

Mr. Davy: There is no power to do it. The court never has awarded anything for such damages as these.

The MINISTER FOR WORKS: The hon. member is only making a bald statement without any knowledge of the facts. It does not become him to give a denial of this description when he knows nothing about the matter. His denial can carry no weight when the records of the department show to the contrary. I could name the individual if I so desired.

Mr. Davy: I would like to have a talk to you about it afterwards.

The MINISTER FOR WORKS: The hon. member has failed to mention one of the most important reasons why the Bill should be passed.

Mr. Davy: I am not called upon to give reasons why it should be passed.

The MINISTER FOR WORKS: He made no attempt to combat the argument in favour of it. I refer to a free public discussion while these public works are contemplated. I mentioned the question of the Fremantle bridge. If a public discussion were held as to the probable sites for the structure, the matter would be discussed by all the local commercial men and those who were likely to be most intimately affected. There would be a general discussion over the whole thing, and when the price was fixed it would be known as the price at the last January. No one would have the opportunity of buying land or putting up bogus sales or fictitious leases, or of producing evidence of obligations undertaken to show that these had been entered into, in an attempt to get money from the State which would not be warranted. No one would be able to do that, and the community would have the benefit of a free and open discussion while such works were under review. These points should weigh with members when voting upon the Bill. No attempt has been made to show that the section of the Commonwealth Act has in any way worked a hardship. Considerable areas of land have been resumed all over Australia, but in no case has it been shown that the section of the Act has meant any hardship to the land owners. It would not be the desire of any Government or official, when land is resumed, that an injustice should be done to the owner, or, on the other hand, that the community should pay a generous thing, as the hon. member suggested, for the land so taken. No one wants to be hard on

the land owner, or to deprive him of the full value of the property, but everyone also wants to see that the community gets a fair deal and is not imposed upon. The necessity for protecting the public has been realised for many years. Representations have been made over a long period to Governments for an alteration of the Act so that the points to which I have referred can be cleared up, and that better facilities may be afforded for negotiation. If the Bill becomes law, fewer cases will be taken to the court than go there at present. There will be more cases settled by negotiation. There will also be freer discussion, and a fairer deal arrived at than the existing law provides for. I hope the Bill will be passed.

Question put and passed.

Bill read a second time.

House adjourned at 10.59 p.m.

Legislative Council,

Thursday, 2nd December, 1926.

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The PRESIDENT took the Chair at 3 p.m., and read prayers.

QUESTION—ELECTORAL, COUNCIL ROLLS.

Plural Voting and Claim Cards.

Hon. E. H. HARRIS asked the Chief Secretary: 1, Have the Electoral Department any records that will indicate to what extent plural voting exists in connection with the Legislative Council elections? 2, If so, will he submit a return showing the number

of electors enrolled, respectively, with—2 votes, 3 votes, 4 votes, 5 votes, 6 votes, 7 votes, 8 votes, 9 votes, and 10 votes? 3, The percentage of electors to enrolment limited to one vote? 4, What number of claim cards were posted by the Electoral Department to persons known to be eligible to enrol for the Legislative Council, preceding the Legislative Council elections of—(a) 1924, (b) 1926? 5, What number were completed and returned to the Electoral Department in each year?

The CHIEF SECRETARY replied: 1, 2, 3, No information in this connection has been kept during the past fourteen years. 4, 1924—24,448 were posted to persons believed to be eligible. 1926—31,578 were posted to persons believed to be eligible. 5, 1924—13,199. 1926—18,429.

PAPERS—WORKER'S HOME, J. R. DAVIS.

HON. G. POTTER (West) [3.5.] I move—

That the file relating to the purchase, sale, and transfer of a worker's dwelling-house, held in the name of John Roy Davis, being piece or parcel of land Perth lot No. 505, comprised in and the subject of lease of a worker's dwelling No. 69/12 (Crown lease 8212/1913), be laid on the Table of the House.

I have to offer a few remarks more in explanation than in amplification of the motion. I have already seen the Chief Secretary on the subject, and I understand that there is some objection to the file being laid on the Table, although with his usual courtesy the hon. gentleman has verbally informed me that most likely there would be no objection to myself or any other member perusing the file. In view of the circumstances I wish to point out how essential it is that the file should be laid on the Table. While a perusal might give me all necessary information, I understand that the file contains records of transactions which are of great public importance. Any information I have obtained regarding the contents of the file has not in any way come through leakage of confidence from the office of the Workers' Homes Board, but has come from Mr. Davis, who is primarily interested, and who feels it is only right that his experience, and the history of the case, should be known to many who are similarly situated. There are several reasons of greater or less importance why the file should be laid

on the Table and why the case should receive prominence. In the first place I have the assurance of Mr. Davis that the file contains nothing of a confidential nature that might injure him or anyone connected with him. Secondly, Mr. Davis has no objection whatever to the file being laid on the Table and thus becoming almost a public document. Thirdly, and most important of all, there is the fact that the matter is of great public interest. I can only say that I understand the matters to which I am about to refer are contained in the file. There are always two sides to a question, and no matter how diligent and careful an informant may be, he sometimes does not give the correct perspective. For that reason also it is necessary that members here, who are entrusted with the duty of caring for the welfare of their constituents, should know at first hand the true facts of the case. The preconceived idea of a worker's leasehold property in connection with that very fine institution the Workers' Homes Board is that when a person has entered into a contract with the board for the erection of a home and has discharged the total amount of the capital cost of the building, interest charges thereon, and cost of renovations and, in many cases, additions, he can only sell to the board. In fact, the board hold an equity in the property, which equity at all times exceeds and overshadows the interest of the party who has actually earned and paid the money for the property. Mr. Davis has done all the things I have mentioned. He has discharged the whole of his obligations to the board. He has repaid the total capital involved, interest charges, cost of renovations and any additions, and also cost of maintenance. Having done those things, he was issued, as he was entitled to receive, a certificate of purchase. That was all very well. Up to that time Mr. Davis had every prospect of remaining in Western Australia; but, being a Commonwealth public servant, he was liable to be transferred at any time, possibly for the purpose of granting him promotion. Hon. members will agree that nothing should be done which would in any way interrupt a man's progress. For instance, if the man was eligible for transfer to a higher and more important position but found that he was going to lose a considerable amount of his equity in such a building as a result of being transferred, he might feel impelled for a moment to refuse the transfer, thus jeopardising his promotion in

the service, with which, I may add, Mr. Davis has been associated for a long time. He was warned that it was possible he would be transferred to the Eastern States, and thereupon he asked the Workers' Homes Board whether they would purchase his equity in the house, in respect of which he had already discharged all liabilities and held a certificate of purchase. The board, I understand, intimated that they were quite willing to purchase his equity, though not at the figure which in the opinion of Mr. Davis represented the true value of the proposition. He asked that the purchase value should be the present value, that is to say the real value of the property. Time and again it has been laid down—indeed, I think it has become an axiom or business law—that the real value of any property is that which would be paid by a willing buyer to a willing seller. Here the position is this: we have, or had, a willing seller and an unwilling buyer. I say the buyer was unwilling, because the board wished to fix the price which they should pay. Any board would be entitled to do that, but the point then arises that the seller need not accept such a price unless he cared to do so. As it was imperative for Mr. Davis to realise on his property, he was greatly perturbed when he found the board offering him a figure much lower than that at which the property was assessed. In order to ascertain his position, he sought the advice of eminent people. A leading King's Counsel advised him in a certain direction. The advice was to the effect that if he had a certificate of purchase and had conformed with the contract in its entirety, he certainly had freedom of sale. Further he was advised that, having fulfilled all his obligations, he was perfectly free to sell the property and transfer the ground lease in perpetuity. Further, and this is the most important phase of the whole question, in fact the question itself, the King's Counsel advised Mr. Davis to offer the property to the board first—which he had already done—and stated that in the event of the board refusing to pay the amount which another willing purchaser was prepared to pay, the board would be compelled to agree to a transfer of the ground lease, so as to enable Davis to dispose of his equity in the property. I am also given to understand that Davis informed the officials of the Workers' Homes Board of the advice he had received from King's Counsel. As was natural and right, the Workers' Homes Board submitted the

whole question to the Crown Law authorities who, having investigated the case, advised the Workers' Homes Board that they should accept the ruling of Davis's counsel and pay to Davis the proper present-day value of his property. Here, in effect, was a test case on a matter of the utmost public importance. As it was settled in a sane and reasonable way out of court, we should consider that there are many people interested in similar leasehold properties. I have stressed the necessity for revising our leasehold provisions, and I adopted that course at the request of many people who have properties under the leasehold system and cannot see any daylight ahead of them. It is in the interests of the general public, especially of those I refer to, that the particulars of this case should be given the widest publicity. In the event of any similar instance arising in the future, why should a working man, because of the lack of the information regarding this test case, be confronted with the necessity to incur legal costs respecting a principle that has already been accepted by the Government? It is with this object in view that I ask for the file to be laid on the Table of the House. The question is of the utmost public importance and of great personal interest to many workers in this State.

HON. J. CORNELL (South) [3.19]: I second the motion. I regret the circumstances that have arisen that do not permit the Leader of the House, with his customary courtesy, to allow the file to be tabled without discussion. I sympathise with him in this instance. The tabling of the file will have a very important bearing on the future policy regarding workers' leasehold dwellings. I am not going to disguise the fact that I am the occupier of a worker's leasehold dwelling. Right through the negotiations covered by the file I have been in intimate contact with Mr. Davis, who is a neighbour of mine. He kept me posted regarding the case from A to Z. It suffices for me to inform the House of the circumstances as I know them. There can be no valid objection to the production of the file on the ground that it is not a public file. The workers' homes scheme owes its inception to Parliament. The money required for the purposes of the Workers' Homes Board is voted by Parliament. Regulations framed under the Worker's Homes Act can be disallowed by the Legislature. That being so, the Workers' Homes Board is an instrument resulting from the deliberations of Par-

liament. The only valid objection that can be raised to the production of the file is that it contains something, the publication of which will damage Mr. Davis as one of the parties to the agreement under the Workers' Homes Act. Mr. Davis has given me the definite assurance—I understand he has given it to Mr. Potter as well—that he has no objection to the production of the file. On the contrary, he wishes it to be laid on the Table so that the legal decision he obtained will be freely available to all other tenants of workers' homes. He adopts that attitude despite the fact that he had to bear the whole of the costs in securing the legal decision. That is a very manly action to take in the interests of others who may find themselves confronted by a similar position. There can be no objection from the Government point of view, nor yet from that of the Workers' Homes Board, to the production of the file. Surely the doings of the Workers' Homes Board are not to be hidden! From my own standpoint, were I to desire to pay off the balance I owe to the board and to dispose of my home, the production of the file is not necessary, because I am sufficiently acquainted with all the circumstances to know that if I followed the course pursued by Mr. Davis, no difficulty would be placed in my way. I could get exactly the same terms as he got. The opinion of King's Counsel has not been disputed and, therefore, it is on all fours with a decision of the court. If I may digress for a moment, I would like to mention that I am very pleased to see the way in which the Premier has accepted the decision of the Federal High Court regarding the petrol tax. He does not equivocate about it; he accepts it. In this instance there is a legal decision that is accepted by the Government, so that the same attitude, generally speaking, should be adopted by the Government. I will briefly explain the position. The Workers' Homes Act provides that following upon an application and the payment of certain moneys, and the requisite approval, an applicant is to be granted a worker's home under the leasehold section of the Act. The board proceeds to erect the home; the applicant signs an occupier's certificate, and takes up his abode in the dwelling. Then a lease is drawn up respecting the land, which is held in perpetuity, and the rent is based on the unimproved value. That is a separate instrument and the lease, after being drawn up in due course, has to be

signed. The applicant has to undertake to fulfil certain conditions regarding the dwelling house; he has to agree to repay the capital cost and interest charges; he has to insure the property and keep it renovated to the satisfaction of the board, and he has to carry out those requirements for 30 years in the case of a brick house. He has to pay his rent weekly or fortnightly as the board may direct. It is possible for the occupier to reduce the capital cost by the payment of £10 or any multiple of £10, or he can pay off the total capital cost straight away. So long as the occupier owes any of the principal, or any interest to the board, the Act, it would appear, is specific. Mr. Davis had discharged all his obligations to the board. He had paid back the capital cost of the dwelling, interest, and other charges respecting which the board had incurred expenditure on his behalf. At that stage he had been issued a certificate of purchase of the dwelling house. Hitherto it had been held that the board must buy in the event of the client desiring to dispose of his dwelling. It was held by the board that Mr. Davis had no right to dispose of his property, that he was not entitled to any accrued equity in respect of it, and that he had to dispose of it to the board. Mr. Davis was being transferred to Canberra and he submitted the property to the board, who offered to buy it back at less than the actual capital cost he had paid in. That is where Mr. Davis parted company with the board.

The Honorary Minister: What about his improvements?

Hon. J. CORNELL: To my own knowledge he had improved the property to the extent of between £70 to £80.

The Honorary Minister: Then there is the question of depreciation.

Hon. J. CORNELL: There has been no question of depreciation regarding workers' homes. The board said to Mr. Davis, "You can surrender the place to us and we will give you £20 less than the capital cost you have paid in." The point arose as to who was entitled to the accrued equity, the board or Mr. Davis. The latter sought counsel's opinion and counsel informed him that the house was his and he could do what he liked with it. The legal authority who gave that opinion was one of the most eminent King's Counsel in this State. He told Mr. Davis that once he received his certificate of purchase from the board, he had discharged all

his obligations to the board regarding the dwelling house. But the obligation to the board regarding the leasehold instrument still remains. Mr. Davis's counsel submitted that to the Crown Law Department, and the department concurred. I understand this is the position now: when the tenant of a leasehold dwelling discharges his obligations to the board and gets his certificate of purchase, the board has no further jurisdiction over him, except to see that he pays rent on the leasehold. He can let the dwelling to another. Further, when a tenant receives his certificate of purchase, he can advertise it for sale, and if he gets a purchaser and if the purchase price offered is greater than the capital cost paid to the board in full, the board must sanction the transfer of that certificate of purchase, and accordingly must transfer the leasehold instrument to the purchaser. The board I believe has the option of refusing to do that, but if it so refuses it must purchase from the tenant at the amount the prospective purchaser was prepared to give. In this case the original tenant, Mr. Davis, secured a buyer for the place at a figure about £280 greater than the original capital cost. He, not the board, has that equity. I am speaking from close personal contact with the case. I know that Mr. Davis will leave shortly for Canberra, and that the other tenant is in. I have seen a document proving that the Workers' Homes Board has no further jurisdiction over the dwelling house.

The Chief Secretary: When was this transaction completed?

Hon. J. CORNELL: Within the last two days. Counsel for the plaintiff and counsel for the defendant having concurred, I think it only reasonable that every person who has a leasehold workers' home to-day should know his position and should not be forced to resort to all that Mr. Davis had to resort to.

The Chief Secretary: You are not suggesting any improper conduct?

Hon. J. CORNELL: No, not at all. The board was justified in resisting the claim of Mr. Davis to get the decision that he got; but the board having carried the resistance to the point of getting a legal interpretation, and that interpretation being against the board, surely it must be agreed that in future, when the full complement of money

due has been paid to the board, that must be the policy. By no stretch of the imagination can it be construed that a law might be passed in order to get over this decision. No court of justice could countenance the passing of a law to remedy what the administrators thought was a defect in the law, if the passing of that law was to take away the accrued rights of people under the prior law. No court would hold that any statute could take away the rights of an individual under a law that had been interpreted in his favour. I do not think any leasehold worker's home has been built since 1916, and so I cannot see any necessity for amending the law to meet the future.

The Honorary Minister: I have one. I got it within seven years.

Hon. J. CORNELL: I know a man who got one within six months. But how did he get it? By the original tenant going out.

Hon. E. H. Gray: He will be in clover now.

Hon. J. CORNELL: If the Honorary Minister has had one since 1916, I can only compare that instance with the last rose of summer. I have endeavoured to present the case fairly and I think, all things considered, it would be infinitely better if the file were tabled, and better still if the Government gave an intimation as to how they were going to face this subject in the future. For, after all, this case is not only known to Mr. Potter and to me, but also to a large proportion of those who occupy workers' leasehold dwellings. They are anxious to know their position, and I think the best course to follow would be that the verdict should be observed and the future directed accordingly. I will second the motion.

On motion by the Chief Secretary, debate adjourned.

RETURN—GROUP SETTLEMENT.

HON. H. STEWART (South-East)
[3.43]: I move—

That a return be laid on the Table giving the following particulars with regard to group settlement as at 30th June, 1926:—1, In what group settlements the settlers are residing in their respective cottages on their own blocks. 2, For each of the group settlements—(a) the average cost per cottage; (b) the area of cleared land; (c) the average cost per acre of such cleared land; (d) what stock, plant, fencing, etc., have been supplied to the settlers; (e) the total indebtedness.

Except that, as it appears on the Notice Paper, I should like to strike out "fencing" in (d) of No. 2, I do not intend to speak to the motion, for I understand that although the original question submitted when the Minister made a statement in the House was the exact replica of a question put up some years ago, it was thought that different information was required from what really was in my mind. I do not want to put the department to any undue expense. It was difficult to frame the question in a form calculated to get the information desired, and yet not have the ambiguity that might lead those who were compiling the information for the Minister to be perhaps of a different opinion as to what was required. However, I believe the information is now being compiled, and that there will be no objection by the Minister to the motion in this form. If the Minister does take any exception to it, I will deal with the matter when replying.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [345]: There is no objection to the motion, but it may not be possible to supply the whole of the information before Parliament rises. I have received a minute from the Under Secretary for Lands as follows:—

My Minister has no objection to the return as now asked for being supplied. It is necessary, however, to point out that the area of land asked for under (b) is being obtained from the field officers, and will take some little time to secure. In regard to the fencing under (d) it would be much easier and would probably meet Mr. Stewart's requirements if we gave particulars of the style of fencing that is being supplied and the average cost. If, however, details of the fencing that has been supplied to the settlers is required, it will take some time to secure the information. It is possible that all the information required will not be ready before the House rises, but the Minister agrees to supply it to Mr. Stewart whenever it is available should Parliament have been prorogued.

HON. H. STEWART (South-East—in reply) [347]: I understand that the information will be supplied when available.

The Chief Secretary: Yes.

HON. H. STEWART: If the presentation of the return is being held up for particulars of certain groups, it might be advisable to supply what information is available of areas cleared and the average cost per acre on other groups, leaving room to fill in the balance of the figures when they come to hand. It will be desirable to have the return

next week so far as it may be possible to complete it by that time.

Question put and passed.

BILL—ROAD DISTRICTS ACT AMENDMENT.

In Committee.

Resumed from the 30th November. Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Postponed Clause 19—Repeal of Section 60 and substitution of new section:

The **CHIEF SECRETARY**: An amendment is rendered necessary by the amendments that were passed when the Bill was previously dealt with. I move an amendment—

That the words "other than an ordinary general election or an election ordered under Section 32" be struck out.

HON. H. STEWART: Notice has been given of amendments to be moved on recommitment and, if the name of these local authorities is altered, it may be necessary to deal with the various postponed clauses again.

HON. E. H. GRAY: That will not be agreed to.

HON. H. STEWART: If the amendment at present under consideration is made there will be no difference between the proposed new section and the repealed section, except that the proposed new section refers to councillors of a district instead of members of a board. That being so, it might be advisable to decide at this stage the question of the name of these local authorities.

The **CHIEF SECRETARY**: We are dealing with postponed clauses and the whole of the Bill must be dealt with before it can be recommitted. It is necessary to bring Clause 19 into conformity with the rest of the measure. If the old name of road board is restored consequential amendments will have to be made right through the Bill.

HON. J. NICHOLSON: Why not retain the existing section and alter "members of a board" to "councillors of a district"?

The **CHIEF SECRETARY**: It amounts to the same thing.

Amendment put and passed; the clause as amended, agreed to.

Postponed Clause 21—Repeal of Section 62 and substitution of new section:

The CHAIRMAN: The Chief Secretary moved on the previous occasion to strike out of line 3 of Subclause 2 the word "general." I suggest that he ask leave to withdraw his amendment and then he will be in a position to move the amendment that appears on the Notice Paper.

The CHIEF SECRETARY: I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

The CHIEF SECRETARY: I move an amendment—

That in Subclause (2) the words "date fixed by this Act for the holding of the general" be struck out, and the word "annual" inserted in lieu.

Amendment put and passed; the clause, as amended, agreed to.

Postponed Clause 25—Repeal of Sections 123, 124, 125, 126, and 127 and substitution of new sections:

The CHAIRMAN: The Chief Secretary moved an amendment on the previous occasion and it was passed. As another amendment that he now wishes to propose precedes it, he cannot move the new amendment at this stage. He will have to move it on recommitment.

Clause, as previously amended, agreed to.

Postponed Clause 32—Amendment of Section 147:

The CHIEF SECRETARY: It was generally agreed that some amendment should be framed to deal with the position relating to the opening of a road. I therefore move an amendment—

That the following words be added, "It shall be the duty of the council to convene a meeting for the purpose of this section on the requisition of not less than ten ratepayers of the district or ward, as the case may be."

Hon. H. STEWART: It is not clear whether the meeting referred to is to be a meeting of ratepayers of a ward or of the district as a whole. It would be better to exclude the word "ward" altogether.

Amendment put and passed; the clause, as amended, agreed to.

Postponed Clause 40—Amendment of Section 159:

The CHAIRMAN: The Chief Secretary proposes to move an amendment which occurs after an amendment secured by Mr. Stewart at a previous sitting of the Committee. The proper course for the Chief

Secretary to pursue will be to recommit this clause.

Clause, as previously amended, agreed to.

The CHIEF SECRETARY: I now propose to endeavour to reinstate Clause 57 down to the word "only" in line 8.

The CHAIRMAN: The proper course for the Chief Secretary to pursue in this case will be for him to move this as a new clause.

New clause:

The CHIEF SECRETARY: I move—

That a new clause be inserted to stand as Clause 57, as follows:—"Section 243 of the principal Act is hereby amended by the addition of a proviso, as follows:—"Provided that no appeal shall be made to the council on the ground mentioned in paragraph (1) of the last preceding section when the valuation has been made or caused to be made by the Minister, but the appeal in that case shall be made to the Local Court only.""

Hon. H. STEWART: Is it in order to propose, without recommitting the Bill, to reinstate as a new clause one that has already been struck out?

The CHAIRMAN: Yes.

Hon. A. Lovekin: When the Bill was re-committed, was leave given to insert a new clause?

Hon. H. STEWART: The Bill has not been re-committed.

The CHAIRMAN: These were postponed clauses.

Hon. J. Nicholson: Clause 57 was struck out.

The CHAIRMAN: There seems to be some doubt as to whether the Minister is in order at this stage in moving for the insertion of a new clause, which repeats portion of a similar clause that has already been deleted. I am guided by Standing Order 250, which says that a motion contradicting a previous decision of the Committee shall not be entertained in the same Committee. This is not the same Committee.

Hon. J. J. Holmes: It is the same Committee.

Hon. A. Lovekin: I think the Minister must recommit the Bill.

The CHIEF SECRETARY: I withdraw my motion.

The CHAIRMAN: That overcomes the difficulty.

Motion by leave withdrawn.

Title—agreed to.

Bill reported with amendments.

Recommittal.

Bill recommitted for the purpose of further considering Clauses 2 to 4, 25, 32, 40 to 42, 47, 49 to 53 and a new clause; Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—General amendments:

Hon. H. STEWART: I move an amendment—

That all words of the clause after "board," in line three of paragraph (a), be struck out. "Road board" describes the major function of these local governing bodies. It is a name original to Western Australia, and not taken from any other part of Australia or from the Old Country. Moreover, it is self-explanatory, simple, and perfectly satisfactory. The term proposed by the Bill, "district council," would not be equally clear. Besides, its adoption would involve a certain amount of expense in printing.

Hon. E. H. GRAY: That will, in any case, have to be incurred some time.

Hon. H. STEWART: Apart from that aspect, no good reason has been adduced for the proposed change. Two political associations existing in this State already have district councils, and thus confusion is likely to result from the proposal in the Bill.

The CHIEF SECRETARY: This is purely a question of taste. The change of title has been asked for by various road board conferences on the ground that during recent years the powers of these bodies have been extended. Their powers are still further extended by the Bill. At one time their main function was to construct and maintain roads, but they have got far beyond that. "District council" is a more fitting designation.

Hon. E. H. GRAY: The name "road board" does not explain the functions, whereas "district council" does. The retention of the name "road board" is likely to cause confusion because of the appointment of the Main Roads Board. As a fact, the construction and maintenance of roads has been largely taken out of the hands of the road boards, which however have been granted other powers. They also attend to health matters.

Hon. A. BURVILL: To some extent I agree with Mr. Stewart, and to some extent with the Chief Secretary. As Mr. Stewart says, to have so many district councils will lead to confusion, especially in country dis-

tricts; but I do not agree with the hon. member that "road board" is a proper designation, especially since the creation of the Main Roads Board. I shall vote for the amendment, but I should be glad of the adoption of a name adequately distinguishing road boards from the Main Roads Board.

Hon. A. J. H. SAW: I hope the amendment will not be carried. The new designation appears to be a request from road boards conferences, and it is only a fitting compliment to agree to their request. Anything that adds to the prestige of these bodies will increase the desire of people to serve on them.

Hon. G. W. MILES: There is nothing wrong with the old name "road board." These bodies are known as the Albany Road Board, the Plantagenet Road Board, and so on, and their main function is to look after the roads. Therefore I support the amendment.

Hon. H. STEWART: According to Mr. Gray, the functions of road boards are largely disappearing because of the appointment of the Main Roads Board. If that is to be the result, I shall be very sorry I agreed to the enactment of the Main Roads Bill. The valuable experience possessed by members of road boards should be fostered.

Hon. Sir WILLIAM LATHLAIN: On the second reading I committed myself to the designation proposed by the Bill. If we give to these bodies a title which will enhance their prestige, more people may be induced to take up the work of local government.

Hon. V. HAMERSLEY: It is suggested that greater prestige will attach to road boards if their designation is changed to that of district councils. If it is a question of prestige, why did the Government choose the name of the Main Roads Board for that institution?

Hon. E. H. GRAY: Because that board will deal with main roads only.

Hon. V. HAMERSLEY: It would be much better if we retained the existing name which will make the boards distinct from the Main Roads Board. If we change the names of road boards to district councils, there will be difficulty in distinguishing between political organisations and local governing bodies.

Hon. A. J. H. SAW: We have our Perth City Council, our Medical Council and so on.

Hon. V. HAMERSLEY: I cannot understand what great advantage will follow on the proposed change of name.

Hon. J. J. HOLMES: I consider "road board" is the proper name for the bodies concerned.

Hon. H. Stewart: It is truly Western Australian!

Hon. J. J. HOLMES: At any rate, the name is most appropriate. The proposed change will lead to confusion. We have the Legislative Council, the Advisory Council, the Consultative Council, the district councils of the A.L.P., and so on. Even to-day it is difficult to get many people to understand when municipal elections are being held that members of this Chamber are not directly concerned. If the change be made, there will be no end to the expense to be incurred in discarding existing books and documents and re-printing them with the new names of the various local governing bodies.

Hon. A. J. H. Saw: They will even have to go to the expense of buying a rubber stamp!

Hon. J. J. HOLMES: If that resulted in rubbing out the hon. member, it would do some good.

Hon. A. J. H. Saw: There will be many rubbed out before I am.

Hon. J. J. HOLMES: Many could be rubbed out who would not be missed. I intend to support the retention of the name "road board."

Hon. J. NICHOLSON: I do not object to members of road boards securing the highest titles they may desire. Personally I have no time for that sort of thing. I prefer to judge a man upon his work, not upon his title. It seems to me that if members of road boards took greater interest in the tasks before them, and concerned themselves less regarding what they should be called, they would probably do a great deal more work, and better work too.

Hon. A. Burvill: You are reflecting upon road boards in a way that is quite uncalled for!

Hon. J. NICHOLSON: Not at all. I do not know whether the hon. member is a member of a road board, but if one judges by the amount of work he does here, he certainly is likely to do good work on a road board. I do not know that really industrious members of road boards are concerned about their titles.

Hon. A. J. H. Saw: Perhaps some are afraid of being confused with Rhodes scholars!

Hon. J. NICHOLSON: Certainly the change will lead to confusion. For instance, we have the Claremont Road Board and just across the street the Claremont Municipal Council.

Hon. G. W. Miles: Come nearer to hand and look at the position at Perth, where we have the City Council and the Perth Road Board.

Hon. J. NICHOLSON: That is so. If the change be made, we shall have the Perth City Council and the Perth District Council. Hon. members will see the confusion that will result and should take that into consideration. Then there is the other point about the enormous amount of printing that will have to be undertaken by local governing authorities because of the change of names. In the interests of road boards themselves, it would be better to retain the present titles.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	11
Majority for ..					2

AYES.

Hon. C. F. Baxter	Hon. E. Rose
Hon. A. Burvill	Hon. H. A. Stephenson
Hon. W. T. Glasheen	Hon. H. Stewart
Hon. V. Hamersley	Hon. Sir E. Wittenoom
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. G. A. Kempton	Hon. J. Nicholson
Hon. G. W. Miles	(Teller.)

NOES.

Hon. J. R. Brown	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. Sir W. Lathlain
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. E. H. Gray	Hon. H. Seddon
Hon. E. H. Harris	Hon. J. M. Macfarlane
Hon. J. W. Hickey	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clause 3—Effect of amendments on existing boards, etc.:

Hon. H. STEWART: Will the Minister accept the vote as the decision of the Committee and regard the amendments to Clauses 3 and 4 as consequential?

The Chief Secretary: Yes.

The CHAIRMAN: The clauses referred to are involved, and I ask the Committee to accept the responsibility of amending them.

Clause put and negatived.

Clause 4—Amendment of Section 5:

Hon. H. STEWART: Perhaps the simple way would be to move the deletion of the first three paragraphs, and we could then consider the other portions. I move an amendment—

That paragraphs (a), (b), and (c) be struck out.

Amendment put and passed.

Hon. Sir WILLIAM LATHLAIN: I have an amendment on the Notice Paper, but I understand the Minister is agreeable to make the necessary alteration in another clause to cover this discrepancy. If that is so, I shall not move my amendment at this stage.

The Chief Secretary: You had better move it.

Hon. Sir WILLIAM LATHLAIN: I move an amendment—

That in line three of paragraph (d) the words "of a lessor who" be struck out, and the words "or lessee of an owner or lessor of any land where such owner or lessor" inserted in lieu.

Hon. J. NICHOLSON: I was under the impression that the Minister intended to move another amendment to overcome the difficulty experienced, particularly in connection with University endowment lands. Such lands are exempt from rates, but when they are leased, the question of liability for rates arises. Unfortunately, the lands are not suitable for agricultural purposes and can be let for only a few shillings per annum. When the local authorities rate such lands on the basis of valuation prescribed by the Act, the amount is far in excess of what it is possible to obtain by way of rent, and the lessors cannot get tenants to take the lands because of the heavy liability for rates.

The CHIEF SECRETARY: All that Mr. Nicholson asks is provided for. The University trustees are not liable for rates, but a tenant will be.

Hon. J. Nicholson: If you would agree to insert after "tenant" the words "or lessee" it would meet the difficulty, and I think Sir William Lathlain would withdraw his amendment.

The CHIEF SECRETARY: I have no objection to that.

Hon. Sir WILLIAM LATHLAIN: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The CHIEF SECRETARY: I move an amendment—

That after "tenant," in line three of paragraph (d), the words "or lessee" be inserted.

Hon. J. J. Holmes: Will someone tell me the effect of the amendment?

The CHIEF SECRETARY: The University endowment trustees hold lands that are not liable to rating while they are held by the trustees, but if leased the lessee would be obliged to pay rates.

Hon. V. Hamersley: Does this apply only to University endowment lands?

The CHIEF SECRETARY: No, I mentioned University endowment lands simply as an illustration. It would apply to education endowment and other lands not liable to rating.

Hon. V. HAMERSLEY: I understand it goes further. If it applies only to endowment lands we had better insert the words "endowment lands." Do I understand that the tenants will have exemption?

Members: No.

Hon. H. STEWART: The addition of the words "or lessee" seems to be quite unnecessary. In the definition of "owner" in Subsection 1 of Section 3 of the Act we get this, "any person who is in possession as the holder of a legal estate or a Crown lessee, or a mortgagee of the land" and then it summarises all that have gone before. Now we are adding "or lessee." It does not seem to me to be quite right. If we have the Bill as it is, it will be correct.

Hon. J. NICHOLSON: The words to which Mr. Stewart referred are in paragraph (d) of the section of the Act he quoted and they show the necessity for adding "lessee." An owner may be a person who is a trustee or the authorised agent of the holder or lessee or mortgagee. We are making the lessee of an owner liable for rates, by including the words "or lessee." I would point out to Mr. Stewart that the addition moved by the Chief Secretary is to paragraph (b) and not to (d) of the Act. The suggested amendment will make the position clear.

Hon. H. Stewart: It is already in the Act.

Hon. J. NICHOLSON: No, it is not. The attorney of the lessee is a different person from the lessee himself. Paragraph (d) practically makes the tenant or lessee of an owner who is not rated liable for rates.

Amendment put and passed.

Hon. J. NICHOLSON: Paragraph (e) of the clause was discussed on the second reading.

Hon. H. Stewart: It is pretty broad.

Hon. J. NICHOLSON: It is worse than broad; it is too serious to allow it to pass. It proposes to include any land marked as a road upon the plan of any lands publicly exhibited in the public office of the Department of Lands and Surveys. I do not know how plans may be exhibited there but it is quite reasonable to suppose that a plan might be legitimately prepared by an officer who might have received instructions to show a road running through it. That road would be indicated on the map in the office, and by virtue of that it would become a road. No land should be declared a road until it goes through the formality prescribed by the Act. That procedure should be followed rigidly. I hope, therefore, the Committee will strike out the paragraph.

Hon. H. STEWART: The definition of "road" in the Act has no connection with this new extension. I would like the Minister to give us his reasons for the inclusion of this paragraph, and if those reasons are not satisfactory I will move to delete it.

The CHIEF SECRETARY: The object of the paragraph is that these roads may be brought under control, and then all that is necessary is to gazette the roads that have been in existence but have not been declared.

Hon. J. J. HOLMES: The other night the Minister told us it was necessary for someone to have authority to compel a road board to make roads. Now he tells us that they are anxious to have roads. A person's property might be cut in two by the construction of a road.

The Chief Secretary: This request was made by the road board conference.

Hon. H. STEWART: I move an amendment—

That paragraph (e) be struck out.

Hon. A. BURVILL: By striking out the paragraph I think that complications will be caused. I am not prepared to vote for the excision of the paragraph because it was asked for by the road board conference, and that conference must have consulted the authorities on the subject.

Hon. J. NICHOLSON: This would mean that if a plan, even by accident, indicated that there was a road through the middle of a paddock, the effect in law would be that

that road would be a declared road. In those circumstances Mr. Burvill would have to go to considerable trouble to get out of the mess in which he found himself.

Hon. Sir William Lathlain: He would have to get out of the road.

Hon. J. NICHOLSON: So I hope that when Mr. Burvill sees that this is so he will not hesitate to support the amendment.

The CHIEF SECRETARY: Mr. Nicholson speaks of a road running through the middle of a paddock. This provision refers to roads on Crown lands.

Hon. J. Nicholson: No, it refers to any lands.

The CHIEF SECRETARY: Well, it is intended to refer to Crown lands.

Hon. J. NICHOLSON: The words are "any lands"; not "Crown lands." The difficulty can be got over by declaring those roads in the ordinary way.

Hon. A. BURVILL: When roads are proclaimed in the ordinary way they cannot go within a certain distance of a house, and the department is liable to the payment of compensation if it puts roads in certain places. The paragraph may be clumsily worded, but it is intended to safeguard existing roads.

Hon. V. HAMERSLEY: It would be difficult if all the roads appearing on maps automatically became declared roads. In many instances roads on the plans are really of no use to the public.

Hon. H. STEWART: It may be intended to restrict this to Crown lands, but we are concerned only with what is before us. Even in the definition in the principal Act there is no reference to Crown lands. It is proposed to add to that definition this paragraph (e), which is altogether too wide and indefinite. If it means Crown lands, it should say so. If we restricted it to Crown lands we would be perfectly safe, but I do not know that it is our province to do that.

The CHIEF SECRETARY: This provision has been suggested by the Lands Department. A road that passes through Crown lands ceases to be a road, but that is not quite clear in the definition, which describes a road as one that the public are entitled to use. Of course the public are not entitled to use a road passing through Crown lands. It is debatable whether roads on Crown lands are roads within the meaning of the Act.

Hon. H. STEWART: To say that people are not entitled to use a road across Crown lands is not to vitiate the suggestion that if the word "Crown" were inserted before "lands" in the paragraph, we should be providing that a road shown on a plan as crossing Crown lands became a public road. But it is doubtful whether we should adopt an entirely new procedure establishing roads on Crown lands. We should have further information in respect to this, and even then it is doubtful whether it would be politic to pass the paragraph.

The CHIEF SECRETARY: I have given to the Committee all the information in my possession. I am informed that this paragraph refers to roads across Crown lands. I would have no objection to an amendment to insert "Crown," and so make it clear.

Hon. H. STEWART: I will withdraw my amendment and substitute another.

Amendment by leave withdrawn.

Hon. H. STEWART: I move an amendment—

That after "any" in line two of paragraph (e), "Crown" be inserted.

Amendment put and passed.

Hon. H. STEWART: I move an amendment—

That after "any," in line three of paragraph (e), "Crown" be inserted.

Amendment put and passed.

Hon. J. J. HOLMES: In the absence of further information, I will vote against the whole clause.

Hon. H. Stewart: But the paragraph is now restricted to Crown lands.

Hon. J. J. HOLMES: Has the hon. member never heard of the northern portion of the State, where Crown lands are sometimes fenced and gates erected across roads?

Hon. H. Stewart: But are they Crown lands in the true sense of the term?

Hon. J. J. HOLMES: Of course they are. Under this paragraph, if by accident a plan showing a lot of roads were improperly displayed on the wall in the public office of the Lands Department, it would result in endless trouble and mischief. I move an amendment—

That paragraph (e) be struck out.

If the Minister had shown the necessity for this provision, or something not quite so drastic as it is, I would have supported it,

but to put in a dragnet provision such as this is altogether too much. If the Minister will submit an amended provision I will support it.

Hon. J. NICHOLSON: If the exhibition of a plan in the Lands Office will have the effect of declaring a road, the result will be serious for many road boards. There is a large area of Crown lands in the Albany district. If the roads are marked on the plan as public roads, the local board would be responsible for their upkeep and maintenance.

Amendment put and passed.

Hon. H. STEWART: Paragraph (f) should be limited to Crown lands. The Governor should not have power to declare as a townsite any land he may think fit. I move an amendment—

That in line two of paragraph (f), after the word "any," the word "Crown" be inserted.

The CHIEF SECRETARY: I cannot see the object of the amendment. A townsite could not be declared on private property unless it had been resumed and paid for. The paragraph merely amends the definition of town or townsite in the Act.

Hon. J. J. HOLMES: We should not insert the word "Crown." Under arrangements with the owner of certain lands the property might be cut up, and the local people might desire to have a townsite declared. There would be no necessity to resume the land first. Someone should have power to declare a townsite and define its boundaries. This power should not be limited to Crown lands.

Hon. H. STEWART: It is possible there is already provision for the special case referred to by Mr. Holmes. We should get definite information as to why this amendment to the definition of town or townsite is necessary.

The CHIEF SECRETARY: Many private towns have been created through the subdivision of land by private owners, such as in the case of Bruce Rock, Dangin and other centres along the Midland and South-Western railways. It has been desired to define these places as towns for the purpose of the Act, so that the local boards may utilise the many special powers that are given under the Act for improving the townsites. The constitution of a town under the Land Act is restricted to land cut up by the Government. The power contained in the paragraph will enable such suburban areas as

Peppermint Grove, Dalkeith and other places to be declared towns, which cannot be done at present.

Hon. J. NICHOLSON: The paragraph can do no harm. Mr. Holmes has referred to an important reason why it should be retained. The Governor would not declare an area of private land to be a town until he knew it was the wish of the owner that this should be done.

Hon. H. STEWART: In view of the information that has been given I will withdraw my amendment.

Amendment by leave withdrawn.

Clause, as previously amended, agreed to.

Clause 25—Repeal of Sections 123 to 127, and substitution of new section:

The CHIEF SECRETARY: I move an amendment—

That in line eight the word "general" be struck out, and "annual" inserted in lieu.

Hon. H. STEWART: There will be some consequential amendments in this clause. I presume we need not concern ourselves with those.

Amendment put and passed; the clause, as amended, agreed to.

Clause 32—Amendment of Section 147; Power of Governor to open or divert roads:

Hon. H. STEWART: I move an amendment—

That the words "or a ward of a district," in line two of proposed Section 147a. be struck out.

If there is a ward or a district in which a number of ratepayers desire a road, and if there is a recalcitrant board refusing to grant the road, then, under the Chief Secretary's amendment, the local authority will have to convene a meeting at the request of not less than ten ratepayers of the ward or, as the case may be, of the district. In such circumstances a meeting must be called, but the ratepayers of another ward will not attend unless they are particularly interested; and if they do not attend, they will not count. A question is more likely to be decided fairly by the ratepayers in general. If the ratepayers of a ward attend, they are likely to do so in sufficient numbers.

The CHIEF SECRETARY: In view of Mr. Stewart's statements, I shall not oppose the amendment. Provision has already been made to enable any ten ratepayers to requisition the board to hold a meeting of ratepayers.

Hon. Sir WILLIAM LATHLAIN: I favour the amendment on the ground that, of two adjoining wards, one might desire that a road should be carried through, while the other was against the proposal. If the question is decided by the whole of the ratepayers, the result is much more likely to be fair than if the question is confined to one ward.

Amendment put and passed.

The CHAIRMAN: The carrying of this amendment involves a consequential amendment in the proviso added to-day.

Hon. H. STEWART: I would not like the amendment to the proviso to be treated as consequential. If ten ratepayers of a ward desire the calling of a meeting of ratepayers, it strengthens the position as regards my previous amendment. On the other hand, if the Minister wants the amendment to the proviso treated as consequential, that is another matter.

The CHAIRMAN: I am in the hands of the Committee.

Hon. J. J. HOLMES: I suggest that the amendment be treated as consequential.

Members: Aye.

The CHAIRMAN: I shall treat the amendment as consequential.

Clause, as amended, agreed to.

Clause 40—Amendment of Section 159:

The CHIEF SECRETARY: I move an amendment—

That after the word "demolishes," in line two of proposed Subsection (2), there be inserted "or begins to remove or demolish."

That is an amendment which was suggested by Mr. Harris.

Amendment put and passed.

The CHIEF SECRETARY: I move a further amendment—

That after the word "council," in line three of proposed Subsection (2), there be inserted "not less than seven days."

Hon. E. H. HARRIS: Seven days would be too long a notice. Two or three days would be ample for notifying the secretary of the governing body. A case came under my notice to-day where a contractor, having purchased a building and wishing to demolish it, had men waiting for two or three days and then set them to the work of demolition, whereupon an order was obtained to prevent him from proceeding further. Contractors who demolish houses em-

ploy men skilled in taking down buildings and marking the parts of them, and such men should not have to wait about for seven days.

The CHIEF SECRETARY: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

The CHIEF SECRETARY: I move an amendment—

That after the word "council," in line three of proposed Subsection (2), there be inserted "not less than forty-eight hours."

Amendment put and passed; the clause, as amended, agreed to.

Clause 41—Amendment of Section 160:

Hon. H. STEWART: I wish to direct the attention of the Minister to the inclusion in paragraph (a) giving power to road boards to hold and conduct agricultural shows. In view of the provisions of the Royal Agricultural Society Bill, the inclusion of such powers in the Bill under discussion is directly contradictory to the former Bill.

Hon. Sir WILLIAM LATHLAIN: The proposed new paragraph 25 embodies power under which the road boards may "establish, conduct and carry on within the district, cinematographic entertainments and exhibitions to which ratepayers and others may be admitted on payment of the prescribed admission fees." During the second reading debate references were made to the results obtained in one or two towns as the outcome of some such activities. In my opinion power should not be given to road boards to conduct such shows. It is well known that the leasing of films is in the hands of a big combine. If we agree to the new paragraph it may result in a road board undertaking a big liability involving considerable sums of money. I would willingly extend this power to some road boards because I have seen the splendid results of their work. On the other hand, to put it mildly, the work of other boards has not secured similar results. The inclusion of this power might be regarded as an incentive to some boards to embark upon activities of this description.

Hon. E. H. HARRIS: Is the power to run picture shows given to municipalities?

Hon. Sir WILLIAM LATHLAIN: No. I move an amendment—

That in line two of proposed new paragraph (25), the word "cinematographic" be struck out.

Hon. E. H. GRAY: I hope the amendment will not be agreed to. In many of the out-back centres it is a question whether these shows shall be run by the road board or by a local committee. Splendid work is being carried out already on behalf of local charities.

Hon. V. HAMERSLEY: Why should not the committees continue to do that splendid work; it has nothing to do with the road boards?

Hon. E. H. GRAY: If the people are to be exploited it should be done by the road board in the interests of the people themselves, and not by an outside committee.

Hon. E. H. HARRIS: You should withdraw that word "exploit."

Hon. E. H. GRAY: Where there are small communities it is better for entertainments of this description to be conducted by the local governing authorities rather than by outsiders.

Hon. J. J. HOLMES: The striking out of the single word "cinematographic" will not secure the object Sir William Lathlain has in view.

Hon. H. STEWART: It will merely give the boards greater power.

Hon. J. J. HOLMES: The inclusion of the word "entertainments" will embrace cinematographic shows. If Sir William Lathlain desires to make the position clear he should also include in his amendment the following words, "But such entertainments shall not include cinematographic shows."

Hon. J. NICHOLSON: I recognise that good work has been done by the boards but is it one of the proper functions of road boards to conduct cinematographic entertainments and, shall we say, exploit the ratepayers, although the exploitation may be for a good object? A road board, if granted this power, may spend more money than it is justified in doing, thus leading to difficulties and the increasing of rates. Picture shows represent a very hazardous business because the film industry is, so I understand, run by a powerful combine. If the road boards devote themselves to the work that is primarily theirs, they will find quite sufficient to engage their attention. It is in the interests of the ratepayers themselves that this power should be withheld from them. I suggest that all references to entertainments be deleted and that would leave power in the hands of the road boards to conduct exhibitions that may be for the public good.

Hon. E. H. Gray: You want to leave them anything in which there is no money!

Hon. Sir WILLIAM LATHLAIN: I am dubious about leaving in the reference to exhibitions.

Hon. E. H. Gray: That is right, cut it all out! Go for your life!

Hon. Sir WILLIAM LATHLAIN: We know that exhibitions of boxing are conducted at Olympia and White City and at other places.

Hon. E. H. Gray: Also at the Royal Agricultural Society's Show, and they were of a doubtful character.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. Sir WILLIAM LATHLAIN: Even if we delete "cinematograph" the paragraph will not meet the wishes of members generally. I ask leave to withdraw my amendment in order that I may move to strike out the whole paragraph.

Amendment, by leave, withdrawn.

Hon. Sir WILLIAM LATHLAIN: I move an amendment—

That the proposed new paragraph (25) be struck out.

Hon. E. H. GRAY: It is possible for road boards to incur a liability of thousands of pounds to build public halls, but members would deny them the right to incur an expenditure of £7 a week or less to run a picture entertainment. It has been said that business men, though successful in their own undertakings, are absolute failures in public life, and I am persuaded that the statement is correct.

Hon. Sir William Lathlain: It is not the business of road boards to run picture shows.

Hon. E. H. GRAY: What rubbish! It is not fair to deprive boards of the right. By doing so, members indicate that they have never been to the back blocks. Either the road boards have to undertake this work or form themselves into a private committee.

Hon. J. Nicholson: Were you ever in the back blocks?

Hon. E. H. GRAY: Yes, for 10 years. A road board with their machinery have a better chance to run an entertainment than have a private committee.

Hon. V. Hamersley: It would be nearly as bad as State trading.

Hon. E. H. GRAY: In all the back block areas undertakings of the kind are con-

ducted by the local authority, who should not be prevented from fulfilling their proper place in the community.

Hon. E. H. Harris: Would you confer similar power on municipal councils?

Hon. E. H. GRAY: Certainly. Members evidently desire to exclude the conduct of picture shows from road board activities because it is a profitable enterprise.

Hon. H. A. Stephenson: I wish that were true.

Hon. E. H. GRAY: Local authorities should not be prevented from running a tinpot entertainment like a picture show.

The CHIEF SECRETARY: I am not surprised that metropolitan members are averse to road boards conducting cinematograph entertainments, but I am surprised at the attitude of Mr. Stewart, who should be in closer touch with country people. Many country road boards have borrowed large sums of money to erect halls, and it is necessary to arrange entertainments to finance those halls. In my constituency two years ago I declared open a hall that cost £2,400, the money for which had been provided by a member of the board at a nominal rate of interest. Then a piano was required at a cost of £150, and members of the organising committee, including members of the road board, donated small areas of land for cropping and from the proceeds the piano was paid for. The running of a cinematograph show is not a big responsibility for a road board. At Meekatharra the miners' union have been running a cinematograph for years. At Kojonup a hall has been erected at a cost of £4,000.

Hon. V. Hamersley: That is the way to splash up the money.

The CHIEF SECRETARY: Road boards are to have the right to establish and maintain hospitals and they will need to raise money by entertainments.

Hon. V. Hamersley: Quite right, too.

The CHIEF SECRETARY: Then why not permit them to have cinematograph shows? Under the measure they are to have power to conduct agricultural shows and run a ferry service. Why strain at a gnat and swallow a camel?

Hon. W. T. GLASHEEN: Mr. Gray and the Chief Secretary appear to think that if road boards are not given this power districts will be deprived of picture entertainments. At Kondinin a body of public-spirited men inaugurated a picture enter-

tainment by making themselves jointly and severally guarantors for a bank advance of £400. They have liquidated the debt and are now paying a good sum to the hospital each week. Wherever it is desirable to start a picture show all that the people have to do is to form a committee and make their arrangements. I hope the Minister will not think that country members, who are opposed to giving road boards this power, are not alive to the necessity for doing this kind of work. We think it can be done in a more desirable way. Road boards are appointed for the specific purpose of carrying out public works, and I have yet to learn that the running of a picture show is one of their functions.

Hon. Sir WILLIAM LATHLAIN: Metropolitan members are just as desirous as other members of giving the people of the country their rights. It is not the province of road boards to provide amusements for the people. There are enterprising citizens in every district that will undertake this responsibility.

Hon. E. H. Gray: They are the same people—the members of the road boards.

Hon. Sir WILLIAM LATHLAIN: There are other people as well. In nearly every district the board own the hall and can assist a committee by granting free use of the hall. I oppose the clause because I feel that there are enterprising and willing citizens in all these districts who are competent to carry on any entertainment that may be required for the people.

Hon. V. HAMERSLEY: The provision of picture shows and other forms of entertainment is not the function of a road board. We will probably find that instead of getting men elected to road boards who are well versed in questions affecting the construction of roads and other matters of that kind, we shall have men on boards who will be capable perhaps of only putting up a good exhibition or a picture show. Then we shall probably find that the people right outback, perhaps 50 miles from the centre of the road board area, will be taxed for any loss that may be incurred on those picture shows.

Hon. E. H. Gray: Have you ever known a picture show to lose money?

Hon. V. HAMERSLEY: Yes. This is a dangerous power to give and it is completely outside the province of the road

board to conduct entertainments. I intend to oppose the clause.

Hon. E. H. HARRIS: The Committee can congratulate itself on having dispensed with the clause that intended to provide for the election of all the members on the one day. Just imagine an election being held on the question whether a Chaplin picture should be shown or whether the prices of admission to the entertainment should be 3d. or 6d. Almost everything under the sun is covered by the words "entertainments" and "exhibitions" and at an annual meeting of the ratepayers it might be possible to provide, in addition, a political entertainment, and a charge made for admission. I am not prepared to vest boards with the power it is proposed to give them under the clause.

Hon. W. H. KITSON: We are holding ourselves up to ridicule by this debate. There is nothing in the clause that will make it compulsory on the part of a road board to conduct an entertainment.

Hon. W. T. Glasheen: Who said it will?

Hon. W. H. KITSON: One would imagine that there was a compulsory provision here. The clause gives boards the power if they desire to take it. If we are going to trust them with the administration of the whole of the road board area and with the conduct of many things that will involve a larger amount than promoting a picture show would entail, surely we can give them the right to hold an entertainment if they desire to conduct it. I do not suppose road boards would be prepared to hold entertainments if they thought those entertainments were against the wishes of the people. If the people did not approve of them, they would soon find the opportunity to express their disapproval. There is a desire on the part of some members to limit the activity of the country boards, whereas we should give them the chance to develop in every possible way. My experience of country districts is that they have had too few opportunities of this kind, but if representative men are prepared to carry on entertainments, we should not put anything in their way; rather should we encourage them.

Hon. J. J. HOLLIES: At the tea adjournment I was inclined to support the clause, but after having heard the Leader of the House and Mr. Gray, I intend to vote against it.

Hon. E. H. Gray: You cannot put that over us.

Hon. J. J. HOLMES: I am doing so. We have heard of the hall that has been erected at Kojonup at a cost of £4,000 and in anticipation of permission being given to run a picture show to liquidate the liability. These people must be given to understand that they must not spend money in that way. They have no power to do so, and it is the kind of thing that should not be encouraged. Mr. Gray says that they should be allowed to run picture shows because picture shows are profitable. If the road boards are to take over all these profitable entertainments, no enterprising people will remain in the town. In large road board areas, extending over hundreds of miles, it will be the happy few in the town who will derive all the benefit from the picture show.

Hon. W. T. GLASHEEN: In practically all country road districts there is a number of little villages, and generally the road board is situated in the most important of them. If we give power to a road board to run a picture show in any little centre, every other little centre will want a picture show as well. I have had practical experience of this. We established a co-operative company in one centre, and immediately every other little centre said, "We are shareholders in the concern, and we want a branch in our town as well." It meant that at big capital expenditure we had to establish four branch services. Luckily, it turned out all right in the end.

Hon. J. Nicholson: And rates and revenue would be used for halls, when they ought to be used for the making of roads.

Hon. W. T. GLASHEEN: That is so. If members knew of the petty little jealousies that obtain in small centres, they would be very careful about giving these proposed powers to road boards.

Hon. G. A. KEMPTON: Speaking on another clause yesterday, Mr. Gray declared that local authorities frequently mismanage their affairs. Yet to-night he wants them to have the power to run picture shows and other entertainments. I know something about running picture shows. We have in Geraldton a picture entertainment of which I have been chairman for six years. It is associated with the soldiers' institute. We made it pay, only because the whole of the committee of leading citizens acted as ushers and did much other honorary work for the enterprise. Moreover, ours was the only show of the sort in the town. The work of a

local authority is to look after the affairs of the district; not to run outside enterprises, such as picture shows. That ought to be left to outside bodies. This provision is a mistake.

The CHIEF SECRETARY: Sir William Lathlain agrees that this ought to be done, but he says that somebody else ought to do it for the board. Mr. Glasheen says the same. The road board itself must not appear on the scene. It is necessary that it should be done, but not by the road board. Mr. Hamersley's principal argument was that if we allow the road boards to run picture shows they will reduce the admission charges from 6d. to 3d., and will increase the rates to meet the position. Apparently the ratepayers living in the town would be admitted at half price, but the unfortunate people outback would have to bear double taxation.

Hon. V. Hamersley: And would never see the picture show.

The CHIEF SECRETARY: Mr. Holmes asks what would happen to the town if the road board were allowed to take over all profitable enterprises. Other members fear that the picture shows would result in great loss. It is difficult to reply to such conflicting arguments. Mr. Glasheen said that if the board ran a picture show in one centre, every other centre in the board's area would want a picture show also. Suppose the board were to spend money on a given road. Would pressure then be put upon the board to spend a similar amount on another road where, perhaps, it was not necessary? Mr. Kempton quoted the Geraldton picture show. I do not think he gave the whole of the facts. The manager of that show is paid £8 per week, and last year the hon. member himself waited on me with a complaint against the Taxation Department, declaring that the picture show would lose something like £500 per annum if the taxation were continued.

Hon. G. A. Kempton: No.

The CHIEF SECRETARY: I may be mistaken as to the figures, but I do remember that unless the tax were remitted, it would be a tremendous blow to the picture show. However, so successful has that entertainment been that, as a result, the debt on the largest soldiers' institute in Western Australia has been paid off.

Hon. W. T. Glasheen: Has any road board asked for this power?

The **CHIEF SECRETARY**: I cannot say. If so, I have no record of it. At any rate, that is not the question.

The **CHAIRMAN**: For reasons that are obvious, I have no desire to refer to interjections, but I ask members to read Standing Order 398.

Hon. G. A. **KEMPTON**: I am glad the Minister did not know all the facts about the soldiers' institute at Geraldton, else he might have bowled me out. At present we are running two shows up there for the institute. We find it difficult, and so we have to pay a man a good deal of money to run the two shows. However, as a result we have paid off the debt. I am not against every entertainment possible for country people, but I say it is not fair to ask road boards to take up that work. They are perfectly willing that committees should do it. It is better for the boards that they should not have this added responsibility thrown upon them.

Hon. A. **BURVILL**: I should like to know whether this has been tried before. As far as I can ascertain, there is no power for local authorities to take on the responsibilities proposed in the clause. Of course, the road boards are not to be forced to run these picture shows; but under the clause they will have power to do so. We have no precedent to show us how it will act. I will vote against the clause.

Hon. E. H. **GRAY**: It is the proper function of local authorities to cater for the amusement of the people. The people who are running the picture shows in Perth would be only too willing to give a good service to the country districts through the road boards. Mr. Glasheen proposes a policy which means leaving the burden upon the few energetic people in a country district to run these shows, but he is not prepared that the whole of the ratepayers should shoulder the responsibility. His argument is illogical and unsound.

Hon. W. J. **MANN**: Very few road boards would have anything to do with picture shows, which are left to private enterprise. They could not provide entertainments of this nature throughout their districts. I am opposed to the proposition.

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

Ayes	..	..	..	15
Noes	..	..	..	4
				—
Majority for			..	11
				—

AYES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Ewing	Hon. E. Rose
Hon. W. T. Glasheen	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. J. J. Holmes	Hon. H. Stewart
Hon. G. A. Kempton	Hon. H. J. Yelland
Hon. Sir W. Lathlain	Hon. G. W. Miles
Hon. W. J. Mann	(Teller.)

NOES.

Hon. J. M. Drew	Hon. H. Seddon
Hon. W. H. Kitson	Hon. E. H. Gray
	(Teller.)

Amendment thus passed.

Hon. Sir **WILLIAM LATHLAIN**: The proposed new paragraph 27 deals with the erection of workers' homes. There is nothing to prevent employees of boards obtaining the same concession as other people. I fail to see why we should give road board employees what we are not prepared to give to others. I move an amendment—

That proposed paragraph 27 be struck out.

The **CHIEF SECRETARY**: The hon. member cannot explain how a moneyless man could borrow sufficient money to erect a building on freehold land under the Workers' Homes Act. At present there is great difficulty in obtaining housing accommodation in country centres for the employees of local authorities. What chance would the secretary of a road board have of putting up sufficient money to enable him to get a workers' home? Homes on leasehold land are only built in groups.

Hon. H. **STEWART**: As a matter of curiosity I should like to know whether this is in accordance with a request of the road boards conference. The Minister quotes the decisions of that conference now and again in order to get something carried, but when we quote them it has no effect.

The **CHIEF SECRETARY**: This provision was in the Bill laid before the conference, but it was not commented upon. At least a dozen requests have been made by road boards for power to borrow money in order to erect residences for their secretaries.

Hon. V. **HAMERSLEY**: If the power is thought desirable, it should be restricted to the building of residences for secretaries, because road boards have many employees year in and year out, but engaged only temporarily and scattered over large areas. It might be argued that these employees should also be provided with residences, and a lavish outlay might result. This is really work that should be done by the Workers' Homes Board.

Hon. A. BURVILL: This power has been asked for by various road boards. Occasionally a board cannot obtain a home for an officer who is particularly useful, and it is not possible to get someone to build a home for him at a reasonable price. The granting of the power would probably lead to the erection of homes at reasonable prices, and the road boards would not find it necessary to use the power. No trouble is experienced in obtaining homes for employees outside townships. The power would operate as a safeguard.

Hon. Sir William Lathlain: Road boards can erect houses for their secretaries now.

Hon. E. H. Gray: No. The hon. member is wrong.

Hon. G. W. MILES: Do not the operations of the Workers' Homes Board apply to all parts of the State? Are they restricted to the metropolitan area?

The Chief Secretary: They apply to all parts of the State.

Hon. G. W. MILES: Then what necessity is there for this power?

Hon. E. H. Gray: Centralisation.

Hon. G. W. MILES: Centralisation has been the curse of the business. Workers' homes have been erected only in the metropolitan area.

Hon. E. H. Gray: Four or five hundred homes are now waiting to be built in Perth.

Hon. G. W. MILES: That is no reason why workers' homes should not be built in the country.

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

Ayes	..	..	..	10
Noes	..	..	..	10
				—
A tie	..	..	..	0
				—

AYES.

Hon. V. Hamersley	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. E. Rose
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. W. J. Mann	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. G. A. Kempton
	(Teller.)

NOES.

Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. H. Seddon
Hon. E. H. Gray	Hon. H. Stewart
Hon. J. W. Hickey	Hon. W. T. Glasheen
	(Teller.)

The CHAIRMAN: Under Standing Order 115, as the voting is equal the question passes in the negative.

Amendment thus negatived.

Clause, as previously amended, agreed to.

Clause 43—Insertion of new section after Section 160:

Hon. J. NICHOLSON: I understand that an hon. member, referring to this clause, suggested that it obviously would place unfair burdens upon the owners of certain lands. An owner, the hon. member said, might be rated or taxed unduly, or might be required to contribute to the cost of drainage works of no particular benefit to him and not even desired by him. If the clause be given effect to, a serious burden may be imposed upon some owners whose lands have been drained. I question whether this is the proper way of assessing the value of the work and what should be paid by the owner.

Hon. G. W. Miles: If the land benefits, should not the owner pay something?

Hon. J. NICHOLSON: I do not think this is the proper way to decide what the owner should pay. We are baldly giving the local authority power to assess such amount as it may think fit.

The Chief Secretary: Read the proviso!

Hon. J. NICHOLSON: I know provision is made for a dispute going to arbitration.

Hon. E. H. Gray: What could be more fair?

Hon. J. NICHOLSON: Should not the owner of the land ask that the drainage work be undertaken?

Hon. J. J. Holmes: No, because he may desire to block the drainage proposal.

Hon. J. NICHOLSON: This may result in an injustice to some owners.

Hon. A. J. H. Saw: Will there be no injustice to others if an owner sits back and lets others ask for the drainage?

Hon. J. NICHOLSON: If a man's land is improved by means of a drainage scheme, it is reasonable that he should pay something towards the work, because of the added value of his land. The question is, should he not have the right to say whether the work should be carried out or not.

The CHIEF SECRETARY: This question was determined last year. The same principle was involved in the Land Drainage Act. It was determined by this House that if a man's land benefited as the result of drainage operations, he should contribute towards the cost of the work. In this instance there is a procedure laid down that will have to be followed. If the board and the owner cannot come to terms, the ques-

tion is to be determined by arbitration under the provisions of the Arbitration Act, 1895. In proof of the fact that in some instances the drainage of roads has improved properties, we have an instance at Bassendean where the local authorities drained the roads and the property owners have requested the board to deepen the drains in order to benefit their properties, and those owners are prepared to pay for the work.

Hon. J. J. HOLMES: This has been a vexed question in the South-West for a long time. The clause as it stands is very fair indeed. Mr. Nicholson referred only to the first portion of the clause.

Hon. J. Nicholson: I mentioned the arbitration paragraph.

Hon. J. J. HOLMES: Yes, when it was extracted from you! The land has to be "substantially and permanently increased in value" by the drainage works undertaken by the local authority. If the owner and the local authority cannot agree on the question whether the land has been increased in value or upon the amount of the contribution towards the cost that must be paid by the owner, the difficulty can be adjusted by means of arbitration. That is a very fair provision and should solve the difficulty. Mr. Gray will bear me out when I say that at Jandakot and elsewhere there have been instances of men deliberately holding up the drainage of the district because they were not prepared to spend a little money.

Hon. A. BURVILL: While I agree the clause is necessary, I intend to move an amendment.

Hon. J. J. Holmes: If you favour the clause, why amend it?

Hon. A. BURVILL: I want to safeguard the position of owners. I move an amendment—

That in line 11, after "fit," the words "subject to Section 88, Subsection (2), of the Land Drainage Act, 1925," be inserted.

There should be some limit to the rates to be paid.

Hon. J. J. Holmes: Irrespective of the increased value of the property!

Hon. A. BURVILL: I am in agreement with the contention that a man, the value of whose property has been increased because of drainage works, should pay something towards the cost of the work, but he may be rated to such an extent that he may not be able to pay the impost within a reasonable time. The inclusion of the

amendment will safeguard the interests of the owner and provide a limit for the rating.

Hon. H. A. STEPHENSON: The clause is probably the most fair and reasonable that is included in the Bill. If other provisions had been as fair and as just, we would not have lost so much time in discussing them. Every safeguard is provided for land owners.

The CHIEF SECRETARY: No rate is to be imposed at all. It is merely a question as to how much an owner shall contribute towards the cost. It may be £20 or £30 and the owner will be given a number of years within which to pay off the liability.

Hon. W. T. GLASHEEN: In an indirect way we have already agreed to this principle seeing that if a railway is constructed, the owners of properties in the vicinity have to pay towards the cost of the work by means of increased taxation due to the augmented unimproved land values. It has to be borne in mind, however, that while the drainage of land may improve the properties from the standpoint of agricultural or horticultural produce, the drainage may not affect the value of the land if a man is engaged in some other occupation.

Hon. J. J. Holmes: Then he would not have to pay any more.

Hon. J. NICHOLSON: I do not object to a man paying for benefits he may receive, but there is no provision in the clause giving the owner an opportunity to voice his objection to the construction of a drain. Mr. Burvill drew attention to this point some time ago when we were discussing the Land Drainage Act. He referred to an instance in the Albany district where the drainage work had not had the desired effect, and yet the owners had to pay so much towards the work.

Hon. A. BURVILL: If a man's land is drained and thereby substantially improved, there should be some limit to the rate which might be imposed.

Hon. A. Lovekin: Surely the limit should be the ratio of the benefit a man receives.

Hon. A. BURVILL: If the Minister can assure me that there will be a limit, I shall have no objection to the clause. The case mentioned by Mr. Nicholson occurred before the present Drainage Act came into operation, and it would be too long a story to deal with it now.

Amendment put and negatived.

Clause put and passed.

Clause 47—Amendment of Section 196:

Hon. Sir WILLIAM LATHLAIN: The clause provides that a discount shall be allowed on rates paid by the 30th September. I desire again to explain the difficulties confronting road boards and to show that it would be more equitable to provide for a discount on rates paid within 30 days of the date of posting the rate notice. I have been interviewed by the representatives of two or three road boards in the metropolitan area, who pointed out that although the road board year ends on the 30th June, some of the notices are not issued by the 30th September. The Perth Road Board have 14,000 ratepayers, and the work of compiling the rate books and sending out the notices is distributed over a long period. Extra staff is engaged, but certain work must be done by the officials, and that takes a considerable time. If the amendment were passed all ratepayers would be on an equal footing. Another important factor is that under the clause, road boards would receive practically no money until the 30th September, so they would be without funds during July, August and September. I move an amendment—

That in paragraph (a) all the words after "paid" be struck out, and the following inserted:—"within thirty days computed from the date of posting the rate notice."

Hon. J. J. HOLMES: This is another equitable clause that should be allowed to stand. I have a communication from the Metropolitan Local Government Association signed by R. P. Rodriguez, solicitor, Forrest-place, Perth, and the contents are not in accordance with fact. It says—

If the Bill remains as it now stands it may happen that in some instances the ratepayers will not have the advantage of the reduction, as it may not be possible for the rate notices to be sent out until the 30th day of September.

On the other hand, they can have the advantage of the reduction. Evidently the only road board that cannot get its notices out is the Perth Road Board.

Hon. Sir William Lathlain: There are Claremont and others.

Hon. J. J. HOLMES: Then they can apply to the Minister for exemption. One advantage of the clause is that road board rate notices will be brought into line with other rate notices. If a person pays his water rates on or before the 30th November, excess is charged at 1s. instead of 1s. 3d.

per thousand gallons. That fixes the date, and everyone knows it. If we agree to the amendment, one batch of ratepayers will be expected to pay within 30 days, another batch who receive their notices a month later will have 60 days, and another batch 90 days. There is no equity about that.

Hon. J. NICHOLSON: To ensure equity, both sides must be considered. The road boards, to continue their work, must have money, and the main source of revenue is rates. Under the Act it is impossible to issue rate notices until after the 30th June. Thus the earliest the first batch of notices could be posted would be in July. If we state that the discount has to be allowed in respect of rates paid by the 30th September, and if everyone realises on receiving notice in July or August that they have until the end of September to pay, not 10 per cent. will pay their rates until the 30th September. The result of passing the clause as it is will be to deprive road boards of a considerable part of their revenue and it will prevent them from carrying on many of their activities for at least three months, or if they do, they will require to commit themselves to certain obligations to the bank by borrowing money and having to pay interest on it so as to carry on their works during those three months when practically nothing is coming in.

The CHIEF SECRETARY: It is evident that the hon. member is not acquainted with the wishes of the road board because this particular clause was approved by the conference. Another important fact is that 75 per cent. of the road boards do not allow discount. How then, I ask, is all this financial chaos to arise?

Hon. A. BURVILL: The clause has been inserted to help the road board. I am in favour of limiting the time to September because anyone can find out from advertisements in the newspapers what his rates are.

Hon. J. J. HOLMES: If members will look at the principal Act they will find that it empowers the council to give discount not exceeding 5 per cent. The clause provides that if they do give that discount they can only give it on rates paid before the 30th September. This is one of the equitable clauses of the Bill.

Hon. E. H. GRAY: I intend to support the amendment. I have served on a metropolitan road board and I know that what

Sir William Lathlain has said is correct. It is a fact that the months of July, August and September are the three best months for road making and they are also the months when there are many unemployed about.

Amendment put and negatived.

Clause put and passed.

Clause 49—agreed to.

Clause 50—Amendment of Section 213:

Hon. H. STEWART: I direct attention to the amendment that this clause makes. There is provision for the road boards to impose rates on the unimproved value or with the consent of the Governor on the annual value. That has been struck out, as has also the provision regarding the system of valuation on the annual value not being adopted throughout the district. I want to know if the Minister will kindly give us what information he has in support of the change. It means now that all valuations will be on the unimproved value except those of Crown leases, and of leases, licenses and concessions from the Crown for the cutting of timber where the rate shall be equal to 5s. per acre.

The CHIEF SECRETARY: There was in the original Act provision, with the consent of the Governor, to rate on the annual value. The intention was that it should be confined to the goldfields, but several other road boards have taken advantage of it, which is not considered desirable.

Clause put and passed.

Clause 51—agreed to.

Clause 52—Amendment of Section 225:

Hon. H. STEWART: The addition we are asked to make by passing this clause is unnecessary. Section 225 of the principal Act provides that the Minister may make any valuation and may require the board to adopt that valuation, and the board shall thereupon adopt it without alteration. On a previous occasion I pointed out that under the administration of the Act, when subsidies were provided, in order to get a subsidy the board had to rate up to 2d. Under the revaluation of the Commissioner of Taxation values in some areas have increased to four or five times what they previously were. Some boards, even if they were to rate on the minimum, would get more revenue than they need. The power that the Minister has to require the board to adopt a given valua-

tion is all the power that he wants. There is no necessity to put in this addition, which is a sort of indication that Parliament desires the Minister to adopt the valuation of the Commissioner of Taxation. In one road board area the board, instead of adopting the valuation of the Commissioner of Taxation—which was too high for their needs—adopted a valuation 25 per cent. lower all round. That is a sensible thing to do, so long as it provides sufficient revenue, as by that means the board gets a set of valuations that are relative to one another. However, that can be done without this addition to the Act, which is rather an encouragement to adopt valuations unnecessarily high for the requirements of the board. I will vote against the clause.

The CHIEF SECRETARY: The hon. member is not correct in saying the Minister for Works compelled any board to rate up to 2d. in the pound.

Hon. H. Stewart: What I said was that it had been done by administrative act.

The CHIEF SECRETARY: It is an administrative act, and has been the practice for some years. There are road boards that decline to rate themselves sufficiently high. Then they come to the Minister and beg for a subsidy. They are refused, unless they rate themselves up to 2d. in the pound, or justify a lower rate. A large number of those that rate themselves too low approach the Government for a subsidy, thus endeavouring to place the burden on the general taxpayer. Everybody must agree that the rates should be levied upon fair valuations. Whilst many road boards have made fair valuations, or alternatively, have adopted those of the Commissioner of Taxation, others have not done so. It may happen that one board adopts the valuations of the Commissioner of Taxation, and an adjoining board strikes a very much lower rate without any justification. The result is considerable discontent amongst the ratepayers, those highly rated wanting to be transferred to the district where the rates are very much lower. It is unfair to the board taxing on a fair basis to see its next-door neighbour rated altogether too low. The clause will correct that sort of thing. In order to secure an equitable system of taxation, it is necessary that we should have the clause.

Hon. A. BURVILL: All road boards should have a uniform unimproved value.

Hon. V. Hamersley: What do you call uniform?

Hon. A. BURVILL: Well, as uniform as it can be. The Taxation Department has put a valuation on all the lands of the State. I do not say that valuation is entirely uniform. If one road board were to take 25 per cent. off the valuations of the Taxation Department and another so much less, discontent might arise between the different sets of ratepayers. The reason why some boards have reduced the unimproved value by a considerable amount is with the object of securing a Government subsidy. The clause will make for the smoother working of local authorities.

Hon. V. HAMERSLEY: In one road board district the Midland Railway lands were valued on the unimproved basis at 4s. per acre, but anyone who wished to buy that land could not do so for less than £1 an acre. The valuation was therefore low, but the rate was high. In other cases the valuation is high and the rate is low. I do not see how we can adopt Mr. Burvill's suggestion of a uniform rate. I know of a case in which the Taxation Department valued a man's property on the unimproved basis at £10 an acre. He was too late to lodge an appeal in that year, but in the second year he appealed to the court, which reduced the value to £4 an acre. In the following year the local authority reinstated the £10 value, and the owner sold out at £2 an acre.

Hon. H. STEWART: The clause may encourage road boards to adopt a system of valuations, which in many instances would prove unnecessarily high for the revenue required. In my opinion there will be no subsidies for the future, so that there will be no inducement to boards to endeavour to secure them. Only a portion of the State has been revalued by the taxation authorities, but as time goes on there will be harmony between the road boards of the State in the matter of valuations. I object to the taxation authorities being the valuing authorities, and would also like to see some simple and effective method of appeal. Although the clause is only permissive, it might do more harm than good as things are at present.

Hon. J. J. HOLMES: There is no necessity for the clause. Section 225 of the Act enables the Minister to cause a valuation to be made, and he may require the board to adopt such valuation without alteration. It is now proposed to introduce valuations by the Taxation Department. These valua-

tions have been fixed in a haphazard manner in different parts of the State.

The CHIEF SECRETARY: Mr. Stewart stresses the fact that the valuations by the Taxation Department are not complete. There may be some parts of the State where they have not yet been made, but in cases where they have not been made they could not be adopted. It is the latest valuation that will be adopted.

Hon. J. J. HOLMES: If they made only one valuation, that would be the last.

Hon. H. STEWART: There is always a valuation. The work of valuing has been in progress for years.

The CHIEF SECRETARY: Not by the Commissioner of Taxation.

Hon. H. STEWART: Yes, by the Commissioner of Taxation.

The CHIEF SECRETARY: The valuations of municipalities have been adopted by the Taxation Department. This, however, plainly refers to valuations by the Commissioner of Taxation. If no valuations have been made by that officer, they cannot be adopted by the Minister. There is very little difference between the section in the principal Act and this clause, except that the clause gives an indication of the source from which the Minister will obtain the valuations.

Hon. J. J. HOLMES: Originally all owners were asked to submit particulars of their properties and to set values upon them, and the Taxation Department either increased or decreased those values as they thought fit. In the case of some lands, that is the only valuation which has ever been made. As regards appeal upon re-assessment, some people have appealed and have got their valuations reduced, while others have not appealed and must go on paying. Now we say that the board shall make the first valuation, and that the Minister, if not satisfied with that valuation, can make a revaluation, which the board are bound to accept. Further, we say that in making that revaluation the Minister can accept the last valuation of the Commissioner of Taxation. Such a power ought not to be given under this Bill. If the Minister is not satisfied with the board's valuation, he should order a valuation to be made, and the board should be bound to accept that valuation.

Hon. H. STEWART: Am I correct in saying that there are about 60 road boards in this State?

The Chief Secretary: Over a hundred.

Hon. J. Nicholson: I think 125.

Hon. H. STEWART: The latest report of the Commissioner of Taxation states—

Revaluations of 12 road board districts have been completed during the year, making a progressive total now completed under the present scheme of 29 country road boards.

At that rate it will take about another ten years to complete the revaluations. That is the reason why we are not arriving at the uniformity which Mr. Burvill stresses. According to the same report of the Commissioner of Taxation, in the case of Bruce Rock the estimated unimproved value of lands has been raised from £279,000 to £818,000. If Bruce Rock rated itself at 2d., it would have a revenue of 500,000 pence on the basis of the old valuation. If Bruce Rock rated itself at 1d. on the basis of the revaluation, it would have a revenue of 800,000 pence, representing an increase of more than 50 per cent. If something happened at Bruce Rock and the district were administered by a commissioner, that officer would most likely accept the valuation of the Commissioner of Taxation, and if a revenue of only 500,000 pence were required, he would raise one of 800,000 pence. In the case of Kununoppin-Trayning the original valuation was £72,000, and the revaluation is £144,000. The position of the 29 boards which have been revalued is not comparable with the position of the boards which have not been revalued. That is one reason why I regard this provision as undesirable at present. It is also undesirable on the principle that the person who is the taxing authority—in this case the Commissioner of Taxation—should not be the valuing authority. A Federal Royal Commission have laid down that principle in a report.

Clause put and negatived.

Clause 53—Repeal of Section 233 and substitution of new section:

Hon. J. NICHOLSON: There is a great disparity between the maximum rate fixed by Subsection 2 of proposed Section 233 and that provided by the original Act.

Hon. E. H. GRAY: There is a big difference between the value of money then and the value of money now.

Hon. J. NICHOLSON: But there is also a big difference in the valuations placed upon the lands. In this case there is not only a big increase in the valuations, but

also a big increase in the rating. Take a block of land with an unimproved value of £100, and say that the metropolitan maximum of 9d. was allowed. This would mean a rate of £3 15s. If the annual value, which has been wiped out, were to obtain, the maximum at which that block could be rated would be 2s. in the pound on the annual value. The block of land being worth £100, its annual value would be £5, and thus the rate of 2s. would only represent an assessment of 10s. We all know that lands have increased largely in value—to double or more. If we increase the maximum rate to 9d., as proposed, and add to that the land tax, the health rate, and other burdens, all upon an increasing valuation, we see that the ownership of land is likely to become a serious burden. It has been suggested to me that a maximum of 6d. is more than adequate for all the needs of any local authority managing and controlling its affairs properly.

Hon. E. H. GRAY: Where did you get that information from?

Hon. J. NICHOLSON: From one of the local authorities. I move an amendment—

That in line eight of proposed Subsection (2), the word "ninepence" be struck out, and "sixpence" inserted in lieu.

Hon. E. H. GRAY: I hope the amendment will not be agreed to. At Nedlands for instance, the people wished to see their district progress and they rated themselves to the full extent of 6d.

Hon. J. Nicholson: Have not land values there increased?

Hon. E. H. GRAY: In isolated instances near the river, values may have more than doubled, but in other parts they have not gone up by 30 per cent. We should not impose a bar against people taking any such action.

The CHIEF SECRETARY: The provision complained of applies only in the metropolitan area and even then is not mandatory. It merely provides the power, and specifies the maximum rate. Local authorities may not rate to the full extent, but will impose a rate according to the requirements. We have received requests for increased powers although the sum has not been stipulated.

Hon. A. BURVILL: It is reasonable that the local authorities shall be allowed to increase their rates if they desire. The provision is not compulsory. If a board requires more funds it should be enabled to

strike an increased rate. If the actions of the board do not meet with the approval of the ratepayers, the latter have the matter in their own hands.

The CHAIRMAN: I suggest that the amendment be moved in a different form because the striking out of 9d. and insertion of 6d. will merely mean redundancy. I suggest that the amendment be withdrawn and another amendment moved to strike out the words "in any such rural district" in line 5.

Hon. J. NICHOLSON: I do not desire to prolong the discussion. Representations were made to me by local authorities that they did not desire these powers. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Hon. J. NICHOLSON: I move an amendment—

That in line five of Subclause (2), the words "in any such rural district" be struck out.

Amendment put and negatived.

Clause put and passed.

New clause:

The CHIEF SECRETARY: I move—

That a new clause, to stand as Clause 57, be inserted, as follows:—"Section 243 of the principal Act is hereby amended by the addition of a proviso, as follows:—"Provided that no appeal shall be made to the council on the ground mentioned in paragraph (1) of the last preceding section when the valuation has been made or caused to be made by the Minister, but the appeal in that case shall be made to the Local Court only.""

Hon. H. STEWART: We have already deleted Clause 52 which dealt with valuations. Will the Minister reconsider the advisability of proceeding with the new clause?

The CHIEF SECRETARY: Most certainly I intend to proceed with it. The Minister may be forced to make a valuation owing to an unfair and rotten valuation made by a board.

Hon. H. Stewart: That is a reflection upon the boards!

The CHIEF SECRETARY: It has occurred. In that event, should the Minister, who has been forced to make a valuation because of the unsatisfactory one fixed by the board, have to appeal to the board? Certainly the appeal should be to the local court.

Hon. H. STEWART: The point at issue may be merely a dispute.

Hon. J. J. Holmes: I think you had better let the Crown Law Department have a look at this new clause.

Hon. H. STEWART: If the hon. member will allow me to look at it for a moment, I will be able to give a sensible decision. I do not like making it necessary for a taxpayer to be compelled to go to the local court. I would prefer permitting him to present his case to the Minister. It may impose an undue hardship in the outback areas, should the Minister make a valuation, to force the ratepayer to go to the local court.

Hon. J. J. HOLMES: Mr. Stewart said he would not object if the appeal was to the Minister and not to the court. So far as I can see there is nothing to prevent a taxpayer from appealing to the Minister. The Chief Secretary has pointed out the absurdity of the Minister having to override the board and of the ratepayer then having the right to go to the board with an appeal. The taxpayer may go to the Minister first and, if he cannot get redress, he may go to the local court.

Hon. H. STEWART: I move an amendment—

That after "the," in line five of the proviso, the words "Minister or the" be inserted.

The CHIEF SECRETARY: I hope the amendment will not be carried because it would mean giving thousands of ratepayers a statutory right to appeal to the Minister. They would appeal, and the Minister would have to give the matter personal attention. If the Minister were converted into a court of appeal against his own decisions, a considerable amount of his time would be occupied.

Hon. H. Stewart: Does he make valuations for the whole of the State?

The CHIEF SECRETARY: Often I have to consider appeals against my own decisions when fresh evidence is submitted, and that duty occupies a considerable amount of time. Think what it would mean if ratepayers generally could appeal to the Minister.

Hon. J. Nicholson: You would have to appoint a new Minister.

The CHIEF SECRETARY: Three new Ministers would be required for the purpose.

Amendment put and negatived.

New clause put and passed.

Bill again reported with further amendments.

BILLS (2)—FIRST READING.

- 1, Lake Brown - Bullfinch Railway.
 - 2, Government Railways Act Amendment.
- Received from the Assembly.

BILL—WIRE AND WIRE NETTING.

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

BILL—STATE INSURANCE.

Message from the Assembly received and read notifying that it had disagreed to the amendments made by the Council.

House adjourned at 10.43 p.m.

Legislative Assembly,

Thursday, 2nd December, 1926.

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QUESTION—FRUIT DRINKS.

Mr. SAMPSON asked the Honorary Minister (Hon. S. W. Munsie): 1, Is he aware that so-called fruit drinks are being sold in Perth without any guarantee or statement being provided that the drinks are actually made from or flavoured with fruit? 2, Will he take steps to ensure that drinks so sold are analysed and that in accordance with the Pure Foods Act the contents and flavouring are clearly stated on the containers?

Hon. S. W. MUNSIE replied: 1, Action is taken by the local health authorities to ensure that all drinks comply with the provisions of the food and drug regulations and that they are labelled in accordance with the requirements of such regulations. 2, Samples are analysed from time to time as considered advisable.

QUESTION—POLICE MOTOR, FREMANTLE.

Mr. SLEEMAN asked the Minister for Police: 1, Is it the intention of the department to provide the Fremantle police with a motor conveyance during the summer, so that they can effectively deal with motorists infringing the traffic laws? 2, If not, why not?

The MINISTER FOR POLICE replied: 1 and 2, No. The arrangements with regard to motor vehicles are made taking the whole metropolitan area into consideration.

QUESTION—TRAFFIC BRIDGE, FREMANTLE.

Mr. SLEEMAN asked the Minister for Works: 1, What amount has been spent on the Fremantle traffic bridge during the last three years? 2, What amount is estimated to be spent per year on the bridge until a new one is provided?

The MINISTER FOR LANDS (for the Minister for Works) replied: 1, £1,649 10s. 2, Approximately £4,000 for re-decking, and £2,000 on the understructure this year and £500 per annum thereafter.

QUESTION—RAILWAY BRIDGE, FREMANTLE.

Mr. SLEEMAN asked the Minister for Railways: 1, What is the total amount that has been spent on the Fremantle railway bridge from the 1st July, 1926? 2, What

The SPEAKER took the Chair at 4.30 p.m., and read prayers.