, the machinery Act does no harm on the statute-book. It may remain until the land tax is again required and imposed; but as a matter of fact the Land Tax Bill itself might have effect possibly for one year only, and here the Treasurer each year when he makes his Budget statement, assuming the Parliament passes the Land Tax Bill, will tell us how much he requires, how much he expects from this source; will perhaps tell us that he requires the retention of the tax as things happen to stand at the time he is speaking; will perhaps tell us he requires to recommend the House to increase the tax; will perhaps tell us he can recommend the House, in view of the state of the finances, to make a reduction as he is now getting sufficient income from other sources to enable him to remove that one burden. We ought to be quite satisfied, if we pass any land tax, to pass

machinery to render its collection possible. The machinery is the same.

MR. BORTON: Then why object to put the other Bill on the table?

MR. DAGLISH: I am raising no objection, but I am trying to give myself an opportunity later on of supporting a Land Tax Bill. The Government were quite justified in my opinion in coming forward and saying, "In order to impose a land tax we require certain machinery for assessment and collection," and they have done that. Some members say, "We are not satisfied to pass such a Bill until we know what land taxation the Government are going to impose." The two things are altogether foreign, the one to the other. The Government may, for instance, this year introduce a Bill that the House will not assent to, or will very materially amend. Will members tell the country that it is impossible to pass this machinery Bill through until we know what form the land tax Bill will take when it ultimately goes through Parliament?

MR. BATH: It would not be of much use having a machinery Bill if we did not have a tax.

MR. DAGLISH: The hon. member is quite right. But the preliminary step is to get an affirmation of the principle. The House now is asked to affirm the principle.

MR. GULL: The affirmation of the principle depends upon what the tax is.

MR. DAGLISH: But the House can make the tax what it pleases. It does not matter what the Government bring down. If it be unacceptable to the House, members can amend it or reject it, and passing the second reading of this Bill does not in any way limit their powers of dealing with it. For my own part, I shall be satisfied if when the Treasurer makes his Budget Statement—as I understand he will do next month—he gives us the information as to the amount of the tax he recommends should be imposed; and I contend that is the right time really to make the statement, when he has his Estimates of revenue and expenditure for the various departments before him, and when he is in a position to know exactly what money he requires to raise from this and other sources. And year after year it will be precisely the same thing. The same principle applies

in regard to the income tax in Great Britain, which from time to time, from year to year, is liable to be varied, and is frequently varied.

MR. HUDSON: So it is in Victoria.

MR. DAGLISH: The machinery remains the same. I think it would be a great mistake if those who believe that a land tax at the present time is requisite, and, for what seems nothing but a quibble, should defeat the Bill on its second reading and thereby remove it from the Notice Paper. I cannot understand how we can profess in one breath to be in favour of adopting this land tax principle, and at the same time by our votes declare against it by adopting an amendment which is tantamount to the second reading being defeated.

MR. H. BROWN (Perth): I intend to say only a few words on this measure. I regret the dictatorial manner in which the member for Kalgoorlie, the Attorney General, the dictator of the Government, treats us. On every occasion this tone is adopted by the Attorney General. We have heard it all through the session. It is a case of take, and not give at all. I think that if the measure of taxation were introduced with the present Bill it would save a great deal of discussion. We have heard it said to-night that it does not matter what amount we are going to raise by taxation, it will not affect this Bill. The member for West Perth (Mr. Illingworth) said that as regarded this Bill it did not matter if the amount in the taxation Bill be a shilling; but I am certain that if any attempt were made to put a shilling in the Taxation Bill there would be no necessity to discuss the machinery measure at all, and the amount that is going to be inserted in that Bill will decide a great many members on this (Government) side of the House as to whether they will discuss it at all. I am certain that if this amendment were taken as a motion of no confidence it would be far better for the country, because many members on this side of the House would not be game to face their electors on the Land Tax Bill.

MR. TROY: The Government would not.

MR. BROWN: The Government would not. It is really surprising how many disciples of Henry George we have got

in the past few weeks on this side of the House. In the Municipalities Bill now before the House we do not find a machinery clause, neither will there be any in the Bill to be brought down relating to roads boards, nor in the Health Bill. It is all very well for members on this side to say, "You affirm the principle;" but I would ask members on this side to remember that when they have affirmed the principle the Government can bring in what tax they like, and those on the other (Opposition) side of the House who are so pledged to a land tax would vote for any amount the Government might propose, although members might be against it themselves. I will repeat that I am against the land tax proposal altogether. It means ruination, at all events for the city of Perth. The passing of this present Bill through without giving us the means of taxation is practically preventing this Bill from being explained before the people. I am sure that at all events from the point of view of metropolitan members, members will change their views considerably when the matter is placed in a proper light before their electors.

MR. G. TAYLOR (Mt. Margaret): Before recording my vote on the amendment I want to make my position clear. I am not going to allow the position presented to the House by the Attorney General on this amendment and taken up by the member for Subiaco to obtain so far as I am concerned, and I believe I can speak for members on the Opposition side generally. The amendment moved by the member for Clarendon is merely one that this Bill be not farther discussed until the taxation proposals are brought down. While I agree with the Attorney General as to this being a machinery Bill and that it decides the principle of land taxation, I assert that this amendment has nothing to do with deciding the principle of land taxation. Members on this (Opposition) side of the House have been advocating land taxation for many years, and I am sure they have every desire to assist the Government in their land taxation proposals. I recognise that whilst supporting this amendment we are in bad company as far as land taxation proposals are concerned, but such substantial reasons

have been advanced for the necessity for these Bills coming down side by side that I think I am perfectly justified in supporting the amendment. I want it to be clearly understood, however, that my vote on the amendment will not in any way be an indication as to the views I hold on land taxation. The member for Subiaco (Mr. Daglish) and the Attorney General tried to put that view of the question to the House to-night, with the object of setting in a wrong light before the House and the country those Opposition members who are pledged to land taxation.

MR. BATH: The member for Subiaco should look after his own attitude, and not worry about that of others.

MR. TAYLOR: True. That is for the hon. member to consider. But I will not allow any member, whether he represents Subiaco or Kalgoorlie, to place me in a wrong position with respect to the question before the House to-night. That question is whether we shall have two Bills discussed together, or whether we shall have two subjects incorporated in one Bill. It has been argued on this (Opposition) side of the House and argued with great force, that land taxation proposals in other parts of Australia and in New Zealand have in most instances been contained in one Bill—in all but one instance, as the member for Dundas (Mr. Hudson) reminds me. That being so, members who vote for the two measures coming in together—or in other words, vote in favour of the amendment—will not in any manner indicate their attitude on land taxation. I believe there is some force in the Attorney General's argument that if the Government accepted this amendment, or were defeated on this amendment, the acceptance or the defeat would be a severe stricture on the Government, though not perhaps serious enough to entail their considering their position. But the Government should be able to control the House, and should accept full responsibility for the conduct of business. [THE TREASURER: So they do.] Every measure of any importance brought in by the Government has been introduced by a Minister who has said: "There are in this Bill certain proposals to which I am not wedded. The House can accept them or reject them. We are really not particular as to whether they

go through. We have really no policy nor any principles for which we need fight with any enthusiasm." Let the hon. members refresh their memories.

**MR. SPEAKER:** The hon. member is wide of the mark. Let him stick to the subject.

**MR. TAYLOR:** I am speaking to the amendment; speaking of the necessity for Ministers' bringing in their measures and sticking to them when brought in.

**MR. SPEAKER:** That is not the point.

**MR. TAYLOR:** And in so speaking it is necessary for me, by way of illustration, to instance certain events which have happened here this session.

**THE PREMIER:** Like the Midland Railway business.

**MR. TAYLOR:** I do not remember any discussion this session on the Midland Railway question. Such a debate may have taken place in my absence. But I remember a discussion on that question last year, in which I adopted a strong attitude. I wish again to emphasise the necessity for Ministers' bringing in the land tax proposals along with the Assessment Bill; and I wish to make it clear that there is no truth in the Attorney General's argument that Opposition members who support the amendment are against land taxation proposals. Though I recognise that we are in rather bad company, I wish to say that no matter what may be the vote on the amendment, I anticipate finding that some who support us on this point are diametrically opposed to land taxation proposals of any description whatever. I wish to be perfectly clear, that while the Opposition have a strong desire that these two measures should come in together, and while it is proved beyond doubt that they have been brought in simultaneously in every other Parliament, with only one exception, I feel that I am justified in supporting the amendment, to secure farther time.

**THE MINISTER FOR WORKS (Hon. J. Price):** I think that many members fully recognise the need of some new method of taxation; and while some of them may not altogether like a tax on unimproved land values, they are forced to admit that at the present moment this is the most desirable method of getting

out of a financial difficulty. I submit that to vote for this Bill is purely and simply to affirm the general principle that it is desirable to raise revenue by the taxation of unimproved land values.

**MR. SCADDAN:** We could affirm that principle by an abstract motion.

**THE MINISTER FOR WORKS:** Certainly, you might; but there must be certain machinery connected with the land tax, and I submit that before we can tell what that tax will produce—and what it will produce will indicate the rate to be levied—we must settle such general principles as, for instance, the question of exemptions. The desirableness of settling these details in a machinery Bill such as this is clearly proved by the wide divergence of opinion in members of this House well qualified to express opinions as to the amount which an unimproved land value tax of 2d. in the pound, with certain exemptions, will produce. We have on the one hand the member for Katanning (Hon. F. H. Piesse), a gentleman who probably knows this country quite as well as the Premier, informing us that the tax will produce about a quarter of a million. On the other hand, the Premier tells us that in his opinion the tax will produce something like £70,000. We may all agree that the exemptions fixed will have much to do with what the tax will ultimately produce; and when it is difficult to get the data necessary for calculating exactly what the tax will bring in, it is desirable that we should have time given us to settle the rate of the tax. But there is no reason why, while we are taking the time necessary for settling with certainty the rate which should be struck to produce a given sum, we should not be allowed to bring in a Bill to settle the general principles upon which we shall legislate.

**MR. BATH:** The Attorney General says this is a machinery Bill. How can a machinery Bill do that?

**THE MINISTER FOR WORKS:** Certainly this is a machinery Bill; and the hon. member is well aware that the Tax Bill will indicate simply the rate per pound of the tax, and the Bill may or may not include provision for a progressive tax. That is a question for future consideration. Members who vote for this Bill at present will

simply affirm the principle that for the time being the necessities of the financial situation demand that a tax be levied on unimproved land values. Supporters of the Bill go no farther than that. If, when the Tax Bill comes along—and the Premier says it will be introduced before the present Bill goes into Committee—if the Tax Bill contains provisions strongly disapproved of by the supporters of the present Bill, then will be their opportunity to oppose it, and to oppose it as bitterly as may seem to them desirable.

MR. FOULKES: Will that opposition be taken as a vote of no-confidence?

THE MINISTER FOR WORKS: Until the Tax Bill is before the House, I submit that if members on the Government side have a friendly disposition towards the Government, we are entitled to their support, seeing that at the present moment we ask them to endorse only the general principle. If in the Tax Bill we carry that principle to extremes, then will be their time to oppose it. Nearly every Government supporter has indicated on the public platform that he believes some measure of this sort to be absolutely necessary; and this measure does not in any manner pledge him as to the amount of tax, nor as to whether the tax shall be progressive. The member for Kanowna (Mr. Walker) has told us that we should never legislate with our eyes bandaged; but I venture to submit that if we had brought in a Tax Bill before we knew what exemptions the House would fix, then we should undoubtedly have been legislating with our eyes bandaged.

MR. BATH: No; we should have had the whole proposals in one Bill.

THE MINISTER FOR WORKS: Yes; but we wish to have the exemptions settled, or to get a fair indication of the opinion of the House as to exemptions; because the exemptions will have some bearing upon the amount of revenue realised. [MR. BATH: No.] I disagree with the hon. member. I think that the true position is exactly the reverse of what he maintains.

MR. BATH: A tax of 1d. in the pound, without exemptions, may raise as much as 1½d. or 2d. with exemptions.

THE MINISTER FOR WORKS: Exactly. That is why I say, settle as soon as possible the question of exemptions, and then you will know what tax

you should impose. That is exactly the position; and I thank the hon. member for helping me.

MR. JOHNSON: The Minister is not in agreement with the Premier, who states that the second Bill will be introduced before the Committee stage of this Bill. The Minister for Works argues that the second Bill will be brought in afterwards.

THE MINISTER FOR WORKS: I submit that we shall gain during this debate a good indication of the feeling of the House regarding exemptions. I do not look on the exemptions as a vital principle of this Bill. The question is one on which there can easily be two opinions. Some who thoroughly believe in a land tax may disapprove of any exemptions, while others may agree to exemptions. The difference between the two views is not vital.

MR. A. J. WILSON: Government supporters do not want to settle exemptions. They want to settle the Bill.

THE MINISTER FOR WORKS: Exactly. That is the position. [A laugh.] I find that I have misunderstood the interjection. I understood the hon. member to refer to supporters of the amendment, most of whom are in Opposition; and I thoroughly agree that the effect of their attitude in supporting the amendment will be to settle the Bill.

MR. BATH: You look after your own side; we will look after our attitude.

THE MINISTER FOR WORKS: I am only pointing out to the hon. member that there is a considerable amount of common sense left in this country; and the country will know what is the effect of the attitude of the Opposition. It is very well for Opposition members to protest that they are ardent believers in the principle of taxation of unimproved land values, when by their attitude on what after all is but a very minor matter they run the risk of having what they must agree is a fairly good and reasonable Bill thrown out for the time being. That is just the position.

MR. SCADDAN: That is a threat, I suppose.

THE MINISTER FOR WORKS: No. I do not say that as a threat. I simply take the liberty of pointing out to hon. gentlemen opposite what, after all is said and done, is but the plain consequence of

their attitude. That is all. I know that hon. gentlemen opposite, from time to time during the past month, have given me the benefit of their advice, and I think they should allow me the right, when I think it desirable, to offer them a little in return. I may be right, or I may be wrong; but that is my opinion of the result of their attitude. I would like to remind members on the other side who have told us that it is the business of the Government to come down here on all occasions and adopt a hard and fast line with the House, that they have not always adopted that course themselves. We know very well that a few months ago, when a vital question was before the House, those hon. gentlemen left the decision on a most important matter absolutely to the House. I think that they were justified in doing so; but they at least should recognise that it is only right for them to allow Ministers following them, if they deem it desirable, to adopt a similar attitude. But on this occasion we do not do anything of the sort. We say that this is, in our opinion, the best method of bringing this matter before the House, and I believe the House will endorse the way in which we have placed this Bill before members. The method of introduction is a matter of detail, and all those who honestly and earnestly desire to see money raised by the taxation of unimproved land values should give us their solid support on this question.

#### EFFECT OF AMENDMENT.

MR. LYNCH: I would like to have your ruling, Mr. Speaker, as to what the true position will be if the amendment be carried.

MR. SPEAKER: If the amendment be carried, it will mean that the Bill will be wiped off the Notice Paper; and it will mean the adoption of a special motion to have it reinstated.

#### RESUMED.

MR. A. J. WILSON (Forrest): I desire to express myself in few words in regard to this question. It seems to be necessary that members should explain how they intend to vote in regard to the question before the House. As far as I am personally concerned, I am, and always have been, one of the strongest

supporters of the principle of land values taxation in this State. I have no fault to find with the position as it is before the House to-day. I think that quite the correct procedure has been adopted. To my mind the question of exemptions or no exemptions has nothing whatever to do with the amount of tax which it may be deemed necessary to levy for revenue purposes. [Interjection by MR. BOLTON.] The member for North Fremantle must not imagine that I am at all concerned as to what the Treasurer has said. I am not here to defend the member for Sussex, but am here solely to give expression to my own views. I regret to see there is a possibility of members sitting on this (Opposition) side of the House, who are pledged to the principle of land values taxation without exemptions, helping these in this Chamber who are the most strenuous and most bitter opponents of the whole principle of land values taxation. I know very well that the attitude that is being adopted by certain members on the Government side of the House in regard to this measure is not being dictated because they do not know the amount of the tax which the Government may propose to levy on land values. It is actuated by a desire to defeat the measure itself; and whether the amount be large or small I am not going to allow myself to be made a party to helping those members to defeat a measure which I think the country is very much in need of at the present time.

MR. BOLTON: You are swimming with the tide.

MR. A. J. WILSON: As far as the tide on this (Opposition) side is concerned, apparently I am swimming against it.

MEMBER: It is a question of gaining time.

MR. A. J. WILSON: No; it is a question of my adopting an attitude in regard to this matter which I believe to be actuated by a proper conception of the principle of land values taxation in the best interests of the State as a whole. I am not at all concerned in the immediate present with whether the taxation to be adopted is to be a halfpenny, a penny, or twopence in the £. What I am concerned to see realised in this State is the enactment of the principle of land values taxation; and I think, as far as that is

concerned, that the Bill before the House realises all that.

**MR. BATH :** With the exemptions in it?

**MR. A. J. WILSON :** Whether the sense of a majority of this House will permit those exemptions as they appear in the Bill to go through, is a matter on which I do not pretend to prophesy; but they will not go through with my support, and I do not think any member sitting on this side, with probably the exception of the member for Subiaco (Mr. Daglish), is in a position to accept these exemptions as they appear in the Bill. In any case, the principle of land values taxation is not affected in the slightest degree by the amount of the incidence of that tax. Whether that tax be 1d. or 2d. in the £ does not in the slightest degree affect the principle of land values taxation. We have to take the position that with our falling revenue we have to look about for some new means of raising the revenue necessary to carry on the affairs of the State. If a land tax is considered to be the best means at our disposal, by all means let us adopt it. In my opinion it is the best means. If, in the opinion of a majority of this House, an income tax is the best means, let us have an income tax. But while we have an opportunity of getting this measure on the statute-book, it would be a suicidal policy to support the amendment, because in doing so I would be aiding and abetting those hon. gentlemen who, I believe, have no sympathy with land values taxation, and who are taking what in their opinion is the best step to defeat the whole principle. So far as I am concerned I oppose that proposal.

**MR. W. B. GORDON (Canning) :** I would like to enter my protest against the procedure adopted by the Government in bringing in this measure, the first of its sort brought before the Parliament of Western Australia. While not disputing the fact that having two measures may be the proper course, I think it was the duty of the Government, seeing that they are initiating new taxation in Western Australia, to lay the two Bills on the table at the same time. It was not necessary for the Attorney General to take an extravagant view of

our request when we said we wanted the two measures placed there side by side. That has nothing to do with it, and was not necessary. I maintain that the Government would have displayed a good deal more tact than they have if they had brought down the two measures side by side.

**MEMBER :** There is a strong Ministerial move against it now.

**MR. GORDON :** I therefore protest against the action, or at least the words, of the Attorney General. He practically accused us who are just venturing to offer our opinions in a mild way as to the procedure the Government should take in the matter, of not being in earnest with regard to our views relating to the taxation question. I hurl that insinuation back in his teeth. I am quite justified in saying that the dilatoriness of the Government in bringing this measure down almost amounts to an indication that the Government themselves are not earnest in bringing the matter before the country. Their weakness in the matter is, in my opinion, a sign of insincerity. However, they will have ample time to prove whether they are sincere or not. I quite believe, and almost anticipate, that they will fiddle about with this measure, and that it will never see the light of day in the Upper House.

**MR. J. SCADDAN (Ivanhoe) :** I desire to say, that after the reply given by Mr. Speaker to the question by the member for Leonora, I am going to vote against the amendment. I am a strong supporter of the principle of land values taxation, and I have stated continually that while I may oppose the Government on their exemption clauses and matters of detail connected with the Bill, I am not going to take any action that will tend to prevent this form of taxation being placed on the statute-book, and I am not going to throw it back any longer than possible. Therefore I am going to support the Government, although I cannot agree with the procedure they have adopted.

**MR. E. C. BARNETT (Albany) :** I cannot understand the action of members in raising this lengthy discussion at this stage of this important measure, consider-

ing that the whole of the matter contained in this Bill will have to be dealt with by the House in Committee, and that the amount of the tax will depend in great measure upon whether the exemption proposals of the Government are accepted by the House or not. I have sufficient faith in the promise of the Premier that he will lay the taxation proposals of the Government before us at an early date; and I am certain that any measure brought forward by him will be most reasonable, and one that will meet with the support of a majority of this House. I intend to vote against the amendment.

## AMENDMENT TO BE PUT.

MR. FOULKES: I do not know whether any other member wants to speak—

MR. SPEAKER: The hon. member having moved an amendment, is not in order in speaking now.

MR. FOULKES: I thought I would be in order in replying.

MR. SPEAKER: The hon. member is not permitted to speak under Standing Order No. 120, which says:—

A reply shall be allowed to a member who has made a substantive motion to the House, or moved the second reading of a Bill, but not to any member who has moved an order of the day (not being the second reading of a Bill), an amendment, or instruction to a committee.

So the hon. member would be out of order in speaking again.

MR. FOULKES: I do not know whether I should be in order in asking leave of the House to make a reply, perhaps in the nature of an explanation?

MR. SPEAKER: I am bound to put the amendment, if there is no other member desiring to speak.

Amendment put, and negatived on the voices.

## TO ADJOURN DEBATE.

MR. BATH: I move the adjournment of the debate till the next Tuesday.

MR. FOULKES: Perhaps at this stage I can bring about some of those explanations I desire to make?

MR. SPEAKER: The hon. member cannot speak just now.

MR. FOULKES: I shall take care to comply with the Standing Orders.

MR. SPEAKER: The hon. member cannot speak to a motion for adjourn-

ment. He will have an opportunity later, on the second reading of the Bill.

MR. JOHNSON: If the debate is to be adjourned and the time is not stated, is that not a question which is debatable?

MR. SPEAKER: There can be no debate on an adjournment motion. The question is that the debate be adjourned until this day week.

Question put and passed; the debate adjourned.

## BILL—POLICE OFFENCES.

## SECOND READING.

Resumed from the 19th July; the ATTORNEY GENERAL in charge of the Bill.

MR. T. WALKER (Kanowna): It is my intention to oppose this measure, in the first place because I see no necessity for it. There is no outcry whatsoever from the country demanding a measure of this description; farthermore it is a measure which, in my opinion at all events, is retrogressive, pertaining to the dark and gloomy past rather than to the enlightened days in which we at present live. I cannot for the life of me imagine what is the use of making a conglomeration of the laws of nearly every country under the sun for the mere purpose, it seems, of giving the police more power, of making the police our guardians, our teachers, our judges, our custodians, and placing them in a position more or less of the avenging furies of antiquity. The measure scarcely does credit to the acumen, judgment, and carefulness of the Attorney General. In many instances we find the same offences repeated. For instance, take an example; we will deal with these matters as they come along. In Clause 151 we read of certain offences to be punished in a given way. Subclause (b) of Clause 151 says:—"sets or places or causes to be set or placed in or upon or over any of the said carriage or footways, any timber, stones, bricks, lime, or other materials, or things for building whatsoever (unless with the permission of the local authority), or any other matters or things whatsoever," and it provides the punishment for such an offence. Then read on in Clause 130, Subclause 24—I want



to show how carelessly to my mind the Bill has been compiled, put together without due consideration—in Clause 130, Subclause 24, we see the very same thing again. It says:—

Exposes anything for sale upon or so as to hang over any carriage way or footway, or on the outside of any house or shop, or sets up or continues any pole, blind, awning, line, or any other projection from any window, parapet, or other part of any house, shop, or other building so as to cause any annoyance or obstruction in any street.

At once we can see these provisions are from two different Acts brought together in this Bill. This is only one sample; there are other instances of the same offence being treated or mentioned or enumerated in different clauses. This is supposed to be an amalgamation or consolidation of the Acts, and yet we find as much diversity as if the whole original Acts had been printed in one volume and called one Act. There is no consolidation; it is really a duplication and repetition, and the clauses are as distinct as they were in the original Acts from which this Bill is compiled. I think the measure injudicious. Furthermore it is taken from countries that have varied interests or customs and which are not on all-fours with Western Australia. There are clauses here that deal with washing animals at the pump or well. It is clear at once that this has been taken from some Act where a parish pump exists. I know of no place in this State where a parish pump does exist except at Fremantle; elsewhere I do not know where we could take our dog to wash it. That clearly shows that the Attorney General in his haste has taken laws from other countries that do not fit us. They are not altogether appropriate to our conditions. Just now I wish to allude to a provision which I shall have to deal with more fully later on. There is for instance the Act taken over from New Zealand dealing with drunkenness, taken over in a form for which we are not prepared, as for instance the provision permitting magistrates to send an unfortunate drunkard to a hospital or place for curative treatment. In New Zealand they have hospitals or institutions for curative treatment where drunkards can be sent; we have no such institutions here, we have no institutions

dealing with dipsomania or liquor poison, therefore the Bill has been ill-considered so far as this country is concerned. It is not so much with these lesser incongruities, if we may call them, that I wish to deal. Perhaps there is some excuse for the Attorney General having so lightly considered this measure in this respect when we know the haste with which he took office, and having to provide something to go on with, measures were brought in wholesale to keep the House going, and there was hardly time for the Attorney General to give the consideration to these measures that they require. I still farther object, in this lack of consideration, to the inclusion of provisions which the Attorney General tells the House he himself does not altogether agree with.

THE ATTORNEY GENERAL: Only one.

MR. WALKER: That is quite sufficient for my point. I submit it ought not to have been done. There was a terrible outcry not so long since in this State when the ex-Premier, the present Agent General, Mr. Walter James, succeeded in carrying through the Legislature a provision making it an offence for boys under 16 years of age to smoke cigarettes. The whole country scorned the suggestion. Cigarettes may be injurious—

MR. TAYLOR: Not the whole of the country.

MR. WALKER: Except perhaps the Young Men's Christian Association—I mean the sensible section of the community disapproved of it, not because they approved of boys under 16 years of age smoking cigarettes, but because they believe that kind of conduct was matter for the home government, or for such influences as could be brought on them by good and pure surroundings. It was not a matter for the police to interfere in. Is it not true that as we progress in civilisation we have been removing ourselves from the supervision of the police; we have resented the police prying on us in every step of our lives? Is it not our boast in Western Australia that we have passed beyond that stage when the police stopped us in the street any hour of the day or night and asked us are we bond or free? Have we not a species of pride that these days are passed? Yet this Bill practically takes us

back to those days once more. That is my objection to the Bill. It gives the police the right to watch us from the cradle, as someone says, to the end of our days. That is my objection to the measure. The police have certain duties to perform in the city, but these should be confined solely to the protection of the lives and property of the citizens. They have no right to be the judge of our morals, to presume on our privacy, or shadow us, they have no right to cast a single shadow on our lives. The Bill seems to me to provide work for the police, to find them something to do on their beat, or find something to make them earn their money, if not by great matters of protection, by absolute interference with the liberty of the people; and there is this effect that always must come from giving the police force too much power, the effect that it makes the people degraded; they cannot be trusted even to pass through the streets of the city, they cannot be trusted to live such lives as may be good and true to themselves. That mainly in the first place is my objection to this measure, but it goes farther than that. I submit this measure violates the most sacred of British laws. In the history of Britain there is no feature more sacred to Britons than that which details to us the battles, the struggles, which have been made for the preservation of individual liberty; and so guarded has this principle been in the minds of the people of Britain, that we have taken it as an axiom that it would be better far to let nine guilty men escape than to punish one man who is innocent. And yet on almost every page of this measure we find an evident desire to make it easy for the police to prove our guilt, or rather not to prove it but to make the responsibility of proving our innocence rest with us. If we are charged by a policeman, we are no longer to have our guilt proved against us, but we are to take the assumption by the police force that we are guilty until we are proven innocent, and I repeat that the responsibility of proving our innocence rests upon us. The old English principle was that every man should be assumed to be innocent until proved to be guilty. This measure reverses that process, and presumes that every man charged by a policeman is to be deemed

guilty until he has actually demonstrated his innocence. That feature in itself is a serious one, to my view; but when we go farther and find that a man who happens to talk to another person whom the police suspect as in the clauses containing provisions for dealing with gold stealing—may be taken into custody and charged with being an accomplice of the other man, and that no proof need be brought by the police, but that it is sufficient if they charge him, and he must absolutely go to the trouble and expense of proving himself innocent, I submit that it is an outrage upon that of which we have so often boasted—British justice. Moreover, in this Bill also every opportunity is given for the police to obtain assistance by the meanest process known to human nature, by encouraging informers to split upon others, so to speak, and it is in every way opposed to those great features which have characterised English history; in every way opposed, for instance, to that struggle we have embodied now under the Great Charter. What was the Habeas Corpus Act, and what our Jury Act? All these steps in history were to free us from “the powers that be” in their desire to prove us guilty with little trouble. The object was to make it difficult for men to be accused unless the guilt could be absolutely driven home to them. This is what we have fought for through centuries, and now we are going back to the old time, making it sufficient to be accused to be condemned, which is an outrage upon human liberty. But the Bill furthermore seems to me to be nothing else but to protect policemen. I am quite convinced that this measure is not the outcome of the Agent General's serious thought. It is the product of minds of men who desire to have their clutches upon us, to have a right to interfere with every step and stage of our existence. It comes from the habit and the tendency of the police, who seem to regard humanity as prey to them. They look upon themselves as hunters, and the more they have to hunt the more sport they obtain, the more kudos they gather, the better are the chances they have of continuing their employment, and the better their chances of obtaining stripes; and they are not quite satisfied with those cases of obvious dereliction from social duty in the ordi-

nary walks of life, but they want us all to pass under their supervision and come under their control, and thus have shown their entire ignorance of human nature and of those laws which should govern society. For instance, I scarcely like to speak upon the subject, but there is the treatment of the social evil, a trouble which has never been dealt with in a calm deliberate manner, so as to get at the real truth and obtain a definite remedy for the evils we know to exist. But the police are to take a great question of that kind into their hands; a question that is influencing and engaging the minds of the ablest European thinkers of the present time, a question which has year after year called together the social scientists of Europe in the large centres on the continent of Europe, a question upon which the utmost diversity of opinion exists, which is still in a controversial state, and upon which there has been investigation and keen study, supported by such an abundance of fact that it would take almost a library to record. It is on these subjects the police are to be made censors and judges, and they are to dog our fallen women from street to street and house to house, hunting them as if they were some wild animals instead of still belonging to the human family. That is the position to which this Bill reduces us. We are to treat these fallen creatures as absolutely victims of the police at every step and stage of their lives. That is not the way in which to bring about social reform, or to uplift humanity. It is to degrade humanity still farther. It is to impel vice to farther degradation and depravity and hopelessness. There is nothing in this world which so leads to vice and misfortune, and all the calamities which follow, as taking away hope from mankind. Remove hope from the human heart, wherever it may be, man or woman, and the downward path, the descent to misfortune and disgrace, is ever made from that moment onwards. By the impetus of the broken heart the creature falls down and down to the gutters of despair, and this is what we are actually aiming at by a measure of this kind, the danger of absolutely putting a shadow over the lives of some people, and closing every door of their re-entrance into healthy respectability. I decidedly object to that course

of legislation in this House, which we suppose to be the representation of the enlightenment of the country. The police have already too much power in our midst. They interfere too often when it is unnecessary. But take another phase of their conduct towards mankind, another set of unfortunate creatures, and with these I wish to deal more fully. It is in reference to the drunkard. Let us observe that any person found drunk in a public place, or on licensed premises, shall be liable on a first conviction to a fine of twenty shillings, and in default of payment to imprisonment for forty-eight hours; on a second conviction within six months to a fine of forty shillings, and in default of payment to imprisonment for seven days; and on any subsequent conviction within such period of six months to imprisonment for three months, and he shall be deemed a habitual drunkard. This clearly sets forth that a man who is under the influence of liquor, whether it be good or bad liquor, is to be deemed a criminal. It is a crime to be drunk, and yet the State gets a large share of its revenue by licensing hotels and public-houses wherein that which causes the alleged crime is sold. If there be any consistency in a case of this kind it should start at the root. The Government should not take any revenue or obtain any profit from the sale of that which makes criminals according to this measure. It is a crime to make a drunkard. There could be no drunkards if no whisky, beer, or alcohol in any form were sold. And yet the State is a partner in the sale of that which causes these people to be treated in this offhand manner. I could understand consistency if, as is the case where this law springs from, New Zealand, prohibition were preached by the Government or enforced by the Government; but whilst every hotel throughout the country is allowed to sell this stuff—and I am not now questioning whether that is wise or not—why punish the man who buys it, when the Government is obtaining revenue from the man who sells it? And it is not the man who drinks the most who gets drunk. Very often one glass will make one man drunk, and another man may take his 20 or 30 glasses, or be drinking all day and appear sober at night. One man with finer

nerves than another, or with wrecked nerves, as the case may be, in an indifferent state of health, by drinking one glass may become a criminal, and another man who drinks all his life, but cannot be made drunk, may obtain immunity from police interference to the end of his days. There is no consistency about a law of this kind. I for one decidedly object to drunkenness being considered as a crime, even when it reaches the third stage of this measure, when a man can be sent to gaol for six months for having been detected drunk by a policeman. And let us see for a moment who it is that will come under this penalty.

**THE ATTORNEY GENERAL:** Which clause is that about drunkenness?

**MR. WALKER:** "On any subsequent conviction within such period," three months. In this instance he can be sent to gaol for three months, but if it were three hours or three minutes it would be wrong to send a man to gaol for being drunk; a man who perhaps has got drunk, we will say, from taking a drop of bad whisky. I understand the Government have now in their possession an analysis of the whiskies sold over the bars in this city, and that the revelations there may be startling; that there are poisons, deleterious poisons sold in those mixtures, and on once drinking which a man with the best intentions of remaining sober brings himself under the ban of the police force, and can be taken and sent to gaol accordingly. Is it not a common fact known to everybody that drunkenness does not depend upon viciousness? It is not always the wicked man who gets drunk; the thief, the rogue, the scoundrel, the sharper, the spieler, these men keep sober. It is generally the innocent man, the man with a good heart, the man who means to do no harm to his fellow creatures—that is the man generally, the man who, if his nature had not been perverted by this poison, would really have been of the best type of citizen. These are generally the men who come under this ban, and are treated as criminals because they have partaken of drink. And the inconsistency of the action is shown farther on. But I was about to ask, who will come under this ban and get into the clutches of the police? The very men whom the police should most carefully protect—the poorest

section of the community. We know full well that the man of money can belong to a wealthy club, where he may get drunk and a cab will take him home, or he can find a bed on the premises. He need not go outside. In all probability if such a man were discovered drunk on the footway, the police would put him in a cab and send him home. It is the poor man, who has no means of evading the police, who comes under the ban. The man who can afford to keep his cellars well stocked and get drunk in his house to his heart's content, or go to his club, or drive from hotel to hotel in his cab, escapes this; but it is the poor man who has no means of evading the supervision of the law who will everlastingly be the victim of this provision. And what is the result? Degradation. The shadow of the police over a man is a degradation which chills hope, kills his desire to do right, forces him to become an enemy of society, makes him think that the whole world is against him, that in his life there is no chance or hope for him; and deeper and deeper he sinks until he becomes confirmed in his despair. This is what the Bill will help to do. I want a Bill that will help to lift up humanity instead of degrading it and forcing it everlastingly lower and lower. But even in this respect the Bill is inconsistent, for what does it provide a little further on?

Any person found drunk in a public place, or on licensed premises while having charge of a child under the age of seven years, shall be liable to imprisonment for one month or to a fine of five pounds.

As if a man who drank some of the whisky sold in this State could help getting drunk on one glass, whether or not he had charge of a child.

If the child appears to the justice to be under the age of seven, the child shall, for the purposes of this action, be deemed to be under that age unless the contrary is proved.

Again the process is reversed. The man is presumed guilty until he proves his innocence.

Whenever a person is convicted under this or either of the two last preceding sections, the justice may, in addition to any other penalty, order the offender to pay the expense of conveying him to a hospital or prison.

Observe, "to a hospital or prison." What is the purpose of the hospital? The existence of the provision proves that the man is diseased; that he does not

need the gaol but the doctor. The Bill declares that. Here is its inconsistency. Clause 18 provides that—

When any person is arrested in a state of drunkenness, the justice before whom such person is brought may, if he thinks fit, remand such person for not more than seven days, and thereafter for such farther time as he may think fit, to some hospital, infirmary, or other place, for curative treatment.

If this man is fit for the hospital, should he be treated as a criminal? If he needs the doctor, should he be penalised for his disease? Is not the man to be pitied and cared for, not to be kicked and buffeted? The man needs curing, and we send a policeman to him. Is that what we have come to in our civilisation, the height of the fine humanitarianism of the twentieth century?

THE ATTORNEY GENERAL: Do you object to that clause?

MR. WALKER: No; I do not. I say that this, standing by itself, is about the only sensible clause in the whole measure.

THE ATTORNEY GENERAL: It is a new clause.

MR. WALKER: Certainly; taken from New Zealand. But while I am satisfied that this clause has some merit, even then, the merit is not to stand alone, for listen :—

Any justice before whom he may be brought, either in the first instance or at any time thereafter, shall make an order for payment of such expenses, when ascertained, separate from any other order made by him.

This subclause refers to the preceding subclauses, and to Clause 18, which provides that any person so remanded shall be deemed to be in custody. The framers of the Bill cannot avoid the use of the word "custody." The policeman always wants the unfortunate man in his clutches :—

And may be brought from the place to which he was sent and taken before any justice, and proceeded against for the offence for which he was originally arrested.

We cure him so that he may know how much he is to suffer. And then—

All incidental expenses, and the cost of his maintenance in any hospital, infirmary, or other place to which he may have been sent for curative treatment, shall be paid by such person, and may be recovered from him in a summary way.

And then if the poor wretch cannot pay

up, if he has not the means of satisfying the demands thus imposed on him—

In default of payment of such expenses and cost of maintenance, such person may be imprisoned for three months.

It is to me extraordinary that the Government should go to the trouble of curing a man whom they admit is diseased. They admit that he needs a physician, nurse, medicine—all human aid that can be given. In that helpless condition he is nursed back to health so that they may hurl him into gaol. Civilization has brought us to this. This is the civilization of this House in this century. Our conduct is like that of the cannibals to the missionary, when they stick him in an enclosure and feed him on rice and milk until he is fit to be eaten. We cure the drunkard in order that we may be cruel to him afterwards. We act like a cat playing with a mouse, waiting until he gets strong enough to run, and pouncing on him afresh. This clause has hit the real fact in regard to drunkenness, by suggesting the need for the hospital, the infirmary, and the doctor. Drunkenness is now recognised, by those who have given it any study at all, to be a nervous disease, as much needing our compassion, and care, and treatment, as does any other form of insanity or nerve weakness. Just as when a man becomes demented we put him where he can receive the best medical aid the State can afford, and nurse him back to his sane senses, just in the same manner is it necessary to treat the drunkard. In olden times, and not very long ago—almost within the memory of men still living—lunatics were treated as this Bill proposes to treat drunkards. Insane patients were treated with the utmost cruelty. They were flogged; they were doused in cold baths when their frames were not strong enough to endure the affliction. They were treated with all sorts of severity; and indeed only when the good heart of England woke up to the knowledge of the facts was a proper scientific method of dealing with these creatures devised. And the result has been phenomenal. We have brought people back from their aberrations into sanity and citizenship, and so should it be with drunkards. You, sir, from your long experience of life and from the course your life has taken, will

be able to tell the House, as I can, that no man starts off with the desire to be a drunkard. He does not take his glass with the desire to prepare himself by a course of training for punishment by the police. Every drunkard starts in the belief that he is strong enough to conquer the evil, that he can battle with the demon. Some of the best, some of the wisest of men have been conquered by that fiend. Are we to say that they are therefore fit subjects for the ignorant, vulgar, ordinary, broad-footed "bobby" to handle? To me there is something so anomalous about the whole affair that I feel disgusted when I speak of it. Think of it—some of our brightest intellects, those who have lifted our minds from dullness into bright activity, who have been our teachers in letters, in poetry, in art, have been blighted by this curse. What would be said if one proposed to place a Leigh Hunt, a Robert Burns, a Shelley, a Byron, under the guardianship of a policeman? What should we think of their being handed over to the ordinary specimen of a policeman, such as we find in the streets of Perth? Yet these great men were more or less victims of drunkenness. What of Pope, what of Dryden, men who were tainted by the same influence? What of Addison, what of some of our greatest statesmen, of the marvellous Pitt himself, concerning whom we have many anecdotes of his action when in his cups? What of Fox and Sheridan; what of the great Bolingbroke—all victims to alcohol? And yet if an ordinary citizen, a poor man, one without offence, has the same affliction that these great men had, he is to be taken to gaol. England in her modern days has devoted much time and great ability to research in this field. The late eminent Dr. Richardson pointed out that nothing worse could be done to a drunken man than to put him into a police cell. That was the most dangerous step to take; for this great physician pointed out that alcohol acts not only as a depressant, but acts in the same manner as cold acts on the human frame. In other words, it gives a chill to the whole system; and when a man dies of alcoholic poisoning he practically dies of cold. The effects are similar. We take a man in the worst stages of intoxication, and place him in a cold, damp cell. It is a chance whether

he comes out of that cell alive next morning. In nearly every State of the Commonwealth we have had instances of men being arrested overnight drunk, and found dead in their cells next morning. The number is not so small that we can afford to ignore it. The number is large; and Dr. Richardson pointed out that this was all we could expect. And where such treatment has not actually resulted in death, where the result is not to murder the man placed in the cell, it very often leaves upon his frame an effect from which he never recovers; that is to say, instead of having upon him a reformatory effect, it shatters those nerves that need strengthening. It weakens, instead of fortifies, the man. In other words, it makes him the habitual drunkard who is to be punished so severely under this Bill. That is the effect of this police treatment. Where did the Attorney General ever find a man who has been reformed from drunkenness by having him sent to gaol? There are records of people being sent to gaol hundreds of times for this alleged offence. Where has it cured them? Where has it led them back to the paths of sobriety? But it needs no arguing. The Bill itself says it is a disease. The Bill itself would send them to hospital for curative treatment. And if this is so, let us admit the fact at once that drunkenness is a disease, and instead of putting the police in charge of it, let us put our doctors in charge of it. I would never vote for a measure which treats drunkards in the way this Bill does; because a drunkard is an unfortunate—he is an invalid, not a criminal; he should be nursed, not disgraced; he is to be strengthened, not weakened. But the same pettifoggery is followed throughout the Bill. Imagine a great body like this House dealing with small boys flying kites. If this Bill had been the law when the Attorney General was a schoolboy, how would he have escaped? Where would he have been to-day? How many of us, in our youth, indulged in little acts such as trying to smoke tobacco and making ourselves sick before we were out of our teens? How many boys have indulged in those luxuries treated in this Bill as crimes? What is the use of a boy unless, as a tutor of mine said, there is a little of the devil

in him? It is vitality that leads to these little offences; and we want the guardianship and control of it in our homes, and not that the control should be placed in the hands of this outside force called the police. If there is any need for reform, by all means let us have it; but let us have it in our homes. This is taking it away from our homes, and giving it to the police. Where are our clergymen that they need the police to help them in this way? Where are our schoolmasters, our Sunday schools, and our parents, that they need the police to watch our boys to see that they do not fly kites or smoke cigarettes? This is surely a libel on the moral state of this community, this making the police the custodians of our children, when the home is to be forgotten and the police are to take charge of the little ones just toddling out on their first steps in life. It is humiliating in the extreme. But still more it is humiliating when the police are to have charge over publications. They are to judge whether any book is obscene, or whether any illustration is obscene. They are to have the power to enter any shop or dwelling to hunt for books or pictures that are supposed by them to be obscene. The Bill generously tells us that this does not include any *bona fide* medical work, only if there be such a work it remains for those charged with having it, or selling it, or exhibiting it to prove that it is a *bona fide* medical work. Now, imagine a medical work of any importance being submitted to an ordinary policeman for judgment, or to an ordinary justice presiding in our courts or in the same way to our stipendiary magistrates? Imagine them qualified to judge in a matter of this sort! If we were to allow policemen to be the judges, some of the best works in English literature would be condemned by them; because what would pass ordinarily, if quoted by itself, as obscene, would be taken by them as making the works obscene. More sacred books than medical works would come under domination in a similar manner, if we allow policemen to be the judges. There can be no subject more important than that which affects our social progress and our social welfare, even if it enters into our homes and discusses the relationships of our domesticity. We must

have full discussion and full light on these great questions that affect the future of our race. We are only on the threshold of learning. Under the ban of an old opinion that came with monkcraft into Europe from the deserts of Egypt, and perhaps from the heart of India, and which has generated for ages the hatred for the relationship of sex, an important subject which affects our race, we have not been allowed to debate or discuss. A false delicacy has shrouded all, and many a young man or young woman has gone to the dogs for want of proper information as to their character, their selves, and their destiny; and yet this subject is not to be discussed, we are not to have a book upon it, and we are not to have it treated in the most respectful manner by the ablest thinkers the age can produce. We are to have an *ignoramus* to judge the works of Dr. Havelock Ellis or Lambrosa, or any of the great writers of modern times on this great and most important subject; and unless a person who desires to read a book of that kind, or study it, or pass it on to his neighbour to be discussed, can prove that it is a medical work discussing this most important subject, the police can drag him before a bench of magistrates. These things have happened. We know that some books of 20 or 30 years ago, absolutely condemned before juries and judges in England, have become, more or less, standard works at the present time; that is to say, they have passed the ordeal, their good purpose has been recognised, it has been seen that their tendency is for good instead of for evil, and, as a consequence, they are now allowed circulation. Is it the policeman who is to say what books should be read, should be circulated, should be sold, or should be printed? If we are to have a censorship, if we are to have men set over our publications, let it be men of probity of character and qualified by their natural abilities and high attainments for such a purpose. The policeman, and even the ordinary magistrate, never can be presumed to be that; yet it is so assumed in this Bill. Then again the Bill provides that the rich man, of course, shall have his property protected; but where do we find that the poor man is protected by this Bill? At every stage

he may be open to the control and direction of the police. It makes a man very careful as to what he does, if this Bill becomes law, it goes into such minute details of every part of our life. For instance:—

No person shall bathe, unless in proper bathing costume, near to or within view of any public wharf, quay, jetty, bridge, street, road, or other place of public resort, between the hours of six in the morning and eight in the evening.

Or again—

Every person who plays or sounds upon any musical instrument in any street—

We will never come to the end of that under which we can be brought under the custody of these people—

and against whom a complaint is laid by any inhabitant (who may be annoyed by the playing or sounding of such musical instrument), or by any police officer upon the complaint of such inhabitant, shall be liable to a penalty of forty shillings.

What can we do, if this measure becomes law, that we may escape a penalty? Any person who

Flies any kite, or plays any game, or uses any sling or instrument to the annoyance of the inhabitants or passengers or to the common danger of passengers.

Causes any cart, hackney carriage, truck or barrow with or without horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down passengers (except hackney carriages standing for hire in any place not forbidden by law).

Rides upon the shafts of any wagon, cart, dray, or carriage whatsoever.

Did anyone ever hear the like of that? It reminds me of the old Puritan times, when men were treated as vagabonds and put in the stocks for whistling on Sunday. For instance, here:—

Any person who washes any clothes or animal at any public fountain or pump shall be liable to a penalty of one pound.

Who is going to wash his clothes at any drinking fountain in Western Australia, where, at all events, there is the River Swan? Here, again, how particular these people are:—

The person in charge of any animals travelling along any public road or highway shall remove the bodies of any that may die on such road or highway to a distance of one hundred yards from such road or highway, or bury the same three feet beneath the surface of the ground. In default of so doing such person shall be liable to a penalty of five pounds.

Just imagine our taking a drive on

Sunday or any other afternoon, and having to carry a pick and shovel to bury the horse in case it drops dead; and in the event of its death we are to bury it as specified. It will not do to have it down 2ft. 11in.; it must be the full 3ft. beneath the surface. So we must take a foot-rule with us, to see that we have the dead horse down sufficiently deep. The Bill is full of similar absurdities. It is on a level with some of the features it treats of. It is boyish. Some of it might be fitted for the old country, or the City of London, or some other part, but it is not in any way fitted for this country.

THE ATTORNEY GENERAL: It is the law here to-day.

MR. WALKER: Whether it is or not, it is absurd. Here is a law to which the hon. member himself takes objection, the smoking of cigarettes by boys. The Minister's feeling is against that clause. Why does he put it in the Bill? Is it for us to throw it out?

MR. GULL: It is a legacy of Walter James.

MR. BATH: The Attorney General does not take up all the legacies of Walter James.

MR. WALKER: He takes up this one of his eccentricities. I think the Attorney General wanted to get a Bill ready quickly so that the House might have something to go on with, and this is the result. Not only that, but he creates crimes that may be dangers to the most innocent. For instance, there is a clause that says that if we are, as some of us might be, playing an innocent game for counters, or even for matches, or if we are, for instance, playing halfpenny nap on Good Friday, or Sunday, or Christmas Day, the police can pounce down on us. Now the hon. member and others of his standing can play any games they like at the club, and no one can interfere with them. They can play for what they like. I wish the day may come when our laws will be consistent, when there will not be one side for the poor and the other side for the rich. All our laws on gambling here are made to suit the rich man. You can punish a man for making a bet in a street, in a room, or in a house. If any person makes a bet with a friend on a horse race, he is liable if he does it with the utmost privacy. If the police think



that any two or three persons are innocently, from our way of thinking, betting in any room, they can not only demand admission, but they have the right to break down the door of our private house, and to seek us in the house. But the Turf Club can bet and allow others to bet, they can give permission to other clubs to bet and the clubs are not interfered with. Betting can go on there. This Bill does not stop the evil. What is a crime in the poor man is a sort of virtue or a tolerable thing at all events in a member of the Turf Club; this is what I object to. I say again in conclusion, for I do not want to labour the matter, that this measure is an emanation of the police mind, the body of people who deem it their duty to treat citizens, or as many as possible, as their victims or possible victims. It introduces the old Continental state of things which were the disgrace of France in the days of *lettres de cachet*, and what is going on in Russia to-day. It is police surveillance. It makes a man cease to be a free agent; it removes his manhood from him, and makes him a dependent of these black gentry. This measure is a backward step. It reduces the time to the gloomy past. It makes no excuse for our natural human weaknesses, and it forgets we are men and all liable to err. It is treating us as victims before we make a move. It is to me a most serious matter, it is the lifting of the weight from humanity that helps us. We want to go onward, and not be treated as children incapable of looking after ourselves. We want strength instead of supervision of this sort. The worst feature of the Bill is that it makes the citizens responsible for looking after the policemen. There is one clause here which I should not have forgotten, and to which I must refer before sitting down, and this clause deals with policemen and says that if any person offers drink to a policeman on duty, he must suffer a penalty. Just fancy, the police are to watch citizens, and the citizens are to watch the police on duty. There is one other matter here which I believe to be absolutely dangerous, and I cannot close what I have to say until I have referred to it. It is one of those clauses dealing with drunkenness, and it states

that any person obtaining drink for an intoxicated person, for consumption by any drunken person, is liable to a certain penalty; to imprisonment, in short, for one month. The Attorney General will remember the incident I have in my mind, the moment I speak of it, I refer to that bright intellect Dr. Lyhane, of Kalgoolie. If ever there was a victim to that poison, that man was. There we had a remarkable mind, a man of remarkable attainments, and the police thought they could cure this man, and they tried. What did they do? They arrested him, and took him to a police cell, and from there he was taken to a private hospital. He was refused drink. That was their ignorant way of trying to cure him. The man is in his grave now. That is not the only instance. There have been innumerable instances. You cannot cure a man in that way. If I were sent to gaol every day of the year for supplying drink when I saw a man suffering in delirium, I would give him drink. I would get him that drink notwithstanding all the laws, in endeavouring to save life. Stop the drink to the man who is alcoholic poisoned, and you murder him. This Bill provides for murder. Pass that law, that it is impossible for anyone in delirium, impossible for a man who has been on a long drunk to get drink, and you murder him. I do not speak, I am sorry to say, from mere theory but from some knowledge of the subject. I cannot allow this discussion to pass without saying we endanger the lives of citizens by it. Not because I desire to degrade the police force, or belittle their uses to society when they perform their true functions, but for the credit of our own honour and the progress of society, I shall oppose the Bill all I know how.

TO ADJOURN.

MR. HOLMAN: I move that the debate be adjourned.

THE ATTORNEY GENERAL: I am not in a position to meet the hon. member at this stage. When the debate was fixed for this day, I expected, in consequence of the long adjournment, to make considerable progress to-night.

MR. BATH: We have.

THE ATTORNEY GENERAL: One member only has spoken; true he has spoken for a considerable time.

MR. SCADDAN: We did not get on to this Order of the Day until long after tea.

THE ATTORNEY GENERAL: At this stage I am not prepared to consent to an adjournment.

Motion put, and negatived on the voices.

#### RESUMED.

MR. P. J. LYNCH (Mount Leonora): In speaking in this debate I feel that I can add very little to what has been said by the member for Kanowna (Mr. Walker) on the second reading. In fact as he went along he put me to the necessity of crossing out a lot of the items he touched upon, and touched upon so effectively. But taking the Attorney General's statement that the magistrates, though not having many legal attainments, yet have what is of equal value, a lot of common sense, I feel it will be very necessary to pull a lot of matter out of this Bill before it will be reduced to common sense. It is only now that I have learned for the first time that we are after all in this State suffering from over-legislation, because there are in this Bill undoubtedly many things which are nothing short of what can be rightly termed over-legislation. Some portions of this Bill have grown obsolete, and are not at all fitted to the conditions obtaining in this State. Reference in one portion of the Bill is made to an offence that could be committed by the propeller of any vehicle, which is equivalent to saying that we have here in this State some of the same class of individuals as would propel the rickshaws in East India. I feel that it is nothing short of an excrescence on the measure. There is also reference in the same clause to persons drawing sledges about, which certainly refer to incidents in northern climes. There is also reference to the offence of firing off any cannon. [THE ATTORNEY GENERAL: In the street.] Really in this State it is difficult to imagine who could be guilty of an offence of that kind, unless it be perhaps the Commonwealth Government—it is a very moot point whether the State of the Commonwealth could bring such a charge—who might be accused, for instance, of firing off a gun at Fremantle. That is soberly mentioned in the Bill, and apparently there has

been no intention to strike it out. That is most certainly a provision of an obsolete character, this branding of the firing of cannon as an offence to be met with the rigour of the law. There is also a clause which comes rather dangerously close to an indictment of the Minister for Works himself, a reference being made to the discharge of any noxious substance into any stream. Bearing in mind the early completion of the bacterial system of disposing of our sewage, it certainly seems that the Attorney General has designs upon the liberty of his colleague. I do not know whether it is true or not, but still it shows that in this measure there is a whole lot of obsolete provisions which sadly need the pruning knife. Whilst the Attorney General has been engaged on the rather estimable work of drafting from the various measures all the offences that come under the heading of simple offences, and are on that account dealt with in a summary way, I think he could have included, and with much profit to this State, the offence of suicide. Suicide at the worst is no very heinous offence, and considering that it is an indictable offence and is regarded as such by the Attorney General, I think he could have included it under the heading of simple crimes or offences, or at all events of that class of crime that could be dealt with by a magistrate or two justices of the peace. At present we have this offence catalogued along with other offences of an indictable character, which certainly puts the Crown Law Department to a whole lot of expense in bringing witnesses and other necessary forms of proof, to prove that a man has really made an attempt to put himself out of existence. The particular clause referring to the use of obscene language is one which, in my opinion, sadly needs amendment in the direction of severity. I believe there is hardly any more mischievous inclination on the part of grown-up people than that of using obscene language before youngsters, and I would like to see the penalties provided for such an offence at least doubled, just as the penalties in reference to tampering with property have been doubled in the same measure. I can hardly imagine any offence on the part of a person in this country that is

so sadly in need of particular attention, and at the same time in need of being visited with the severest punishment, as the use of obscene language in any public place, but more especially before youngsters. I have listened, sometimes with disgust, to fully grown people employing such language, and I would like to see authority given to any civilian to, when he hears language of this kind used, proceed without the interference or assistance of a policeman. I notice that particular care has been taken to double the penalties for any offence that is committed as far as interference with property is concerned; and I would especially suggest to the Attorney General that it is worthy of consideration that he should also double the penalties for the use of obscene language, and by that means exploit one source that has remained unused for securing so much revenue, at the same time putting an end to what is nothing short of a grave menace to the morals of the rising generation. The hon. gentleman has introduced a remedy for dealing with any person who issues cheques whilst at the same time there may be no cash to his credit at the bank, and that is a provision which I shall support. There is provision in the law as it stands to-day in reference to obtaining gold, and also the possession of gold found on any person. At the same time it is rather unreasonable for any policeman to be in a position to go to a citizen and, simply because he finds gold in his possession and a reasonable explanation is not forthcoming as to how he obtained that gold, bring that citizen before the court, and, in the absence of any reasonable explanation, either force that citizen into gaol or make him pay a penalty. A person having gold in his possession may have had it given to him by some person who is dead, or a person who has left the State, and because it is a sheer impossibility to produce the giver of the gold, this citizen runs the risk of having his liberty curtailed, or of being mulcted in a heavy fine.

**THE ATTORNEY GENERAL:** Do you know of any case of that kind?

**MR. LYNCH:** I do not, but the liability is there, showing the risk that some citizen runs if, as sometimes is the case, there happens to be an officer of the law of a designing bent of mind. The

liability is there for a person to be hauled before a court, and either imprisoned or mulcted in a fine, so long as he cannot produce the giver of the gold which he has in his possession and which he has obtained by lawful means. There is also a provision which I wish amended, regarding the premises on which gold supposed to have been stolen is found. It seems that under this proviso citizens will run all sorts of risks. A man may quite innocently wander on to premises where stolen gold is to be found; and if he cannot give a reasonable excuse for being there at a particular time, he is liable to be arrested and imprisoned or to be mulcted in a fine. I feel that in these two provisions there is ample room for amendment; and I will take an opportunity, when the time comes, to see that a reasonable precaution is taken to prevent such risks being run, either by a person in possession of gold or who has wandered quite innocently on to certain premises and cannot give a reasonable explanation of why he is there. Otherwise the Bill in its main features will have my support. The hour is getting late, and I feel that I cannot add anything farther to the discussion. I shall move in the direction mentioned when the Bill is in Committee.

On motion by MR. BATH, debate adjourned.

#### ADJOURNMENT.

The House adjourned at 10-22 o'clock, until the next day.