The Standing Orders were suspended.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I have to move that this Bill be read a second time. It is necessary for us to pass this measure to enable the Government to pay the salaries of officers and others which are due at the end of the present month.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill was considered in committee, agreed to without amendment, and reported.

THIRD READING.

The Bill was then read a third time and passed.

ADJOURNMENT.

The House, at 6.10 o'clock p.m., adjourned until Wednesday, 24th July, at 4.30 o'clock p.m.

Legislative Assembly,

Tuesday, 23rd July, 1895.

Dredging Across Success and Parmelia Banks—Suppression of Chinese Gambling Dens—Bridge over Greenough River—Reserves for Noxious Trades—Coolgardie-Dundas Telegraph Line—Mount Eliza Park Board—Supply Bill: third reading — Justices Appointment Bill; third reading—Licensed Surveyors Bill—Municipal Institutions Bill—Message from His Excellency the Administrator; Loan Act 1891, Re-Appropriation Bill: first reading — Order of Business—Customs Duties Repeal Bill; in committee—Adjournment.

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

PRAYERS.

DREDGING ACROSS SUCCESS AND PARMELIA BANKS.

MR. SOLOMON, in accordance with notice, asked the Premier, whether, in view of the great inconvenience at present experienced by vessels taking in timber at Rockingham, owing to their not being able to load there to a greater draught than 16ft., the Government would undertake to have the passages across the Success bank and Parmelia bank dredged to a depth of 20ft., which would avoid the long and expensive towage which sailing ships were obliged now to undertake to complete their loading in Gage Roads. If the present 18ft. channel across the Success bank were deepened, it would also greatly facilitate the landing of stock at Robb's Jetty.

THE PREMIER (Hon. Sir J. Forrest) replied as follows:—The first cost of channel 20ft. deep, and say 300ft. wide, would be, I am informed, at least £35,000; but if a depth of 20ft. is necessary for navigation, the channel should be at least 25ft. deep, and the first cost, on that basis, is estimated to be £80,000. The first cost, however, would be probably but a very small element in the matter, as Sir John Coode's estimate of the least amount that could be expected to maintain a channel through each of these banks (in which the Engineer-in-Chief concurs) would be £8,000 per annum, making £16,000 per annum for the two; and this, capitalised at 4 per cent., would be equivalent to a first cost of £400,000. This is exclusive of the cost of the dredgers which would be required. With one dredge the 25ft. channel would take, so I am informed, ten years.

SUPPRESSION OF CHINESE GAMBLING DENS.

MR. SIMPSON, for MR. JAMES, in accordance with notice, asked the Premier,—

1. Whether the police had any instructions to suppress the Chinese gambling dens in Perth.

2. Whether any, and if so what, instructions had been given in connection with these places.

THE PREMIER (Hon. Sir J. Forrest) replied, as follows:—

1. No serious complaints have been made to the police respecting Chinese gambling in Perth, consequently no special instructions have been given to the police in regard to the matter.

2. No instructions have been issued.

BRIDGE OVER GREENOUGH RIVER.

MR. TRAYLEN, in accordance with notice, asked the Director of Public Works what steps had been taken towards the erection of the bridge over the Greenough River, near Walkaway School, for which the money was

voted during last session; and when the bridge was likely to be completed.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the amount provided on the Estimates 94-95, £500, was found to be altogether insufficient for the erection of a bridge over the Greenough River near Walkaway, and that a sum of £1,000 would be placed on the Estimates for this year.

RESERVES FOR NOXIOUS TRADES.

MR. TRAYLEN, in accordance with notice, asked the Premier whether it was the intention of the Government to set apart areas near towns for carrying on noxious trades.

THE PREMIER (Hon. Sir J. Forrest) replied that the matter had not as yet been brought under the notice of the Government by the local authorities.

COOLGARDIE-DUNDAS TELEGRAPH LINE.

Mr. HASSELL, in accordance with notice, asked the Director of Public Works when the telegraph line from Coolgardie to Dundas would be commenced.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the matter was in hand, and would be proceeded with as soon as funds were available upon the Estimates.

MOUNT ELIZA PARK BOARD.

MR. LEAKE, in accordance with notice, asked the Premier what were the names of the gentlemen constituting the Board in which the funds for the Park on Mount Eliza were vested.

THE PREMIER (Hon. Sir J. Forrest) replied that the Board was composed of the Hon. J. W. Hackett, M.L.C., Mr. B. C. Wood, M.L.A., Mr. Alex. Forrest, M.L.A., Mr. A. Lovekin, Colonel Phillips, and Sir John Forrest, M.L.A.

SUPPLY BILL.

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

JUSTICES APPOINTMENT BILL.

Read a third time and ordered to be transmitted to the Legislative Council.

LICENSED SURVEYORS BILL.

Committee's report adopted. Third reading fixed for following day.

MUNICIPAL INSTITUTIONS BILL.

IN COMMITTEE.

Debate resumed upon the following amendment proposed by MR. A. FORREST, in line 2 of Sub-clause 3 of Clause 155:—To strike out the word "three" and insert the word "four" in lieu thereof.

MR. RANDELL said he hoped the Committee would not alter the clause in the direction proposed, as the Bill had already been passed, in another place, in its present form. The Council had fixed the minimum of the annual rateable value of occupied land at 3 per cent., the Assembly having fixed it at 2½ per cent. In consequence of that the Bill was dropped last session. It was he who had originally proposed 3 per cent. He had carefully gone through the Municipal Acts of the other colonies for the purpose of informing hon. members as to the rates prevailing in South Australia, Victoria, and New South Wales. In South Australia the highest rate was 5 per cent. for occupied land, and 2½ per cent. for unoccupied land.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn): Do you say it is 2½ per cent. upon unoccupied land?

MR. RANDELL: Yes.

THE PREMIER (Hon. Sir J. Forrest): In towns.

MR. RANDELL said he would read the clause of the South Australian Municipal Corporations Act of 1880 dealing with that point, and it provided that an annual assessment was to be made, and that "as to all land being the site of appurtenances which shall exceed one acre in area, and all land unbuilt upon all vacant land within the municipality, according to a percentage of 5 per cent. on the value of the freehold, save and except as to any area of land within the municipality comprising a block of not less than 20 acres not divided by roads, and unused, or used only for pastoral or agricultural purposes: and as to all such excepted land according to a percentage of 2½ per cent. on the value of the freehold."

THE PREMIER (Hon. Sir J. Forrest): Our Act includes any improvements.

MR. RANDELL said the Act referred to applied to land without buildings also.

THE PREMIER (Hon. Sir J. Forrest): The cost of buildings is deducted.

MR. RANDELL said he would speak as to that at a later stage, to show how the minimum would work. In New South Wales the Act

required, amongst other things, that the amount estimated should be assessed at nine-tenths of the fair average annual rental. That colony, therefore, followed a different practice. Then it made provision for the striking of special rates for Sewerage, Water, and Education. Clause 168 provided that the special and general rates should not at any one time exceed two shillings in the pound of the assessment of the rateable property, and that no special rate should at any time be made, so that together with any special rates theretofore made and for the time being in force, it should exceed one shilling in the pound of such assessment for the time being. Clause 256 of the Victorian Local Government Act of 1890 provided that the "general rates" should not in any one year exceed the amount of two shillings and sixpence in the pound of the net annual value, or be less than sixpence in the pound of such value. In Section 266 the Act provided that the extra and general rates together in any sub-division should not exceed two shillings and sixpence in the pound. The next was a peculiar Act, and applied only to the Corporations of Melbourne and Geelong.

THE PREMIER (Hon. Sir J. Forrest): Are those consolidated statutes?

MR. RANDELL said he had found no amendments to the Act except in regard to the reduction on three separate occasions of the Government subsidy to the municipality. Section 42 of the Act he had referred to provided that the lands, buildings, tenements and places beneficially occupied were to be assessed; provided always that in any such assessment, the annual value of unimproved land should not be estimated at a higher rate than six per cent. upon the average net value of the land. He would oppose any alteration to the Bill, as the present minimum would enable valuers to deal more equitably with the land in the city than they would be able to do under the principle prevailing in New South Wales, of fixing a maximum of six per cent. They would also be able to get at the man who was trying to evade the payment of rates by erecting a shanty, as it had often been called, upon a piece of valuable land. The man who had put up a fair residence on his land would be fairly dealt with by the proposal in the Bill. A minimum of three per cent. would prevent the City Council from dealing too liberally with owners of property, and would prevent valuers from undervaluing. The clause would, therefore, work equitably in the interests of both the occupiers of land and the City Council; and in view of the fact that 2s. 6d. was the highest figure for special rates in the other colonies, as against 3s. 3d. for general and extra rates in this colony, the funds they were placing at the disposal of the municipality should be sufficient. He had no objection to permitting a general rate of two shillings in the pound, but as the Act had already passed through both Houses, with the exception of the small matter under debate, he thought the clause should remain untouched. In fact, he believed hon. members were willing to accept 3 per cent. Many provisions in the Bill were sorely needed at present, and for that reason alone it should be allowed to pass as quickly as possible Though it might not be perfect, and he doubted if any Bill on that subject could be, the incidence of taxation under it would be equitable. He objected to raise the minimum to 5 per cent., but favored the maximum being fixed at that figure.

THE ATTORNEY-GENERAL (Hon. S. Burt) said he was sorry to interrupt the debate, but he desired to move an amendment to a previous portion of the clause, and would ask the hon. member for West Kimberley to temporarily withdraw his amendment in order to enable him to do so. He desired to move to insert before the word "occupied," in line 1 of sub-section 3, the words "improved or" which would make it read:—"The annual value of rateable land, which is improved or occupied, shall etc." Land might not be tenanted, and yet be improved land. It was evident, therefore, on perusing the next clause, which dealt with unoccupied land, it might possibly be wrongly called unimproved. It would also make it plainer to amend sub-section 4 in a similar way, and then lands upon which there were no tenants would be subject to the Act as improved land, and would be further subject to the 7½ per cent.

MR. A. FORREST: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

THE ATTORNEY-GENERAL (Hon. S. Burt) moved, as an amendment in sub-section 3, first line, after the word "is," to insert the words "occupied or." The sentence would then read thus: "The annual value of rateable land, which is occupied or improved, shall in no case be deemed to be less than three pounds

per centum upon the fair capital value of the fee simple thereof."

MR. MARMION said the word "improved" had no definite meaning placed on it in the Bill, and if the meaning was to be gathered from the next sub-section, it would still be vague. The ploughing of land, for instance, might be called an improvement, though the clause did not appear to contemplate it.

THE ATTORNEY-GENERAL (Hon. S. Burt) said the use of the word "improved" did create some difficulty at times, but he did not see exactly how to make the definition clearer in this case. In the Queensland Act the term "fully improved" was used as a definition for rating purposes. The word "improved" would be interpreted by comparison with other improved land in the same neighborhood. His amendment would make the meaning of the clause clearer in reference to occupied land, because a block of land might have houses erected on it, but no tenants in them, and, in that event, the land could not be said to be occupied, though it might be improved. If land with a house on it were unoccupied for more than six months, it would be rated as unoccupied land under Sub-section 4, and the rating value would then be 7½ per cent. of the capital value of the land.

Amendment put and passed.

MR. A. FORREST said this would be the proper time for again moving his amendment. He moved, as a further amendment, in the second line, that the word "three" be struck out. and the word "four" inserted in lieu thereof. This would make the minimum rate 4 instead of 3 per cent. He hoped the committee would show that this Assembly had no sympathy whatever with those persons who owned town lands without improving them. He would not alter the 7½ per cent. for unoccupied lands, as in the next sub-section, but the minimum for occupied lands should certainly be more than 3 per cent. The higher and lower figures had been 10 and 5 per cent. until the Municipal Institutions Bill was discussed last year; yet, after that system had been in operation thirty or forty years, the Hon. the Speaker of the Assembly moved, in committee last session, an amendment for reducing the minimum value of occupied lands to 3 per cent. His own opinion was that the reduction was a great mistake. Those persons who owned vacant blocks of land, especially in Perth, should be satisfied with the rise in the selling value of property resulting from the making of good roads at the expense of the ratepayers, and should not ask also for this reduction of rating value to 3 per cent. The Perth Council had the greatest difficulty, under the existing law, in making footpaths along a block of property held by several owners; for the Council had to obtain the consent of two-thirds of the owners, when making a footpath from street to street, before the other third could be compelled to join in the expense of making the footpath along the whole block.

MR. RANDELL said this Bill would give greater power in that respect.

MR. A. FORREST said more power was certainly necessary. Some owners defied the Council, and one property owner, who was a member of the Upper House, had told the City Council they had no power to charge him with the cost of fencing his vacant land. That owner had put the matter in such a way that the City Council were afraid to take the case into a court of law, until this new Bill gave further power. If the sub-section were amended by raising the minimum to 4 per cent, he did not think the Municipal Councils would abuse the power in making valuations. The minimum ought to be 5, but perhaps 4 per cent. would meet the case; and, if this amendment were passed, he did not think those members of this House, who were also members of the City Council, would interfere with the 7½ per cent. for unoccupied lands, as contained in the next sub-section.

MR. R. F. SHOLL hoped that hon. members would not act in this House as representing any particular body or locality, but would act as representatives of the colony, and try to make this a just Bill for the colony as a whole. It should be remembered that this sub-section was for fixing the minimum, whereas some members spoke as if it were for the maximum rate. There was nothing in the Bill to prevent a Municipal Council from making the amount of rate 10 or 15 per cent., if they liked. There should be a wide margin between the maximum and the minimum valuations, in order to induce owners of town land to improve it and erect buildings. If the minimum were raised to 4 per cent., as proposed in the amendment, the Upper House might reduce the amount again, and then there would be another ruling from the Speaker of this Assembly, affirming that the Legislative Council was infringing a privilege of this Assembly.

THE ATTORNEY-GENERAL (Hon. S. Burt) hoped that the effect and object of the sub-section would be clearly understood. It should be borne in mind that this sub-section was intended only to meet the one special case of an owner who erected a shanty or small building on a large block of land in a city or town, such land being otherwise unimproved and unoccupied; that owner's object being to escape the rating of 7½ per cent. as unoccupied land, and to come in under the rating on a rental of 3 per cent. That was the only case in which Sub-section 3 would apply, because the rental was deemed to be the annual value. Owners generally would pay rates on the *bona fide* rental value, and such rental must always exceed 3 per cent. of the capital value, because the rate was to be assessed only on the value of the land, without reckoning the improvements, whereas the amount of rent would be for the use of the land together with the improvements. The rate was payable on the amount of a fair rental, and an owner could not elect to pay on 3 per cent. of the land, where a rental above that value was obtained. In assessing on the rental, the amount must never be less than 3 per cent. of the capital value of the land in any case. After what had been said, he began to think the minimum might well be left at 3 per cent.

MR. RANDELL said hon. members should not assume that the market value of land in a town or city was necessarily raised by the improvements which some owners made. The increased value of land was the result of the improved circumstances of the colony altogether—the result of goldfields development and the construction of public works. The larger number of people wanting houses had increased the value of land in towns. He was one of those owners who had no unoccupied land in the city, and in that respect he had endeavored to discharge his duty. Hundreds of people in Perth had been buying land for the purpose of building as soon as they could afford to do so; and owners of town lots could not be compelled to improve them, until their circumstances enabled such owners to make those improvements which they desired to do. Without wishing to oppose this amendment, he thought the mover had not understood the surroundings so clearly as the hon. member usually did in dealing with financial questions. The reason for the increased value of property in Perth was largely due to the progressive state of the whole colony; and, as to inducing owners to erect buildings on their land, what would be the use of houses if there were not people here to occupy them, and if there were not sufficient trade to maintain the people?

MR. A. FORREST said the hon. member's argument would not bear examination, if he meant that the making of roads and footpaths with ratepayers' money did not improve the value of adjacent land in the city, or that the building of houses did not improve the value of other blocks in the locality. He (Mr. Forrest) never heard such an argument before.

MR. RANDELL said his contention was that the improvement was only to a limited extent.

MR. A. FORREST said the increased settlement in West Perth, for instance, would not have extended towards Subiaco if a good road had not been made through the bush to Subiaco. He had never before heard anyone argue that the building of houses did not increase the value of the land.

MR. RANDELL said the hon. member was misrepresenting him again.

MR. A. FORREST said he would put in the qualification that the increase of value was only to a limited extent.

MR. LOTON said 4 per cent. would be a fairer minimum than 3 per cent. in the cases contemplated by the sub-section. In any city or town there were blocks of land capable of further improvement, and with ample space for other buildings; yet such blocks were bringing in only a moderate rent at present, although occupying some of the best positions in the town. On such properties the rating assessment would be only 3 per cent. of the value of the land, unless the rental actually received were higher than that amount. Take the case of a full town grant in Perth, extending from one main street back to another street, there might be only a small cottage on it, fronting one street, while the other frontage of 99 feet, quite as valuable, might be vacant. Such a grant must be capable of additional improvement, and the small rental received for the one cottage would not be a fair basis of value for rating the whole property, although the land would be classed as "improved," and would be improved to a certain extent. The amount of interest obtainable as rental on improved land in any part of Australia could not be set down at less than 4 per cent; in fact, a lower rate of interest had not yet been reached in these colonies. If a

good percentage on improvements were not obtainable, the owners of town blocks would not be erecting buildings to the extent now visible in Perth and other towns. It was desirable to fix, in the Bill, a good margin between the rating value of unimproved as compared with improved land. As to ground rent, he did not suppose that a ground rent could be obtained on some of the exorbitant valuations of city blocks which owners were asking at present. In the case of a block valued say at £8,000, if buildings were erected on it costing £5,000 more, there could not be much ground rent coming from the rental for such an expensive property. Allusion had been made to the block of land and buildings in St. George's Terrace, formerly used as the Western Australian Bank. The rental now received for the use of one part as the Victoria Library was £100, and the rental for the other part was not more than £125 per annum; so that this property, now all let, was bringing in a total rental of only about £225, and the whole property had been sold for £8,500. If the basis of rating was to be the actual rental, that would be subject to deductions for outgoings to the amount of 10 per cent. of the rental. He was of opinion that 4 per cent. of the capital value of land would not be an excessive minimum rate, and he would support the amendment. As to what hon. members in another place might do with the Bill when it reached them, the members of this House should not be ruled by the opinions of another place.

MR. GEORGE supported the amendment, and said that, judging from the allusions of certain hon. members, the City Council was eminently adapted to "point a moral or adorn a tale." As to the amount of rates available for necessary works, out of the 3s. 6d. in the pound which the City Council received, it could only use 2s. 3d. for general purposes, because 1s. had to go to the Water-works Company. He quite believed that 4 per cent. was little enough as a minimum, and personally he would not mind if it were raised to 6 per cent. He understood that a person who had recently sold a city property for £8,500 objected to the rates the City Council claimed upon it.

HON. MEMBERS: No, no.

MR. GEORGE said that in boom times values always went up, and he did not see why the City Council should not have power to make men pay up their rates accordingly, when owners fixed such high values on their properties.

MR. ILLINGWORTH said it struck him as being exceedingly peculiar that there should be so much concern on the part of hon. members for a certain individual who held certain land, and —when rated at 7½ per cent. by the City Council—would go to the expense of putting up a small building, simply in order to evade that amount, and come under the smaller assessment. There could not be a better illustration than that referred to by the hon. member for the Swan—that of a certain property which had been sold for £8,500, and yet the land and buildings on it had been bringing in only £225 a year. If that property had been assessed at the minimum of 3 per cent. on the capital value, it would have yielded nearly £260, and, if at 4 per cent., £340. He could not see why the Committee should be so exceedingly anxious about any one particular person. People who improved their properties, by building upon them, did improve their neighbor's property, notwithstanding the argument used by the hon. member for Perth.

MR. RANDELL: I said they did, to a limited extent.

MR. ILLINGWORTH contended that land did rise in value by the making of the roads and footpaths, and, as an instance, land on the Subiaco road had more than doubled in value in consequence of the road being made. That had been proved under the hammer of the auctioneer, as well as by private sales. He did not believe it was right for persons holding land to be allowed to wait until the price went up, as the result of the enterprise and energy of their neighbors, before they were properly rated by the City Council. He was surprised that the Committee should have so much consideration for a man who would neither improve his land nor let any one else improve it.

MR. MARMION said that in Fremantle, not many years ago, 10 per cent was the amount of assessment on unimproved land. Some owners had designedly allowed their land to remain unoccupied and unimproved; and the Council eventually tried to check the practice by raising the percentage to ten.

Amendment — to strike out the word "three" and to insert the word "four" in lieu

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

Ayes	18
Noes	9
Majority for	9

Ayes.	Noes.
Mr. Burt	Mr. Hooley
Sir John Forrest	Mr. Monger.
Mr. A. Forrest	Mr. Piesse
Mr. George	Mr. R. F. Sholl
Mr. Harper	Mr. H. W. Sholl
Mr. Hassell	Sir J. G. Lee Steere
Mr. Illingworth	Mr. Throssell
Mr. Lefroy	Mr Wood
Mr. Loton	Mr. Randell (*Teller.*)
Mr. Marmion	
Mr. Moran	
Mr. Moss	
Mr. Phillips	
Mr. Richardson	
Mr. Simson	
Mr. Solomon	
Mr. Venn	
Mr. Leake (*Teller.*)	

The sub-section, as amended, was agreed to.

THE ATTORNEY-GENERAL (Hon. S. Burt) moved as an amendment, to strike out of Sub-section 4 the words in lines 1, 2, and 3, "unoccupied for a period of six months previous to the time of making such valuation as aforesaid," and that the words "unimproved and unoccupied" be inserted in lieu thereof.

MR. LOTON said he understood the Attorney-General, when speaking on this subsection, to say that in the event of any improved property being unoccupied for more than six months, it would be liable to be rated as if occupied.

THE ATTORNEY-GENERAL (Hon. S. Burt) said he was only referring to the wording of the clause; and that property might remain more than six months unoccupied.

MR. RANDELL wanted to know how the amendment would apply in such circumstances as those existing now in the city of Melbourne. He thought it would be very oppressive to those unfortunate property owners who could not find tenants.

THE ATTORNEY-GENERAL (Hon. S Burt) said the subsection would meet that very case, because it said where the land was unimproved and unoccupied. The cases cited were cases where the land was improved, and, therefore, they would not come under the words "unimproved and unoccupied."

MR. RANDELL said the capital value would remain the same.

THE ATTORNEY-GENERAL (Hon. S. Burt) said that was so, but they did not charge 7½ per cent.

MR. RANDELL said he thought they needed the provision, to which he had previously called the attention of the committee.

THE ATTORNEY-GENERAL (Hon. S. Burt) said the words were perfectly clear, "unimproved and unoccupied," and referred to land that had absolutely nothing upon it. If a house were built, even though it were not let, the land could not be classified as "unimproved" land. That was the case in Melbourne at that time.

MR. LOTON asked how the rates would stand if the land were improved but unoccupied?

THE ATTORNEY-GENERAL (Hon. S. Burt) said such a case would not come under that subsection at all; but would come under subsection 3.

MR. LOTON wanted to know if the full rateable value would be charged, if the land were improved by buildings, which were unoccupied.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) said they would be charged at the four per cent rate upon the capital value.

MR. LOTON contended that as the owner would not be receiving anything, it was hardly the thing.

THE ATTORNEY-GENERAL (Hon. S. Burt) said that when rent was received, it was supposed to be a return upon the value of the land and the buildings, and the rate would be only four per cent. upon the capital value, which was not an excessive amount.

MR. LOTON wanted to know what redress there was for an owner who had the misfortune to have properties unoccupied? He thought it unjust that the same rates should be charged when a place stood empty for a long time, as when it was occupied.

MR. LEFROY thought it was harder for individuals in the country, where the capital value was, perhaps, only £100, than in the city. He thought it would not affect the city very much.

MR. A. FORREST said that many houses were unoccupied in the city, because the owners wanted too much rent. He thought such instances would be met by this subsection.

MR. LOTON said his impression was, that landowners would come down in their prices

and take lower rents, rather than have their places unoccupied.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) said, if the land were improved but unoccupied for a length of time, the value would be sure to come down very considerably; and the 4 per cent. rating would fall with it, and therefore there would be a certain amount of relief to the owner.

MR. LOTON pointed out there was no provision made for reducing the value.

Amendment put and passed.

The Sub-section, as amended, was agreed to.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) was not quite sure whether it had occurred to the Committee as to what would be the consequence of passing a sub-section like that. He thought it would probably mean that a person owning a valuable block of land, upon which he had been rated at 7½ per cent., might be induced to put up a poor building, for which he would possibly receive £10 a year rent, and so be enabled to claim to be transferred from the £7 10s. to the £4 rating. He thought a margin between four and six per cent. would better meet the case.

MR. RANDELL wished the Attorney-General to add a provision providing for the case of any person having property unoccupied longer than six months.

THE ATTORNEY-GENERAL (Hon. S. Burt) said he would consider it, if the hon. member would give notice of it, and it might be put in when the report on the Bill was considered.

Clauses 156, 157, 158, and 159 were agreed to without amendment.

On clause 160 "Entry on premises by valuer," MR. RANDELL drew attention to the fact that no definition of what reasonable hours were had been given. In Victoria the hours were fixed as being from 9 to 5 in the day time. To merely say "reasonable hours" was to be a little to indefinite, and different people had different notions of what would be reasonable hours.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the clause be amended by striking out the words in the second line, "at all reasonable hours" and inserting in lieu there "between the hours of nine and five," and the clause as so amended was agreed to.

Clauses 161, 162, 163, 164, 165, 166, and 167 were agreed to without amendment.

On clause 168 "How rates may be recovered" MR. LEAKE moved an amendment to strike out the words in the second and third lines, "or by distress or sale." His object in moving this amendment was, he said, to test the feeling of the Committee whether it was in favor of extending the right of distraining, so that municipalities would have the right of distraining for rates. There were many members in the House, doubtless, who not only disapproved of the extension of the principle, but disapproved of it as it applied to landlord and tenant in the present day. The right to distrain was a landlord's remedy, and this clause sought to extend that right to municipalities. Members would be interested in a passage he would quote from what was a recognised authority—the *Encyclopedia Britannica*—on the question of landlord and tenant. That publication said:—"Distress is one of the few cases in which the law still permits an injured person to take his remedy into his own hands." Further on the same article remarked "now that the relation of landlord and tenant in England has come to be regarded as purely a matter of contract, the language of the law book seems to be singularly inappropriate. The defaulting tenant is a "wrongdoer," the landlord is the "injured party," any attempt to defeat the landlord's remedy by carrying off distrainable goods is denounced as "fraudulent and knavish!" The right given to landlords, and now sought to be extended to municipalities, of giving any person the power to exercise the right of seizing another person's property unless after having taken formal legal proceedings and upon judgment, was foreign to every recognised modern principle of law and administration. They could not approve of any law that permitted a person taking the remedy into his own hands, and that without legal proceedings. Such a thing could only be described as an arbitrary act and could only be justified by reason of its antiquity. He trusted hon. members would assist him in striking out the power proposed to be conferred in municipalities by the present clause. He had said last session and repeated it now, that one of the worst features of this Bill was the application to the Municipal Act of the power to take one man's goods in order that they should pay the debts of another. If a tenant did not pay rates that should be made a matter between him and his landlord, and could easily be provided for in the contract whereby he became the tenant.

The Municipality had ample protection for the payment of rates if it looked to the landlord, for it had the rateable property to fall back upon, and the landlord on the other hand had his remedy in the contract between himself and his tenant and had ample means of protection also. A tenant was liable, under this Bill, to be between the influences of two parties. He could be distrained upon for his rent, and he could be distrained upon for his rates. Hon. members who would take part in the debate would probably advance as a reason why the clause should stand, the fact that it was a power given to municipalities in other countries, but that was surely no reason why the innovation should be introduced here. There were others who admired the principle for the simple reason that it was one of long standing. These forgot that it might have become old and worn out, but he was not one of those who favored the attacking of a principle merely because it was an old one. In this instance it was his desire to show hon. members that municipalities need not in any way be injured by the right of distraint being withheld from them. It would be really an advantage to municipalities if they recognised the landlord only, and did not trouble themselves about the tenants at all. It would be far better for municipalities to have to deal with only one class of person — and that the landlord. Why should they bother themselves with persons who might be here to-day and gone to-morrow and who might be residing in two or three different houses in one year. The only object a municipality could have in desiring this power would be to secure the rates, but they could make themselves more certain about the payment of the rates by seeing that it came out of the land. If they rated the landlord and made him responsible they had a further remedy against the property, and rates would be collected more readily from the landlord than they might be from tenants: On the one hand they had a man of substance and the other a person with probably very little property. This was recognised in the section itself, otherwise there would be no reason for giving the extra remedy of seizing a tenant's goods and chattels. If it could be shown that municipalities, if they had not this power, would have trouble in collecting the rates, or that his proposal would inflict any real hardship upon landlords, he would be glad to hear of it, but though there might be such arguments, none presented themselves at the moment to his own mind. What difficulty could arise, so far as the municipalities were concerned, if they had the landlord to go against. As he had previously said the landlord could protect himself against the tenant by his contract. However, if there would be a hardship on the municipality, the landlord, or the tenant, there was a middle course that might be adopted, and that would be to give municipalities the same powers as a mortgagee in possession. If a mortgagee was desirous of having his interest paid, and there was a tenant under the landlord, the mortgagee would enter into possession, and take the rents and profits of the property until he was paid. Give municipalities the same power, and they had at once the remedy, as well as the fund to recover what was due. No one could be injured by such a course as this. In fact, everyone would be satisfied. If the principle was a good one as applied to occupied land, why not extend it as between landlord and tenant in the matter of rates. For his own part, he saw no reason whatever why the same principle should not be adopted. It would immediately be suggested this would be an innovation, but little objection could be raised if the matter was regarded from anything like a comprehensive point of view. As the Bill stood at present there were possibilities of all sorts of hardships arising. Rates may be in arrear for twelve months when an old tenant went out and a new one came in. Under the law now proposed, it would be possible for a municipality to distrain on the goods of the new tenant for the arrears accumulated through the old tenant's default. Why should any of these municipalities have the power to harrass one man for another man's debts? Of course, it would be said that no municipality would use its power to this extent, but what the Committee had to recollect was that all municipalities had not as mayor such gentlemen as the hon. member for West Kimberley. It may be quite true also that as long as the hon. gentleman was Mayor of Perth none of these cases would arise, and the power would not be used in an arbitrary or unfair manner. But that was no reason why the power should even exist. There could occur cases where municipalities would determine themselves to use the law with the utmost rigor, quite regardless of the rights and feelings of the people affected. Hon. members should bear in mind that the

principle, if agreed to, would be one applying to every municipality in the colony, and there was no limit that its application would be to the City of Perth only. What municipalities should be able to do would be to throw the onus on the landlord. Let the landlord pay the rates, and protect himself against the tenant by having proper clauses inserted in his tenancy agreement. The landlord could have not only his contract, but his remedy at common law and the distress to recover rent. There was no reason why the rights given to landlords should be extended to other persons —none whatever. It was said when this matter was before the House last session that to agree to his (Mr. Leake's) proposal would mean the recasting of several clauses, and also create difficulties as to the roll of electors. As to the latter difficulty, that could be got over by using another word to describe them. Let the roll be made up of rentpayers instead of ratepayers, while as to the recasting of clauses in the Bill, he did not know that this was a sufficient reason for rejecting the principle. He was glad to see that there was now a Parliamentary draftsman.

THE ATTORNEY-GENERAL: Not a draftsman.

MR. LEAKE: No! Well, one who does drafting work, then. However, the fact that it would put all the extra work on this gentleman was no reason at all to urge. No one would pretend that there was not a principle involved here, and few would venture to assert that the principle was not a good one. No doubt, hon. members had considered the matter. It was not a party question, or one that the Government could be turned out upon, and therefore he hoped to have the support of some hon. members from the Government side of the House, as well as the co-operation of the Mayor of Perth. What he desired to impress on the minds of the Committee was that the matter was really one of great public importance, affecting the whole community, and applying to every municipality, big or little, throughout the colony. In giving these extended powers they should also take care that no unfair advantage could be taken of them. Central municipalities were always under a sort of criticism, but outlying municipalities, not so situated, might be misled into doing what would possibly be an act of injustice, and that under the letter of the law. He did ask hon. members to view this as very exceptional, and the clause as providing a principle which might work hardship and injury to innocent persons, and would give into the hands of persons the power to injure others. At the same time what was undoubtedly the worst feature of the lot was that one man might be called upon to pay another man's debts. There was no reason for the municipalities looking so closely after the interests of landlords who had quite sufficient rights in this and other matters to be able to look out for themselves. What he wanted the committee to do was to reduce the power of persons to act arbitrarily, and not to give extended powers to any corporation that would lead to the landlord being in such a position that he could greatly injure a tenant. The question was a most important one, and one which he would like to see taken up outside to such an extent that a public meeting of citizens would be held in the Town Hall and the Mayor of Perth advised to vote against the extension of the powers of distraint, and with the object of doing away with arbitrary acts, which, under no circumstances, could there be any reason for perpetuating.

At 6.30 p.m. the Chairman left the chair.

At 7.30 p.m. the Chairman resumed the chair.

MR. JAMES said he was placed somewhat in a peculiar position in connection with the amendment moved by the hon. member for Albany, because, although he entirely disagreed with it, he entirely agreed with all the arguments he had used; but the arguments did not apply to the amendment. The hon. member, he understood, adduced arguments to show that the landlord should pay the rates, and he thoroughly agreed with him, but section 168 did not affect the question as to who should pay the rates. Section 164 dealt with it, and declared that the rate should be payable in the first instance by the occupier at the time the rate was struck, and in the next instance by any subsequent occupier, or by the owner, should there be no occupier. That clause had been passed, and it was that clause, and not clause 168, upon which the hon. member should have raised the point. If he had followed that course he (Mr. James) would have supported him. Section 168 simply provided the method by which the rates were to be recovered from the tenant. It gave power to sue either in the Local Court, or to distrain. If a man were sued, and judgment were given against him, distraint followed if he failed to obey the judgment summons. The most objectionable

feature of the power to distrain was, that it gave the most iniquitous right to take one person's property to pay the debts of others, and he would support any proposal to do away with that power. It should not be forgotten, that whilst it was objectionable to give a private individual extensive and unjust rights, the same argument did not apply when those rights were enjoyed by public bodies. Unless the power to distrain were given to a municipality, it could not take any action, or sue or distrain, until the amount payable was fixed beyond question. Having the amount fixed and admitting that a certain person had to pay, he asked why in the name of common sense should the right to issue distress be given, without making it necessary to go to the expense of taking action to recover that which would untimately have to be recovered by the same process. He regretted that the hon. member for Albany should, after what he had said last session, not have brought forward the amendment earlier.

MR. LEAKE: I mentioned it on the second reading.

MR. JAMES said he believed the hon member did, but the proper time to have moved the amendment was when the Clause 164 was before the committee. If the amendment were adopted, it did not follow that the committee affirmed the principle that the landlord should pay the rates. That was the tone of the hon. member's arguments. If it were carried, the Government were not compelled to bring in an amending Act adopting the principle. The question was simply one involving the mode of collection of the rates, and not a question of the liability of the person who had to pay the debt. If the hon. member had proposed a section providing that a tenant should not have to pay rates in respect of premises for the time he was not in possession of them, he would have had the Committee with him. He (Mr. James) asked the hon. member to withdraw the amendment, and bring forward the section he had suggested, which would not only prevent any injustice to the tenant, but would prevent any injustice to the City Council by compelling them to take a circuitous and expensive method to recover rates.

THE ATTORNEY-GENERAL (Hon. S. Burt) said the hon. member for Albany raised the question last year, when he had one supporter and two sympathisers. The supporter was the hon. member for Nannine, and the sympathisers were the hon. member for Gascoyne and the hon. member for Roebourne, who voted with him because they did not care to see him in a minority.

MR. LEAKE: I have 13 this time.

THE ATTORNEY-GENERAL (Hon. S. Burt) said the hon. member passed by section 164, which embodied the principle of making the occupier liable in the first instance for the rate, and now proposed to strike out in section 168 the power given to Municipal Councils to recover the rate from the tenant by distress on his goods. At the same time, he ventilated the opinion that the landlord should have to pay the rate and not the tenant. That point was passed. The Committee had decided that the tenant, was in the first instance, liable for the rates, and not the landlord; consequently, the only point to be dealt with was how to recover the rates. The hon. member for Albany had asked the committee to take a comprehensive view of the matter, whatever that might be. It was more comprehensive to leave the words in, than to strike them out. The Government admitted that the power of distress was an ancient one, and no doubt the hon. member would like to see it abolished. It was a matter for wonder that he did not wish to have rates abolished as well. Both ideas were equally novel. The hon. member was not correct when he said landlords and municipal councils only had the power to distrain, for all gas companies and water companies had the power to recover debts by that process, while every mortgagee of land stipulated the power to distrain for his interest. He was sure the hon. member would not carry the committee with him, because he was in an overwhelming minority when he moved in the matter last session.

MR. ILLINGWORTH: He had arguments all the same.

THE ATTORNEY GENERAL (Hon. S Burt): Never mind about that. We have the votes.

MR. LEAKE: You never do.

THE ATTORNEY-GENERAL (Hon. S. Burt): Arguments never count for much.

MR. ILLINGWORTH: No, not in this House.

MR. LOTON: Why does the hon. member argue?

THE ATTORNEY-GENERAL (Hon. S. Burt) said he was afraid he was wasting time in arguing. The hon. member further said that

if the amendment were carried, it would throw the Bill out of gear, and that it could be put right afterwards by the Government. Of course they could if any amendment were made, but he did not tell them what the effect would be on the ratepayers' electoral rolls. To show that the hon. member had not studied the question, it was only necessary to point out that when Clause 168 was reached he thought it was Clause 169, and moved the amendment for the clause. Finding out his mistake he proposed the amendment in Clause 168—which was under debate—to strike out the words "or by distress and sale." In the section sought to be amended there were two remedies for the recovery of rates, the first by action at law and the second by distress and sale, and the use of the word "either" made it a matter of discretion as to which course should be taken. The section would be unintelligible if it were amended in the manner proposed by the hon. member for Albany. He therefore, could not accept the hon. member as a guide as to how far the Bill would be disarranged if the amendment were carried. The distress law had existed since the first years of the Colony, and he had not heard any arguments to show why it should not continue. He would point out that by another section the Council could only recover rates from an occupier, incurred within the year in which the rate was struck, and therefore, the subsequent occupier could not be liable for more than one year's rates, nor would the rates accumulate upon him.

MR. ILLINGWORTH: They do all the same.

THE ATTORNEY-GENERAL (Hon. S. Burt) said that was an occupier's own fault, as he should make enquiries as to what rates were due before he took possession. He defied anyone to tell him that the distress provision had caused any hardship in the city or elsewhere. He did not suppose it was even put into force. It was a necessary provision to make, in order to enable Municipal Councils to recover rates and carry on the business of their respective corporations.

MR. ILLINGWORTH said he would support the amendment. Where lawyers differed it was difficult for laymen to decide. He thought Clause 164 threw the onus to pay the rates first of all upon the occupier, and failing that, upon the owner. The object of the hon. member for Albany's amendment was simply to abolish that objectionable form of distress. It was an easy matter to appeal after the wrong was done and to say the rates were unjust, but in the meanwhile the distress took place, the man's goods were sold, the man had no money with which to fee a lawyer to discuss the question, and the consequence was that he had to submit to the injustice of having his goods taken away from him. It was unjust that a man should have to pay three years' rates charged against him which he never incurred, simply because he could not defend himself. It was all very well to say that only one year's rates could be claimed; but when the distress came in the man had no defence, and his goods were seized. Most people who hired houses at 10s. and 15s. per week were not learned in law and were not able to dispute an unjust claim for rates when the distress warrant was served. He would suggest that the word "distress" should be struck out. Then the rate would be sued for and the person sued would have the chance of explanation before distress was levied in a summary manner. At present he had to defend himself against an injustice after the injustice was done. He would like to see the onus thrown upon the owner to pay the rates. Some of the greatest outrages had been committed in Victoria under the distress provision. He knew a case in this city where a whole family were turned out of their home last week, and were now trying to make a covering of old bags for themselves on a property beyond some property belonging to the Premier.

THE PREMIER (Hon. Sir J. Forrest): What! Me?

MR. ILLINGWORTH: No I said they were on a property beyond the property of the Hon. the Premier.

THE PREMIER (Hon. Sir J. Forrest): I never turned anyone out.

MR. ILLINGWORTH: I never said so.

THE PREMIER (Hon. Sir J. Forrest): Why do you bring in my name?

MR. ILLINGWORTH said he thought the committee should consider the matter of abolishing the power of a collector to levy distress on a poor man and take away his goods and chattels for rates which he did not owe.

MR. A. FORREST said at first blush he was inclined to agree with the amendment, because by compelling the owner to pay the rates, some 5 per cent. would be saved to the City or Municipality, as they could do without a collector. But the hon. member had informed him that the owner would thus become a rate-

payer and as much entitled to vote at elections. In that case the whole of the city would be controlled by a few hundred instead of thousands of people. He could not support such a proposal. In regard to the statements of the hon. member for Nannine, he would say that, so far as he was aware no ratepayers had paid more than one year's rates.

MR. ILLINGWORTH: I have done so myself.

MR. A. FORREST said he had paid five years' rates when the sale of a property was effected, and the transfer could not be completed until the rates were paid. The question before the committee however, was that of distress for rates, and he denied *in toto* that people were turned out in the streets with only a sack covering.

MR. ILLINGWORTH: I did not say that.

MR. A. FORREST said the hon. member led him to believe that the City Council of Perth were in the habit of turning people out in the streets without clothing. He denied it *in toto*.

MR. ILLINGWORTH: I deny I ever said so.

MR. A. FORREST said some people who had camped on the reserves of the city, had been removed. The system of distraint was seldom used, and he thought it was better to sue in the Local Court for rates, as it was a simple process. The distress warrant was never first sent out to the tenant who refused to pay, but was only adopted as a last resource, all other means of persuasion, by letter or collector, having failed. If the tenant did not pay, the landlord could be called upon to do so. As a rule, the tenant was very particular about paying the rates, in order to qualify himself to vote at elections, and to attend public meetings. If the City Council ever wronged any man, they were always ready to give him redress.

THE PREMIER (Hon. Sir J. Forrest): You do not expect him to pay other people's rates before he goes in, do you?

MR. A. FORREST: Certainly not.

MR. LEAKE said the other evening the hon. member for West Kimberley advised somebody to talk about something he understood. If he (Mr. Leake) indulged in *tu quoque* arguments, he would tell the hon. member to do the same. The only objection the hon. member had to his amendment was, that if the owner were called a ratepayer, he could vote. A ratepayer was a tenant, and a tenant a ratepayer. A ratepayer was an elector. Things which were equal to the same thing were equal to one another, therefore the tenant in his suggestion would become an elector.

MR. FORREST: All the electors would have votes then.

MR. LEAKE said he thanked the Attorney-General and the hon. member for East Perth for their criticisms, because they had really supported him. The Attorney-General had tripped him up, because he (Mr. Leake) had passed in Section 164 certain words which affirmed the principle he was fighting against. He admitted that, as it was done through an oversight, as the Attorney-General knew full well. He asked hon. members to affirm the desirability of abolishing that power of distraint for rates which the Bill gave to every municipal corporation.

Question put that the words proposed to be struck out stand part of the clause and division taken, with the following result:—

Ayes	...	...	16
Noes	...	...	7

Majority for the Ayes 9

AYES.	NOES.
Mr. Burt	Mr. George
Sir John Forrest	Mr. Hassell
Mr. A Forrest	Mr. Illingworth
Mr. James	Mr. Leake
Mr. Lefroy	Mr. Simpson
Mr. Loton	Mr. Throssell
Mr. Marmion	Mr. Moran *(Teller.)*
Mr. Moss	
Mr. Phillips	
Mr. Piesse	
Mr. Randell	
Mr. Richardson	
Mr. Solomon	
Sir J. G. Lee-Steere	
Mr. Venn	
Mr. Connor *(Teller.)*	

Clause put and passed.

Clause 169—"Distress for amount payable in respect of rates and costs, charges and expenses."

MR. JAMES moved to insert after the word "any" in line 2 of sub-section 6, the words "goods and chattels other than those the property of the occupier nor any." He said the sub-section referred to was put in at his suggestion last session. The effect of the amendment would be to remove the power to seize the goods of someone else living in the house of a man upon whom a distress warrant was served. At present a landlord could distrain on all the goods and chattels in a house whether they belonged to the debtor or to someone else.

MR. CONNOR said he would oppose the amendment, as the person in possession could say that all the property in the house belonged to a third person.

THE ATTORNEY-GENERAL (Hon. S. Burt) said he would oppose the amendment, and he was surprised at the hon. member introducing it. It would make the power of distress simply futile.

MR. GEORGE: Quite right.

THE ATTORNEY-GENERAL (Hon. S. Burt) said the object in moving the amendment was to render futile the vote that had just been passed. As the hon. member for East Kimberley said, the occupier would only have to say the goods belonged to someone else to avoid service of the warrant.

MR. JAMES: What about execution?

THE ATTORNEY-GENERAL (Hon. S. Burt) said that would involve an interpleader, and there was no provision made for it.

MR. R. F. SHOLL: I would strike the section out altogether.

THE PREMIER (Hon. Sir J. Forrest) said they were not dealing with private individuals but public bodies, and it was going rather too far to think that a public body would act unjustly to anyone. It might as well be said a Government would do so. He had too high an opinion of public corporations of this, or any other colony, to think that they would do any injustice to anyone in distraining for rates which were not due.

MR. LEAKE said there seemed to be an impression abroad that distress could only be levied on the goods of the tenant. That was altogether wrong, as distress could be levied upon all the goods in the house. So that if the hon. member for East Kimberley had some of his bullocks on a piece of land, distress for the rates on which were levied, he would lose them.

MR. JAMES said the trouble was, that under the section in question, wrong was bound to be done. The law said the goods of the third person must be seized. If the hon. member for East Kimberley knew a little more about the matter he would see that his objection was not an important one, because for every distress for rent, there were ten executions under *fi fa.*

MR. GEORGE referring to the remark of the Premier that the committee was legislating for Municipalities and not for individuals; said that whoever they were legislating for, they should deal with the matter fairly and squarely. Supposing the case of a tenant in arrear with his rent, and the landlord in the act of selling his goods, would the Attorney-General inform the committee whether the landlord or the City Council would have prior claim upon the proceeds of the sale?

MR. A. FORREST: The landlord.

MR. GEORGE: If he accepted the legal opinion of the hon. member for West Kimberley, he wanted to know why they could not go to the landlord in the first instance, and let him get the amount of rates, as he would in his rent, from the tenant. The Municipal Council should go straight to the landlord in the first instance. He believed that the rate collector in Perth invariably tried to get the rates from the landlord.

MR. RANDELL pointed out that Clause 168 gave priority of claim to the Municipal Council, after Crown debts had been satisfied.

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

Ayes	...	..	... 7
Noes	...	...	... 18
Majority against			... 11

AYES.	NOES.
Mr. Illingworth	Mr. Burt
Mr. James	Mr. Connor
Mr. Leake	Sir John Forrest
Mr. Moran	Mr. A. Forrest
Mr. Moss	Mr. Harper
Mr. Simpson	Mr Hassell
Mr. George *(Teller.)*	Mr. Lefroy
	Mr. Loton
	Mr. Marmion
	Mr. Phillips
	Mr. Piesse
	Mr. Randell
	Mr. Richardson
	Mr. F. F. Sholl
	Mr. Solomon
	Mr. Throssell
	Mr. Venn
	Mr. Wood *(Teller.)*

Clause put and passed.

Clauses 170 to 174, inclusive.

Agreed to.

Clause 175—Persons liable may be resorted to in succession:

MR. GEORGE moved that the clause be struck out.

Motion put and negatived.

Clause agreed to.

Clauses 176 to 184:

Agreed to.

Clause 185—Amount which may be borrowed:

MR. MORAN said that when the Bill was before the House last year he had asked the

Attorney-General if some special regulations could not be made in favour of municipalities on goldfields, and was told they would have to wait until they had been in existence four years before they could borrow. He thought there should be exceptional provisions for municipalities on goldfields, where they grew ten times more quickly than in ordinary places. He believed that, within a short space of time, there would be five or six municipalities on the Yilgarn goldfields alone; and he thought they might be allowed to borrow on their first or second years' revenue. In ordinary cases it took from 12 to 15 years for a township to grow; indeed, in some of the settled parts of the colony, he believed there were towns that had been growing for the last 40 years, and were only equal to small villages to-day; whereas there had been large towns, like Menzies, that had grown in one year. Such municipalities should have special consideration, by having power to borrow, particularly in view of the work they had to do, and their willingness to tax themselves at a high rate in order to meet their liabilities. He thought it was only just to allow them to do so. He asked the Attorney-General what his opinion was upon that point.

THE ATTORNEY-GENERAL (Hon. S. Burt) said he had no hesitation in giving his opinion, and it was the same as he gave last year, namely, that a municipality should be at least four years old before it was clothed with borrowing powers. Municipalities on goldfields sprang up like mushrooms, and in some cases they died down again like mushrooms.

MR. SIMPSON: How do you know that?

THE ATTORNEY-GENERAL (Hon. S. Burt) said it was well known that, whenever any better gold-producing country was discovered than that which was occupied, nearly everybody moved to it. He thought the committee should pause before they encouraged towns of less than three years existence to go before the public with a municipal loan. People who would lend sixpence in such a case must be easily satisfied. It was not asking much to ask municipalities to wait three years before they tried to raise a loan. He was quite prepared to admit the municipalities on the goldfields were good hands at rating themselves; and he thought they set the city an example in that respect. It ought to be remembered, too, that it coould not be said, during the first year or two of a municipality's existence, how much the rates would yield, and therefore they could not tell a lender what security they could offer him. They would have to say, "We struck a rate of so much last year; that should have realized so much; but we got in only about half of it."

MR. CONNOR did not see why they should hinder people from lending money upon what they themselves considered sufficient security. The township of Coolgardie, for example, had not been created a township much over 12 months, yet within the next three years it would undoubtedly be one of the principal towns in the colony. He thought it would be a great hardship to debar that town from raising money upon such securities as it could offer. He promised that if the hon. member for Yilgarn would move an amendment in the matter, he would support him.

MR. MORAN moved, as an amendment, that the words be added to the clause "except in the case of municipalities on the goldfields who shall be able to borrow on their income of the first two years." He took exception to the line of argument followed by the Attorney-General upon every occasion when that Bill was brought forward. The Attorney-General seemed to think there was a great deal of uncertainty about the goldfield towns, which he said grew up like mushrooms and died down again like them. He (Mr. Moran) wanted to know, if that were the opinion of the Government, how it was they had spent such large sums of money on them? If the Attorney-General were correct, then the whole public works' policy was false, and what would become of the thousands of pounds which the Government had already spent, and for which the whole colony was liable? In the case of the larger towns on the goldfields, there should be an exception made in order to enable them to carry out the necessary public works in connection with sanitation and other matters. He had moved his amendment in order to get something definite, but if any hon. member moved a better one he would support it.

THE ATTORNEY-GENERAL (Hon. S. Burt) suggested that the hon. member should simply move to strike out the word "three" with a view of inserting the word "two" in lieu of it.

MR. MORAN said if his amendment met with the approval of the committee he would not object to its being made to apply to the

whole colony. He accepted the suggestion of the Attorney-General, and instead of the words previously proposed, he would, by leave, now move that the word "three" in the third line be struck out and the word "two" be inserted in lieu thereof.

Amendment by leave was withdrawn and the new form of amendment substituted for it.

MR. ILLINGWORTH pointed out that a township had to exist some little time, at any rate, before it could become a municipality; and that the municipality must exist over a year before it could have a balance sheet upon which any calculation of an average income could be based. A municipality was to be allowed to borrow a sum not exceeding ten times the average net annual income from rates for the year terminating with the yearly balancing of accounts next preceding the *Gazette* notice. That would mean that two years would necessarily elapse before anything could be done, in any case. The object of the clause was to enable a municipality to borrow ten times the amount of its rates. If the word "three" were left in the clause, and the rates amounted to £1,000, that municipality could borrow £30,000.

HON. MEMBERS: No, no; £10,000.

MR. ILLINGWORTH said he could still see no reason why a municipality should not borrow ten times the amount of the average income of the previous year. He contended there was nothing in the Attorney-General's mushroom argument. If Coolgardie was a mushroom growth, and Cue was a mushroom growth; and if these would die down like mushrooms, all he could say was that even Perth itself would die down also, because it was very largely dependent upon the development of the goldfields. If these places were mushroom towns, they would soon have the effects felt in Perth. He was prepared to give to existing municipalities the right to go into the market and borrow ten times the amount of their average rates for the three preceding years. The Municipalities on the goldfields wanted to borrow money when they most needed it; and they most needed it in the earlier years of their existence. Upon the question of the right to borrow, he thought the lender would look after his own interests, and unless Coolgardie or Cue, as the case might be, could offer sufficient security, they would not be likely to get the money. He believed a loan for Coolgardie would go off as well on the London market as one for Perth, and on probably better terms. He was not quite sure but that Coolgardie was better known in London than was Perth. He considered the argument of the Attorney-General failed, because municipalities on goldfields wanted to obtain money when they most needed it. It was not a question of years, but of security, and that had to be settled between the borrower and lender. He hoped the hon. member for Yilgarn would accept his suggestion and insert the word "one," instead of "three," because even that would mean two years before action could be taken.

THE PREMIER: No, no.

MR. ILLINGWORTH said they would have to get the balance-sheet out. The Attorney-General had argued that the amount of the rates as a basis for borrowing would not be known until towards the end of the second year: so, by the hon. gentleman's own argument, if "two" were inserted, nearly three years must elapse before a loan could be obtained. If the security were good enough, a new municipality would be able to borrow, and if it were not good enough, the money would not be obtainable. Age had nothing to do with the question, which was simply whether the municipality had sufficient rateable property upon which to raise a loan; and that could be discovered as well at the end of the first as the third year.

MR. A. FORREST agreed with the Attorney-General, and thought no town should be allowed to borrow until it knew its own exact position. The goldfields towns grew quickly; hon. members all believed in them; but he thought those towns were better off without borrowing. He knew of a municipality which, as soon as it was formed, let a contract for electric lighting, for a period of twenty-one years. He thought if that town had waited a little time it would not have given away a monopoly for 21 years. He thought the committee should pause before giving such powers to municipalities in their earlier years. He did not think anyone would lend to a municipality until it had been in existence two years. The City of Perth had had difficulty in raising a loan at 5 per cent: and, even at that, the Council had to get the Savings Bank to take up about seven eighths of the amount. He recommended delay, before giving such power to towns that had grown quickly. He had no fear for the goldfields, but it was a great power to put into the hands

of a young municipality. He did not want to see any lender lose his money, and new townships could well afford to wait a few years, seeing they had the Government at their back spending thousands of pounds.

MR. MORAN said, that as the Government were willing to accept the word "two" instead of "three," he would ask all who had supported him to support the Government on that point. When a municipality could borrow at the end of two years, it would not be long in getting out its balance-sheet, which might be done in a fortnight; and certainly the loan might be on the market within a month.

THE ATTORNEY-GENERAL (Hon. S. Burt) said his meaning had been misapprehended by the hon. members for Nannine and Yilgarn. He had never said that Coolgardie or Cue was a mushroom town. What he did say was, that on the goldfields, towns sprang up like mushrooms, and died down again; and there was plenty of proof of it. Townships had sprung up, and had been abandoned again upon some better discovery taking place. He repudiated the suggestion that he had so spoken of Coolgardie or Cue, or any other such place. There had lately been created a municipality at Mullewa, for reasons more or less important and urgent. Could anyone, who knew Mullewa, imagine its going into the market to borrow, and offering the rates as security? It would surely bring the credit of the colony into disrepute; for, if any municipality failed to pay the interest when due, that failure redounded to the discredit of the colony.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 186—Permanent works and undertakings:

THE ATTORNEY-GENERAL (Hon. S. Burt) moved to add as Sub-section 17, the words. "The purchase of steam rollers, and apparatus and appliances for watering streets."

Amendment put and passed.

Clause as amended, agreed to.

Clauses 187 to 217, inclusive:

Agreed to.

Clause 218—Power of council as to expending its income.

MR. RANDELL asked for an expression of opinion from the Attorney-General as to what constituted the ordinary income of a municipality. He wished it to be made perfectly plain and clear that it did not include extra or special rating, but only what was termed in the Bill "the general rate." The principle involved was of considerable importance; and the fact should be made clear that the ordinary income did not include any subsidy granted by the Government, which subsidy had necessarily to be spent in a way that would benefit the ratepayers.

THE ATTORNEY-GENERAL (Hon. S. Burt) said the ordinary revenue of a municipality was made up of moneys raised under the several headings, 1 to 9 of Clause 150, and did not include the Government subsidy.

Clause put and passed.

Clauses 219 to 222, inclusive:

Agreed to.

Clauses 223—Notice of action to be given within 28 days:

MR. GEORGE moved to strike out of line 14 the words "twenty-eight," with a view of inserting the word "seven" in lieu thereof. The object of the clause, he pointed out, was to enable any one meeting with an accident in the streets of a municipality, to recover damages from the council. He thought it only reasonable that a person claiming damages should be expected to give notice at once to the municipality, as to the nature of the claim, so that the officers of the council might enquire promptly into the merits of the case. He hoped the committee would agree with him, and make the period seven days instead of twenty-eight days.

MR. LEAKE opposed the amendment, as 28 days was by no means an unreasonable limit. A person meeting with a serious accident would not be able, within seven days, to give the necessary notice; particularly if he had to obtain legal advice. He (Mr. Leake) knew there was a provision in the Bill to meet that case, but he did not think people should be unduly hampered.

Amendment put and negatived, and the clause agreed to.

Clauses 224 to 239, inclusive:

Agreed to.

Schedules 1 to 13, inclusive:

Agreed to.

MR. JAMES desired to move a new clause, to carry out the suggestion of the hon. member for Albany that there should be no distraint for rates on the goods of a third person, and another clause having for its object the providing of means whereby an occupier called upon to pay rates for any period of time prior to the time of his taking possession

would have the right of calling upon the landlord to immediately indemnify him. As had been pointed out by the hon. member for Nannine, it was no satisfaction to a person whose goods had been sold off to pay rates due by another person, to be informed that he had his remedy against the landlord for the rates paid in excess of what he himself owed. Furniture worth £20 to a man in his own house might not fetch £5 at auction, and there could be no satisfaction in a tenant proceeding against a landlord to recover the excess rates, when to pay that excess, the whole of his goods and chattels had been sold off. The moment a claim was made against an occupier for rates owing prior to his tenancy, he should be able to call upon the landlord to indemnify him. If the law was left as at present he could not do this, the practice in the City of Perth giving the occupier the right to call upon the landlord to pay at once. He would move the following new clause :—" Where any occupier is required by the Council to, or does pay, any rate or instalment of a rate due or payable, or of which any portion is due or payable in respect of the premises occupied by him for any period prior to the date when such occupier took possession of the said premises, such occupier shall be entitled to, and may forthwith require and sue, for payment of and from the landlord of the said premises of the rate or portion of rate so due or payable, together with all expenses payment of which has been required from made by, or is enforceable against such occupier."

THE ATTORNEY-GENERAL (Hon. S. Burt) suggested that the hon. member should give notice of the intention to move a new Clause. It could hardly be considered without notice.

Mr. JAMES was not in favor of progress being reported. In his opinion it would be more preferable to have the decision of the Committee right away.

THE CHAIRMAN (Mr. Traylen) : I think it would be better that progress should be reported when a new Clause like this has to be considered.

MR. JAMES would prefer the matter to be gone on with. He would like to put it to the Hon. the Attorney-General whether under any circumstances a tenant ought to be called upon to pay rates due prior to his coming into possession.

THE PREMIER (Hon. Sir J. Forrest) : He can recover from the landlord.

MR. JAMES: What I want to see is provision whereby he can call upon the landlord to pay directly notice is given him.

THE ATTORNEY-GENERAL : And before he has paid the amount himself ?

MR. JAMES : Yes.

THE ATTORNEY-GENERAL : Then he will pocket the money.

MR. JAMES : It is not a question of pocketing the money at all. The process is a very simple one. Take the practice of the City Council. There the tenant gives notice to the landlord at once ; the landlord would pay at the rate office and not to the tenant. At the same time I would like to inform the Attorney-General that there are some honest men outside the Government benches. There are honest men among tenants who would not pocket the money, even if they do happen to be poor men. The landlord would pay direct to the Council, but if the tenant had already paid, it would only be fair for him to pocket the money. There was no doubt some provision like this ought to be made. Returning to the remark made about pocketing money, he must say that though it might astound those who sit on the Government front benches, there really were some honest people besides themselves, and some honest people even among the working men.

THE PREMIER : Oh, the poor man's friend.

MR. JAMES : I don't want to be sat on at any rate, if some people do. If the Government will make these insulting remarks they must not be surprised if they get something back.

MR. LEAKE thought members really should have the opportunity of seeing this lengthy clause in print, and moved that progress be reported and leave asked to sit again.

The Committee divided on the question that progress be reported, with the following result :—

Ayes	...	...	...	11
Noes	...	...	...	11

THE CHAIRMAN stated that in instances of this kind it was usual for the Chairman to give his casting vote in the direction of greater discussion, and inasmuch as the reporting of progress would give opportunity for more

discussion of the proposed new clause, he would vote with the ayes.

AYES.	NOES.
Mr. Burt	Mr. A. Forrest
Mr. George	Sir John Forrest
Mr. Illingworth	Mr. Hassell
Mr. James	Mr. Hooley
Mr. Leake	Mr Marmion
Mr. Lefroy	Mr. Phillips
Mr. Loton	Mr. Solomon
Mr. Randell	Mr. R. F. Sholl
Mr. Simpson	Mr. Venn
Mr. Throssell	Mr. Wood
Mr. Piesse *(Teller.)*	Mr. Richardson *(Teller.)*

Progress reported, and leave given to sit again.

LOAN ACT 1891 RE-APPROPRIATION BILL.

MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR.

The following message was received from His Excellency the Administrator and read by Mr. Speaker:—

"In accordance with the requirements of Section 67 of the Constitution Act, the Administrator recommends to the Legislative Assembly that a Re-appropriation be made of certain moneys appropriated by "The Loan Act, 1891," to the Harbor Works at Geraldton, including new jetty.

Government House, Perth, 23rd July, 1895.

THE PREMIER (Hon. Sir J. Forrest) moved for leave to introduce a Bill to provide for the necessary re-appropriation, and upon leave being granted, the Bill was read a first time.

THE ORDER OF BUSINESS.

MR. LEAKE: While we are at this stage, Mr. Speaker, might I suggest that the orders of the day, Nos. 5 and 6, should be postponed until after the consideration of the notices of motion. The reason I have for making this request, Sir, is that I particularly desire to introduce the motion that is standing in my name. I hope the hon. gentleman opposite will consent to this course being resorted to. I shall be engaged in the Supreme Court all day to-morrow, and shall not feel much disposed to move the resolution I refer to should it come on at half-past four o'clock. Of course I suppose it will be quite unnecessary to do more than to simply introduce the motion. There is another matter I should like to explain to the House, and that is in connection with a mistake in the newspapers. I am reported as having said that this was purely a private motion. Well, Sir, the motion is nothing of the kind, but is the result of a meeting of certain members of this House. I hope the Premier will agree to the course I suggest.

THE PREMIER (Hon. Sir J. Forrest): With regard to the request made by the hon. member for Albany, I certainly do not feel at all disposed to meet his wishes. For one reason alone I would not do so, and that is that he has adopted a most unusual course in regard to his motion. It was a most unusual thing for him to give a week's notice instead of having the motion tabled at once, so that it could have been disposed of without delay. The object of the hon. member is easily seen, and he has gained it. He has been paraded in the Press throughout the colony, and the fact of his tabling this motion has given him a certain amount of prominence. I am not prepared to adopt any other than the ordinary course with regard to this motion. However, I may say this, that when the motion comes on, if the hon. member is not in his place on account of business, no one will be more willing to postpone the subject until he is here, than I will be. I am certainly not prepared to meet him in any other way at the present time.

MR. LEAKE: I did not expect you would.

CUSTOMS DUTIES REPEAL BILL.

IN COMMITTEE.

Clauses 1 and 2 were agreed to.

Clause 3—Time when Act will come into operation.

MR. JAMES said he desired to move a new clause.

THE CHAIRMAN: You can do it after Clause 3 is dealt with.

MR. JAMES: The new clause I have to propose is really one for the hon. member for North Fremantle, and is to deal with certain articles in the Second Schedule. These articles are manufactured and unmanufactured tobacco leaf.

The PREMIER: I think there is a special Act dealing with that subject. It has nothing to do with the Tariff Act.

MR. JAMES: I have looked the matter up and it is as the Hon. the Premier states.

The CHAIRMAN: This matter is not properly before the committee. We are only dealing now with clause 3.

MR. MARMION desired to move that the blanks in Clause 3 referring to the time at which the repeal of the duties was proposed to

come into force should be filled up by the insertion of words making for such time the 1st day of November, 1895. That would give three months from the time the Bill became law before the provisions would be enforced. He would ask the hon. the Premier to give every possible consideration to this matter. It would be within the recollection of the House that a petition had been placed in his hands by the Fremantle Chamber of Commerce, and the request made therein had since been endorsed by the Perth Chamber of Commerce. The request made by both these bodies was that the repeal of duties should not come into operation for six months. He had gone very carefully into the matter and felt disposed to forego one half of the period proposed. They should really be satisfied with the lessened term of three months. He was informed by merchants that several of the lines on the list of those, the duties on which it was proposed to be repealed, were largely held in stock by the mercantile community. There was, he knew, no desire on the part of the Government, and certainly none on the part of hon. members, to do any grievous wrong to any member of the mercantile community who may have laid in a large stock of tea or sugar upon which large sums of money had been paid as duty. That being so, he would ask hon. members to agree to the date he had suggested. He had given way one-half of the term suggested by the merchants themselves, and the time he proposed would be fair to all parties.

THE PREMIER (Hon. Sir J. Forrest) said he was positive that, so far as the Government was concerned, their only wish was to fix a date that would not press unduly or unfairly on the mercantile community. He had had strong representations made to him on the subject and the term of six months had been mentioned as a reasonable period for this Bill to come into operation. His own opinion was that such a long delay would be altogether unwarranted. There were two sides to this question and it was not only the merchant they had to consider. There were the consumers to be thought of. He felt that he should be guided in this matter by the opinions of hon. members who were really connected with commercial pursuits and who knew what would be necessary. If they agreed that three months was an equitable proposal he should not be inclined to raise any objection. However he should certainly like the opinions of such hon. members as the representatives of the Swan, of South Fremantle, and of Murchison, who ought to be able to give the House some information on the subject.

MR. SOLOMON said he would support the motion of the hon. member for Fremantle. He knew there were very large stocks held in some of the lines which would be affected by the repeal of the duties, more especially with regard to tea. Personally he should like to see a longer period than three months allowed, but he would join with the mover of the resolution and give way to a compromise which, he believed, would be fair to all parties. He felt sure that the wish of hon. members generally in this matter was only to deal fairly with all concerned.

Mr. PIESSE thought the suggestion of the hon. member for Fremantle would meet the wishes of all parties. He had made a number of enquiries, and it would interest hon. members to know that the result of these was to convince him that if the Bill did not come into operation until the 1st day of November next, no injustice would be done. Three months was quite sufficient for merchants to clear what stocks they held throughout the country. At the present day the means of transit were so different from what they used to be, that there was no necessity now for merchants to hold such large stocks as would at one time have been requisite. By allowing three months the mercantile community would be treated very fairly.

MR. RANDELL said he was not aware what was the usual course pursued in matters of this kind, but, as the Premier had said, there were two sides to the question. There was no doubt that the consumers who were to be benefited by these remissions of duty would be most anxious to obtain those benefits as soon as possible. It had been suggested at one time that there should be a delay of six months before this Bill should come into operation, but such a delay was quite out of the question. The hon. member for Fremantle had moved that the provisions of the Bill should not come into operation for three months, and, looking at it as far as he could judge from all sides, this period appeared to him (Mr. Randell) to be rather long. In other places, he believed as soon as the resolution was moved in Parliament, the duty was either put on, or taken off, at once, the provisions of a Bill dealing with the Customs having immediate effect. There might be some

little difficulty in dealing with the question in the way he would like to see it dealt with, in order that the repeal of the duties might be made without delay. At the same time it did not appear to him that it would be a very difficult matter to ascertain what stocks were held by the various merchants and then allow them a rebate of the duty that had been paid. He would rather see this done than that any delay should take place in the Bill coming into operation as soon as it was passed. It appeared to him that this would be a most equitable way of dealing with the matter. The stocks of tea were said to be larger, while those of sugar and kerosene were not so large. He was sure the feeling of the House was in favor of dealing equitably with both sides—with both the importers and the consumers. The system of the rebate of duty was one which he believed had been followed in the old country, but he was not sure of it, though something was on his mind that this course had been adopted on more than one occasion in England. Whether this was the course adopted in the other colonies, he could not say.

THE PREMIER (Hon. Sir J. Forrest): To give a rebate would be very inconvenient.

MR. RANDELL said it might, but it really should not be difficult to see what stocks are in bond, and what are held by the mercantile community.

THE PREMIER said there was the petition signed by the merchants. There must be some reason for that. He was inclined to think that three months will not be too long. The stocks do not appear to be much.

MR. RANDELL said that was all the more reason why we should be cautious. In dealing with the Tariff, the action of the Legislature should always be prompt and decisive.

Mr. HOOLEY said he would support the motion of the hon. member for Fremantle, but at the same time wished to express his opinion that the time allowed was not long enough. Such items as tea and sugar were of everyday use, and stocks were easily got rid of, but it should be recollected that there were other articles, such as fencing wire, of which large stocks were held by some merchants, and for which three months was certainly not long enough. Personally he did not wish to oppose the wishes of the House but he would be very glad if the hon. member for Fremantle could see his way clear to alter his proposal to four months instead of three.

MR. LOTON said he did not pretend to know so much as to the desires and wishes of the mercantile community as he would have known a few years ago, when he was more intimately connected with the commercial world. Still, he was of opinion that if any relief was to be given by reducing the duties, the sooner the relief was given the more beneficial it would be to the community. On the other hand there could be no desire to do anything that would not be reasonably fair to the commercial class in the community. One way of looking at the question would be as to what amount of revenue would be lost to the colony. The Government statist, basing his estimate on the figures of 1894, had come to the conclusion that the repeal of these duties would mean a loss to the revenue of £50,000 for the coming year. Say they put it down at £4000 a month, and the repeals were delayed for three months, that would make the amount of duty payable on these articles £12,000. He did not say it was so but it would appear to be the case, taking the average. The chief items that the repeals would affect would be tea and sugar. These were the items from which the largest amount of revenue was derivable. He believed that the stocks in these particular items which were kept in hand by merchants were very small, for the reason that the greater portion was kept in bond. The stock held, duty paid, was very small indeed. He had recently been in one of the principal provincial towns in the colony and had made efforts at three large stores to buy half a ton of sugar, but he could not be supplied excepting in bond. He did not say this to discourage fair dealing with the mercantile community, but it showed that large stocks were not kept on hand. What had to be recollected was that they had several private bonds, and people, instead of clearing large quantities of goods, left them in either the Customs, or private bonded ware houses, only clearing them as required. On the other items affected the amount of duty was not particularly large, and he did not think himself that if the repeals came into operation at once it would place any great hardship on the commercial community. The committee should recollect what would happen if the proposal was one to increase the duties. The moment a note was sounded of the intention to increase a particular duty, a rush was made to the Customs and stocks were cleared at once. The public did not get the advantage

of this, but the merchant did. No one could blame the merchant for taking advantage of the increased duties, and he did not think there was one who would share the advantage with the public. Of course some would advertise they were doing so, but that would be only as an advertisement.

THE COMMISSIONER OF RAILWAYS: The hon. member knows the game.

MR. LOTON said the point he was desirous of emphasising is that it would not materially affect the community if this Repeal Bill came into operation at once. It would not affect them to the extent of more than a few hundred pounds, and that was a mere bagatelle in a business with a turnover of from £50,000 to £150,000 a year. The question of extra duties on a few items would never be viewed as a serious one, and neither would the repeal of a few duties be felt. There was other points in connection with the matter worth looking at.

MR. MARMION: This is something we did not expect.

MR. LOTON said he was not afraid of standing up and speaking what he thought should be said. He was quite prepared to give the petition presented by the Chambers of Commerce every consideration, but it should not be forgotten that while they had a duty to perform towards the mercantile community there were also the public and the consumer to be considered. The views he was now expressing he was sure would be the same views he would express if he were still following mercantile pursuits, for he was positive no firm of any standing would be materially affected by these duties being repealed immediately. It was possible some of them might hold fairly large stocks of tea but not of anything else. If any term is allowed before this Act was to come into force it should be only a short one, and much shorter than that proposed by the hon. member for Fremantle.

MR. GEORGE wished to say a few words on the question before the committee, more particularly with the object of expressing surprise at the remarks made by the hon. member for Perth, and with reference to the general tone of the remarks of some who had addressed the committee. There appeared to be a great anxiety to protect and assist the large merchant, but there did not seem to be much thought for the small storekeeper. Too much anxiety was shown for the big capitalist, and too little for the one who had a small capital. He would impress upon the House that the question of the time when this Act would come into operation was a very serious matter for small storekeepers.

THE PREMIER: Oh, the poor man's friend again.

MR. GEORGE: Yes, for the reason that we are all poor men, probably, on this side, and they are all capitalists on yours.

THE PREMIER: It is a very stale cry.

MR. GEORGE said there were many things old, but none the worse for being again re-echoed within the walls of this House. As to the remarks of the hon. member for Perth, he had contended that stocks should be taken for the purpose of allowing a drawback, but he (Mr. George) did not think that the hon. gentleman could have studied the question at all, or he would not have made such a suggestion. What would be said by the merchants if the argument was made to apply to the case of increased duties, so that stocks would be taken and the merchant have to pay duty on goods landed in the colony duty free. The argument was one, that, to use a favorite Government expression, cut both ways. As far as he could judge from the revenue derived last year the amount of duty that might fairly be considered as accruing to the Government would probably be £9,000 or £10,000. This would not be a big amount for the country at large to bear, and it would not be a serious thing for merchants to lose the small amount of duty they had paid on goods on hand. It was quite possible some of them were "in the know" and had kept their stocks very low. Others might be not quite so fortunate and have fairly large stocks. The Premier was always ready to make these puerile statements about the working man, but they were not arguments. Personally, he (Mr. George) respected the Premier too much to think that his interjections were intended as anything but pleasantry. The small storekeeper played a very important part in this colony and the committee should carefully consider his interests with those of the merchant.

MR. MORAN said he did not suppose that in any part of the colony were there so many small storekeepers as were to be found on the goldfields, where almost every second tent was a store, but the question was not one of considering the interests of the small storekeeper. All they had to consider was the best interests of the general community. It was the interests of the people at large they had

to look to. While, however, storekeepers might be affected, it could only be regarded as the risks of trade. The carriage of goods to the goldfields fluctuated very often 100 per cent., and the storkeeper had to put up with the profit or loss. It was the trade risk to him, and so was the rise or decrease in duties a trade risk. His opinion was that the Act should be brought into force as quickly as possible so that the benefit to the consumer now groaning under the terrible cost of living in this colony should be felt at once. If it could be done in no other way than by allowing a rebate of the duty paid he would be very much inclined to support such a rebate. He would do anything to decrease the cost of living and, it should not be a difficult matter to obtain from merchants a return of the stocks held in hand by them.

MR. GEORGE: It would be a farce to accept these returns.

MR. MORAN: It could not be a farce to take any step that might result in a reduction of the cost of living. Those who were interested would take good care to send their claim to the Government. It was simply ridiculous to debate the conflicting interests of large or small storekeepers, when for every one of these there were twenty people in the country to whom the cost of living was such a serious matter that they hardly knew where to get another meal. The repeal of these duties would make a great deal of difference in the cost of living, and he could not but express the hope that, before the Bill finally passed, a number of other articles would be added to the free list.

MR. WOOD said he was not sure that when the hon. member for Fremantle proposed a delay of three months he was not seeking to secure for the merchants a somewhat unreasonable delay. He (Mr. Wood) had taken trouble to make some enquiries into this matter. The items most concerned in the proposed free list were tea and kerosene, and he found that in these two lines there were only six or seven weeks' supply on hand at the present time. He would, therefore, move an amendment that the blanks in the clause should be filled up, so that the Bill would come into operation on October 1, or two months from the date of its passing.

MR. HASSELL reminded the House that on the last occasion when the duties were reduced the reductions came into force at once. At the same time, he was perfectly satisfied, in this instance, that the operation of the Bill should be delayed for three months.

The question that the first blank in the clause be filled in with the word "first" was put and passed.

The question that the second blank be filled in with the word "October" was put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved that progress be reported and leave asked to sit again.

Question put and passed. Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10.30 o'clock p.m.

Legislative Council,

Wednesday, 24th July, 1895.

Perth Mint Bill: third reading—Licensed Surveyors Bill: first reading—Agent-General Bill: second reading; Committee—Justices Appointment Bill: second reading—Leave of absence to member—Mines Regulation Bill: first reading — Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the Chair at 4.30 o'clock p.m.

PERTH MINT BILL.

THIRD READING.

THE HON. S. H. PARKER: I should like to ask the hon. the Minister for Mines if he is prepared to give us the information asked for yesterday. I asked on what authority the estimate of £8,000 for the building was given, whether any machinery is required, and, if so, whether the cost is included in the £8,000, or, if not, what the cost of the machinery is likely to be. I would also like to ask whether the Government (bearing in mind that shareholders in companies will principally benefit by this Bill, inasmuch as they will save the