

# Legislative Assembly,

Thursday, 28th August, 1913.

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

## PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): Papers re leasing of Balla Balla Jetty (ordered on motion by Mr. Gardiner).

By the Minister for Works: Map showing routes of Wickpin-Merredin line (ordered on motion by Hon. J. Mitchell).

By the Attorney General: Annual report of Lands Titles department to 30th June, 1913.

## NOTICE OF QUESTION.

*Mr. Speaker in explanation.*

MR. SPEAKER: Before going on with the business of the day, I want to make a statement in respect to the matter raised by the hon. member for Murray-Wellington (Mr. George) yesterday. The hon. member complained that he had given notice of a question which does not appear on the records. I have made a thorough search of the records, and the only occasion on which an answer was given on the notice of a question being read by Mr. George was on the 6th August. The following is an exact transcript of the *Hansard* reporter's notes on that occasion:—

Mr. George: I desire to give notice that to-morrow I shall ask the Premier: Have the Government paid any duty to the Commonwealth Customs Department on the State importation of rolling stock for the year 1912-13?

The Premier: I can answer that now; Yea.

Mr. George: Having received that very prompt statement from the Premier, I shall give notice that on Thursday next I shall ask, "How much?"

The following is the extract from *Hansard* of that date:—

Mr. George (without notice) asked the Premier: Have the Government paid any duty to the Commonwealth Customs Department on the State importation of rolling stock for the year 1912-13?

The Premier replied: Yes.

On the Notice Paper for the following day appears this—

Thursday, 14th August—Mr. George: To ask the Minister for Railways: How much money have the Government paid as duty to the Commonwealth Customs Department on the State importations of rolling stock for the year 1912-13?

On Thursday, 14th August, both the minutes and *Hansard* show the question and answer duly recorded. It is clear to me that the hon. member for Murray-Wellington has confused the occurrence of the 6th August with what he supposes to have occurred on the 21st. It is equally clear that no question was asked, or given notice of, by him on that day until the Committee stage of the Fremantle Harbour Trust Bill was reached. He stated yesterday, "That the question was asked and the answer given, the local newspapers provide ample proof." The proof he relies on is a paragraph in the *West Australian* of Friday, 22nd, showing that the question was asked in Committee on the Bill. The paragraph is as follows:—

In the Legislative Assembly last night in Committee on the Fremantle Harbour Trust Bill, Mr. George asked whether opportunity was not going to be taken to make its provisions sufficiently wide to give the Government power to transfer the State steamship service to the management of the Fremantle Harbour Trust. He learned that the Government proposed to do this, and the Bill gave them the opportunity of consulting Parliament and taking powers to do it.

The Premier: Your imagination is running riot again.

Mr. George: I understand that the Government intend to hand the management of the steamers over to the Trust without any reference to this House. If the Government intend to make this transfer the present Bill gives them an opportunity to take authority.

The Honorary Minister (Mr. Angwin) said that the Bill went as far as the Customs Department desired. If the hon. member had been in his place earlier he would have learned why it was necessary. When the time arrived that it became necessary for them to have powers as far as the State steamships were concerned he hoped they would have the support of the hon. member.

Mr. George: I thought a short clause could have been put into this Bill to give the Government power to effect the transfer.

The Premier: It would be premature.

Mr. George: I do not think so. I am informed that the transaction took place as far back as Tuesday, but my information might not be correct. Perhaps the Premier would like to correct me.

The Premier: Oh, no! You are always right. (Laughter.)

The Honorary Minister: I have nothing more to say than that the clause under discussion provides all that is necessary under the Customs Act.

I am satisfied myself that the hon. member is confusing that discussion with an alleged notice of question, and I feel sure he will be satisfied with the statement I have made, and will recognise that no injustice has been done to him.

Mr. GEORGE: Well Mr. Speaker, I have a most distinct recollection of asking the question and writing it out and handing it over to the Clerk's table. I do not want to pursue the question further if you consider it unnecessary to do so, but I drew attention to the matter and I remember the hon. the Premier distinctly stated, "I can answer that at once." First of all, he said that my imagination was running riot again, but I did not take

much notice of that, because he is always making remarks of that kind.

The Premier: Do you not see that was after tea?

Mr. GEORGE: Not a bit of it, Mr. Speaker, if I may reply to the Premier through you. Some mistake has been made but that I asked the question and wrote it out, and handed it to the Clerk's table, I am satisfied. I am positive of that, and the part that took place afterwards was brought on by me again. I have a distinct remembrance of that remark, because I wanted to clinch the question. I understood the transfer had been made, and I wanted to get the fact out through the Premier. The Premier got the shock of his life when I asked the question.

Mr. SPEAKER: Order! Take your seat! It is remarkable that the hon. member insists that he asked the question, but I must take his word, although by doing so a reflection is being cast on the Clerks of the House.

Mr. George: I am sorry for that.

Mr. SPEAKER: It is remarkable that no statement of the matter appears in the Press, and it is all the more remarkable because the *West Australian* gave a distinct heading to the reference made during the Committee stage of the Fremantle Harbour Trust Bill. The heading in the *West Australian* stated, "State Steamships—Rumoured transfer of control." The *West Australian* made a distinct statement of it, but no reference was made to any alleged question. I take the hon. member's word, but I want to point out to him that it is rather a reflection on the conduct of business in this House, and a reflection, undoubtedly, on the Clerks who are responsible for the questions handed in.

Mr. GEORGE: I am satisfied that as regards both of the Clerks my relations with them and their relations with me have always been satisfactory, and there was no intention on my part to cast any reflection on them or to cause them any pain. I do not know what became of the notice I wrote out, but that I did write it out I am satisfied.

The Premier: You did not ask me; I am certain of it.

Mr. GEORGE: The Premier denies it and the matter has to go, but I am not in the habit of making statements without having satisfied myself that I believe them to be true.

Mr. Bolton: We did not hear it; did any one on your side of the House hear you ask the question?

Mr. SPEAKER: I think the matter had better drop.

Mr. GEORGE: I do not think the matter is worth a Royal Commission, and it had better be allowed to drop. I am sorry if the Clerks think that I wanted to pain them; they have been very courteous to me all through.

#### BILL—STATE HOTELS.

Introduced by the Premier and read a first time.

#### BILL—TRAFFIC.

##### *In Committee.*

Mr. McDowall in the Chair; the Minister for Works in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Interpretation:

Hon. J. MITCHELL: Would the Minister realise it was the general wish of the House that ordinary bicycles should not be included under this measure. The definition of "cycle" would need to be struck out if the Minister agreed that cycles driven by human power should be excluded from the Bill, and not be subject to any license at all.

The MINISTER FOR WORKS: The time to go in to the question would be when on arriving at the proposal to impose a tax, but he wished to point out that already he had received letters from the goldfields protesting against the fee being reduced from 5s. to 2s. 6d. Hon. members ought not to regard the measure from a narrow point of view, or from the point of view affecting their own particular districts. It was a Bill for Western Australia, applying to all parts of the State. In a number of roads board districts today a cycle tax of 5s. was imposed, and for that tax special tracks were provided.

If the provision was not put in those cycle tracks would suffer. While he had a certain amount of sympathy for the man who pedalled around Perth on macadamised roads to dodge paying tram fares, he had more sympathy for the man who was pioneering away from the metropolitan area, carried his swag on his back, and rode a bicycle. This provision was not put in the Bill by the Government of their own volition, but at the request of the roads board conference, which discussed it at some length. Members of the metropolitan roads boards may have opposed it, but representatives from the country, and particularly the goldfields, pointed out the effect it would have if it was cut out of the Roads Bill. Consequently, the provision was put in the measure at the request of the roads board conference. In the Roads Act there was power to tax bicycles up to 5s. In the Municipal Act a tax could be imposed on bicycles, but there was no limit on the amount to be charged. The matter could be left at this stage, and on arriving at the schedule we could discuss it to see whether the amount was excessive or too low, or whether there should be any amount at all.

Mr. LANDER: The Minister might be a tricky gentleman so far as Perth was concerned. Once he got the provision in the Bill, of course, he had got his boot into Perth properly. Many a man in Perth had to make his living as a canvasser or agent by riding on a bicycle, and it would be a pity if a penalty was put on such a man.

Mr. ALLEN: The license fee collected under the schedule was not a matter of so much concern as that the cycle should be licensed to provide for the carrying of a number. Many cyclists in Perth rode about very recklessly, and there were many complaints that because there was no number, pedestrians could not identify them. There should be a number visible from a little distance. For that reason the clause should be left in, but we should not make an excessive charge.

Mr. TAYLOR: There appeared to be some desire to allow cyclists to ride bicycles free around Perth, and perhaps there might be some reason for it, but on

the goldfields cyclists were quite prepared to pay a tax for the reason that the local governing bodies provided a track for them alongside the road and protected that track for them. We would put cyclists to a great deal of inconvenience if the provision was struck out, because then the local governing bodies would not receive any revenue from cyclists, and consequently would not maintain special cycle pads for them. They would then be compelled to ride on the main road, which would be a disadvantage. The Minister had pointed out that the Bill was for Western Australia as a whole, and not for any particular part of it. The hon. member for East Perth said agents rode about in Perth earning a living. There were other agents who went about in motor cars and sulkies, and they had to pay a tax.

Mr. Lander: They are on a good wicket.

Mr. TAYLOR: The clause should not be struck out of the Bill, because we had to deal with a very large area of back country. In the district represented by Mr. McDowall some men cycled nine miles to work on special bicycle tracks alongside the main road. He was reminded by the Minister for Works that unless the taxpayers of Perth repaired the roads around the metropolitan area a bicycle was practically useless. The roads around the city must be macadamised before a bicycle could be used. We should license everything that uses the road.

Hon. J. Mitchell: What about perambulators?

Mr. TAYLOR: The hon. member would have to pay for one of those if he carried it on a train. The hon. member for South Fremantle reminded him (Mr. Taylor) that one had to pay for filling a perambulator, although he got a small moiety towards it. If the Committee deleted the power to tax bicycles hardship would be imposed on a large number of people in Western Australia outside the metropolitan area, whose only mode of transit was a bicycle, and who were prepared to pay a fee of 5s., or in some cases 7s. 6d., to have a track prepared for them. In view of all the circum-

stances we should not, in passing legislation, consider principally a few people within a few miles of the town clock of Perth. Legislation should be as applicable to the State as a whole as it was possible to make it, and in the back country, where the roads were bad, the interests of the cyclists should be studied. There was an argument that some children had to cycle long distances to school, but, speaking generally, he thought cyclists could pay a fee of 2s. 6d.

Mr. HARPER: It was his intention to support the Bill as it was printed so far as cycles were concerned. There was no doubt that owners should be compelled to pay something in the shape of a tax.

Mr. BOLTON: When the hon. member for Pingelly supported anything introduced by the present Government it was time that he (Mr. Bolton) opposed it. It was to be hoped that the provision to collect a fee from bicycles would not be carried. To-day the working man was gradually being pushed out to the outskirts.

Mr. George: Who is pushing him out?

Mr. BOLTON: The grasping landlords. Rents were higher than they were some time ago, as the hon. member knew well.

Mr. Harper: Who has made them higher?

Mr. BOLTON: Such men as the hon. member.

Mr. Harper: And you.

Mr. BOLTON: The working men who have been driven out to the suburbs must have means of locomotion such as bicycles because they could not always afford to ride in tramcars, and those who had bicycles should be encouraged to live outside rather than in the cities. Even a small license fee would make a difference to the life of a working man, and it was sincerely to be hoped that the Minister for Works would not inflict this penalty on the owners of bicycles. A bicycle was not in any way a luxury; it was quite a different thing from owning a motor bicycle or a motor car. It might be an equitable proposal if it were applied to the goldfields where, as has been ex-

plained, there were specially prepared bicycle pads.

Mr. FOLEY: In supporting the clause as it was printed attention might be drawn to the fact that these bicycle pads, which were supposed to have been prepared on the goldfields, were not very numerous; at least he had seen very few of them.

The Minister for Works: You were afraid to leave the main road.

Mr. FOLEY: Whenever he had left the main road it had been to go on to a camel pad which made the best of bicycle pads in Western Australia.

Mr. Taylor: The camels are not there now.

Mr. FOLEY: Perhaps that was a good thing. The member for South Fremantle used the argument that the position should be different on the goldfields because tracks had been provided, but the hon. member forgot that in the first instance in the metropolitan area the rates were used for the provision of roads for these bicycles to be propelled over. It should not matter whether a man rode his bicycle for pleasure or whether he rode it to work, and it was a remarkable thing to find hon. members so solicitous for the welfare of the working man, and so anxious to do something for him. It was to be hoped that when other measures of interest to the working class were brought forward, members would be found showing the same amount of consideration to them. There was not a man who used a bicycle who would object to pay a tax. It might be a different thing where there were three or four children riding bicycles to school, in which case the question of the tax to be paid by the parents might be taken into consideration.

Mr. GEORGE: The proposal to impose a tax on bicycles would receive his support, not because he wanted to do an injustice to the working man, but because there would be power to insist on a number being placed on the machine, and that number would be one of the best safeguards an owner could have against theft.

Mr. Munsie: If they take the bicycle they will take the number also.

Mr. GEORGE: But the thief would not have the cheek to keep that number very long, and the police would have a clue to the bicycle and the man also. The proposal to tax bicycles was good; it would provide the opportunity to register every bicycle there was. There were many offences committed by riders of bicycles, such as not sounding their bells, or giving a warning of their approach.

Mr. Heitmann: Registration will not have a different effect.

Mr. GEORGE: Registration would compel them to carry a number, and would compel riders to behave themselves. There were matters which should receive attention, such as the side of the road on which cyclists should ride. Frequently cyclists were found between a tramcar and the footpath to the danger of pedestrians or those about to board or alight from cars. If these offenders carried a number they could be made an example of, but as it was at present they rode off.

Hon. H. B. LEFROY: The definition as it appeared in the Bill might be allowed to stand. The word "cycle" was used in many parts of the Bill, and it was, therefore, necessary that the definition should remain in the Bill.

Mr. SWAN: For once he agreed with the member for Murray-Wellington, but he failed to see what that hon. member's arguments had to do with the definition. If the definition were not allowed to remain in the Bill the subject could not be dealt with at a later stage.

Hon. J. MITCHELL: The question of a tax on cycles ought to be dealt with on the definition. With regard to cycle pads on the goldfields there were some there which had to be maintained, but it was doubtful whether it was necessary that cycles which used those pads should be brought under the operation of the Bill. It was true that these machines were ridden sometimes to the danger of the public, but that would be the case whether a tax were imposed or not. The Minister had not put up a good case for the inclusion of the definition, and it was certain that he was not supported by a majority of members. It was doubtful whether he could win on a division, so

he proposed merely to ask the Minister to give the matter serious consideration in order that the question might be dealt with on Clause 6. He objected to bicycles being included, except for the purpose of numbering and registration.

The Minister for Works : How are you going to get them numbered ?

Hon. J. MITCHELL : The Minister himself would have to determine that. He hoped the Minister would be reasonable when the question of licenses was reached.

Hon. FRANK WILSON : It was not certain that it would be wise to strike out this definition, because we would require regulations dealing with this mode of traffic, just as in the case of any other traffic. He could not congratulate the Minister on having been very ingenuous in his explanation, which indeed, to use the language of the member for East Perth (Mr. Lander), had been somewhat tricky. The Minister had asked, if we did not license bicycles how could it be expected that the bicycle pads on the goldfields would be maintained? It was rather late in the day to suggest that these bicycle pads would be neglected, seeing that they had been used and maintained for the past twenty years. It was scarcely likely that the local authorities on the goldfields would refuse to maintain these pads any longer merely because they were not to be allowed to collect fees from bicycles. It might just as well be argued that they would refrain from making footpaths. So long as horses were kept off those bicycle pads the pads would stand in good order from year to year with very little expenditure indeed. To propose to make it compulsory that a man or child owning a bicycle should take out a license, savoured of running mad in our legislation. We might with more justice insist upon a license being taken out by the owner of a hack. Why not insist upon a license fee from a person who rode his horse in the park? Some hon. members had suggested that these bicycles should be numbered. As well put a number on a horse.

Mr. Taylor : A horse's speed is regulated.

Hon. FRANK WILSON : That was not so, for a horse sometimes took charge of his rider, whereas a bicycle never did, except perhaps when going down hill. To insist upon a license fee for, and a number upon, a horse or a camel would be more legitimate than the proposal contained in the Bill. When a man elected to ride a bicycle rather than walk, that man did no injury whatever to the roads.

Mr. Harper : He is a menace to others using the road.

Hon. FRANK WILSON : If that was so, the cyclist could be prosecuted. Would anyone propose that the hon. member, for instance, should be punished when he rode his horse at excessive speed, that the hon. member ought to have a number on his horse's tail, so that it could be ascertained who it was that rode so fast? Footpaths were not charged for, but were free to all citizens; yet it was proposed to insist upon a license fee from a man who rode on two rubber-tyred wheels which did no harm whatever to the road. It might as well be suggested that we should license perambulators and children's tricycles. So far as the definition was concerned he was prepared to let it stand, but when Clause 6 was reached he would certainly move to strike out "cycles" altogether.

Mr. ALLEN : It was impossible to agree with the leader of the Opposition on this question.

Mr. Taylor : Come over here.

Mr. ALLEN : Most people could hear a horse coming along, and so get out of the way, but it was not nearly so easy to detect the approach of a bicycle. Because of this disability people were sometimes knocked down by cyclists, and in the absence of any number on the machines, it was frequently impossible to determine the identity of the riders. While not anxious that a fee should be collected, he was most anxious that bicycles should be compelled to carry a number by which the riders could be identified.

Hon. J. MITCHELL : It was necessary that some definition of "heavy traffic" should be provided. Section 179 of the Roads Act dealt with this question, and that section should be re-enacted in the

Bill. In many instances heavy traffic was responsible for the destruction of roads in districts where very little revenue was received from the owners of the offending vehicles. It would be advisable for the Minister to have in the Bill a definition of "heavy traffic." In the schedule the Minister recognised that there should be some discrimination, for it was there proposed to charge a higher fee for heavy vehicles than that charged for lighter vehicles. The Minister should go further and inflict much higher fees on heavy traffic. In the timber district tremendous damage was done to the roads by the haulage of heavy loads of timber, which quickly rendered the roads practically impassable. The Minister should have power to impose a special license fee on this class of traffic: if the Minister had that power, there should also be in the Bill a definition of "heavy traffic." This was a burning question in many roads board districts where considerable injury was inflicted upon the roads by this traffic, injury which had to be made good by the general taxpayer.

**THE MINISTER FOR WORKS:** The power to impose a special impost on heavy traffic already existed, and indeed had been exercised. There was a difference of opinion as to whether this heavy traffic had not been over penalised. It would be somewhat difficult to define "heavy traffic," because traffic which was heavy in one district might be in another district light, as judged by the damage it did to the roads. There was no need for a definition of "heavy traffic," nor was there need to insert a clause empowering the local authority to impose a special fee on this heavy traffic. The question was dealt with in Clause 50.

**Hon. J. MITCHELL:** In the timber districts it often happened that great damage was done to roads as the result of trailing heavy logs under whims and jinkers. The Minister ought to have power to impose a special impost upon vehicles used for that purpose. The Minister should protect himself under the Bill.

**Mr. O'LOGHLEN:** The member for Northam need have no fear in regard to

the powers of the Minister, because the local authorities had unlimited powers already in this regard. As for the jinkers and whims trailing heavy logs in wet country, the roads board had power to prohibit the hauling of logs known as "nosey" logs, which had a tendency to root up the roads. Under the regulations issued by the Works Department the roads boards had imposed a tax of £1 per wheel in the South-West. In his opinion this tax was rather too heavy. However, that question could be debated later on. Clause 50 gave the local authority all the power that was necessary in regard to heavy traffic. It was impossible to define "heavy traffic," because one might carry a really heavy load on a certain vehicle in one district and not be able to put one-fourth of that load on the same vehicle in another district. Consequently it was impossible to have a definition covering jinkers, whims, and motor-wagons, so far as heavy traffic was concerned. But he thought that the local bodies had ample powers now. He would rather have Parliament fix what was a fair impost throughout the State, and not leave it to the local bodies to make it £1 here, £2 there, and so on.

**Mr. GEORGE:** Clause 50 certainly gave the local authority very great power, but that was only to be exercised after the damage was done. The clause stated that extraordinary expense incurred in repairing damage to roads might be recovered, but what was desired was that the people who used the roads and caused the damage should pay a sufficient license fee, so that the road might be put in repair and kept so. That was far better than allowing the damage to be done and then casting round to see who had done it. The fairest way was not to try to recover for extraordinary damage from one person, but to get from all persons who used the road a fee which would enable the road to be kept in repair. It should be possible to get some definition of heavy traffic. The Minister for Works would know that in behalf of the Waroona Roads Board he had several times been asked for grants to repair Whittaker's road, but it was desired to

avoid those grants, and to tax the traffic in order to keep the roads in repair.

Mr. BROWN: The word "carrier" appeared in several sections but there was no definition.

The MINISTER for Works: We do not tax the carrier.

Mr. BROWN: But the carrier was licensed, and therefore, it seemed necessary that the word should be defined.

The MINISTER FOR WORKS: It was difficult to define "carrier." The individual driver was licensed, but if one was going to give a definition of "carrier" where would a start be made? A man might be carrying in one vehicle and not in another. A carrier was a carrier and there was no need to try to define the word. The insertion of a definition would only limit the operation of the word.

Mr. Brown: You have to issue a carrier's license.

The MINISTER FOR WORKS: The carrier's license was well known. The carrier paid a license fee to-day, but there was no definition. It was all very well to insert a definition, if the definition was simple, but the application of the word "carrier" varied so considerably that it was almost impossible to define it in the four corners of a Bill.

Hon. H. B. LEFROY: "Mechanical power" was defined as including "any motive power not being animal power." It seemed desirable that the words "or human" should be inserted between "animal" and "power." If a motor vehicle was driven by human power it would be mechanical power under this measure, because human power was not exempted in the same way as animal power.

The MINISTER FOR WORKS: It was difficult to imagine any mechanical power propelled by human power, which was likely to be used on roads. The point should be investigated as to whether human power should be added to the definition. The hon. member's point was that if the definition was left as printed a mechanical contrivance propelled by human power would be taxable whereas if the words "human power"

were added to the definition such a contrivance would be exempt. He was not prepared to make the amendment suggested until he found that there were mechanical contrivances which were propelled by human power.

Hon. H. B. LEFROY: If the words were not necessary in this definition then the words "but not human power" were superfluous in the definition of "cart." A velocipede was a mechanical power and was propelled by human power. A hand barrow was propelled by human power and when it was in operation it became a mechanical power. If it was necessary to include human power in one definition it was necessary to do so in another.

Mr. O'LOGHLEN: Later on in the Bill there was provision for the compulsory licensing of any vehicle used for the carriage of passengers for hire, or of goods for reward. Was it proposed to make that license apply in every case, so as to include the owner of a vehicle who on Sunday might take a group of people for an outing, as was often done in the country? There should be some definition of "carrier," as one engaged in the trade, but if the word were to embrace every vehicle used by the owner for carrying people for hire it was too far-reaching.

The MINISTER FOR WORKS: There was nothing in the definition clause dealing with "carrier." When the clause dealing with licenses and carriers was reached, if the hon. member could show that a hardship would be inflicted unless a limitation was imposed, then, if an amendment could not be made by way of a proviso, the definition clause could be recommitted.

Clause put and passed.

Clause 4—Traffic inspectors and other officers:

Hon. J. MITCHELL moved an amendment—

*That in line 2 the words "with the approval of the Minister" be struck out.*

This provision, requiring that appointments made by the local authorities should be subject to the approval of the Minister, was aiming a blow at the local



authorities. It had been the custom for years to increase the powers of the local authorities and every amending measure had tended in that direction. Now the Minister asked that local authorities should not have the power to do something unless he approved of it. It was saying in effect, that the local authorities had not the ability to conduct the traffic unless they had the concurrence of the Minister. A local authority would be better able than a busy Minister to select inspectors. Why did the Minister desire to reserve this power to himself?

The Minister for Works: It is no good being a czar unless you are a czar in the fullest sense.

Hon. J. MITCHELL: Could not the Minister trust the roads boards to do their own work?

Mr. O'Loughlen: We gave you the power in a former measure.

Hon. J. MITCHELL: The clause was very far-reaching, and aimed a serious blow at the freedom of these bodies. When inspectors were required they could be appointed by the people who paid for them. Inspectors were to be empowered to institute proceedings without reference to the local authority by whom they were engaged. The clause applied to inspectors appointed by roads boards in country districts. The Committee should say that there should be no whittling away of the power enjoyed by local authorities. Representatives of country constituencies should support the amendment, and assist in preserving to local authorities the power they now had. Did the Minister fear that the men selected by local authorities might not be competent? Did he fear that the local authorities were not competent to make the selection? Men who had the power to appoint a secretary and roads engineer to spend thousands of pounds on road construction and improvement, and control the whole of the affairs of a roads board were competent to appoint an inspector who would be practically a junior officer. Competent men would be required and in addition to inspectors the police could be empowered to control traffic. There was less reason for requiring Ministerial approval to the

appointment by a local authority of a traffic inspector than of an engineer for roads.

Mr. LANDER: The amendment would have his opposition. Let anyone go to Northam and ask the officers about the trouble experienced with the roads board there in regard to the land tax. It was the most inconsistent tax and it was practically a dishonest tax. If the Minister did not have the power of approval, the same games might be carried on in the matter of imposing license fees on traffic. The clause did not state that the Minister would enforce the power. Under the Health Act, the same power was reserved to the Minister, and in this instance it would do no harm.

Hon. J. MITCHELL: No roads board in the State taxed ratepayers so heavily as the Northam roads board.

Mr. Lander: Turn back to three years ago.

Hon. J. MITCHELL: In his opinion it taxed too heavily. It could be understood that the hon. member had not any property that could be taxed, or he would not be so keen on taxing other people. He protested against the accusation levelled at the Northam roads board. The hon. member had driven his trap over the Northam roads without contributing a penny to the board. There might be occasions when the Minister should interfere, but this was not one of them. The inspector should be appointed without any reference to the Minister.

Mr. A. N. PIESSE: It was evident from the clause that it would be necessary to appoint inspectors for each district.

Hon. Frank Wilson: The Bill makes it imperative.

Mr. A. N. PIESSE: That would involve unnecessary expense in some instances, as the traffic would not warrant the appointment of an inspector.

The Minister for Works: The roads board secretary is practically a traffic inspector now.

Mr. A. N. PIESSE: If an appointment was made it must carry some remuneration. That would increase the working expenses of the boards, and many of these bodies in the eastern areas found it

difficult to pay the present salaries of their secretaries. It might be necessary to appoint traffic inspectors in populous centres, but many country districts would not justify such appointments. If it was necessary that the Minister should have this power provision should be made for a traffic inspector to work one or more districts.

Hon. W. C. ANGWIN (Honorary Minister): The preceding speaker failed to realise that in many instances inspectors under the Health Department who were often roads board secretaries had to be approved by the Commissioner before being appointed, and there would be no greater hardship in getting the permission of the Minister for the same officer to act also as an inspector under the Traffic Act. There would be no extra payment. It was the duty of secretaries now to get in all the license fees they possibly could. It was their duty to carry out the existing laws dealing with traffic, and no additional work would be imposed upon them. The only additional work would be to expend the subsidy granted on the amount of the wheel tax collected.

Mr. George: That will not be very much.

Hon. W. C. ANGWIN (Honorary Minister): If it was too much trouble for roads boards to expend the subsidy the Minister might relieve them of it.

Mr. George: They will not get enough to trouble them.

Hon. W. C. ANGWIN (Honorary Minister): The Health Act provided that every appointment by a local authority of medical officer, inspector, or analyst, should be subject to the approval of the Commissioner, and the Commissioner had power to remove any such official. The Health Act went further by providing that any person so removed should not be eligible for reappointment without the approval of the Commissioner. There would be no hardship in requiring the Minister's approval to the appointment of an officer to carry out the provisions of this measure because no Minister would interfere so long as the provisions were carried out.

Mr. GEORGE: The matter of the number of traffic inspectors to be appointed was one which would find its own level. The local authority, he understood, might suggest a man and his name would be submitted to the Minister for approval, and the authority could state for its own protection whether the traffic in the district was sufficient to require the whole attention of one man.

The Minister for Works: In nine cases out of ten the secretary of the roads board will be the inspector.

Mr. GEORGE: If these inspectors carried out their duties they would be placed in a position in which they would require to be protected. Instances could be given where men had carried out their duty fearlessly and efforts had been made to jump them out of their office. The clause also contained a provision that an inspector could not be dismissed except with the approval of the Minister, and having that protection the appointment of inspectors must be subject to the Minister's approval. Otherwise the Minister would be taking one portion of the responsibility and leaving the other. When a roads board suggested the appointment of a traffic inspector the Minister would approve of it unless the man was shown to be of bad character or unfitted for the position. The Minister's power should come in where an effort was made to remove an inspector who had merely done his duty, in which case the Minister would insist upon having proof that the man was unfitted for the position, or else he would not dismiss him. It was a very necessary provision. Bearing a grudge towards a man who did his duty was not confined to the rich man, the medium rich man, or the poor man, and, therefore, we should safeguard those who did their duty and see that they would have a fair deal if a complaint was made against them.

Hon. H. B. LEFROY: In supporting the hon. member for Northam in his amendment, he felt sure he was voicing the opinion of different roads boards throughout the State.

The Minister for Works: The roads boards' conference discussed this and adopted it.

Hon. H. B. LEFROY: The clause really cast a reflection on the roads boards, and the hon. member for Murray-Wellington was increasing that reflection in what he had said. If a roads board was capable of appointing a secretary who had control of all its funds, and who had multifarious duties to perform, surely that board should be capable of appointing an inspector. It had been argued that an inspector might be carrying out his duties faithfully and well, and for that reason there might be a desire to dismiss him.

Mr. O'Loughlen: Do you think the Minister will turn down any recommendation?

Hon. H. B. LEFROY: That was not the point. It seemed to be an unnecessary provision, and he did not see any need to overload the Bill with it, beside giving the Minister the unnecessary trouble of having to consider appointments and dismissals. The number of roads boards throughout the State was enormous, and the Minister surely had quite enough to do without dealing with the appointment of inspectors. If the provision was properly observed it would be the duty of the Minister's officers to go into the personal character of all the men and see whether or not they were capable of fulfilling their duty. (This would be placing an enormous amount of work on the roads board branch of the Public Works Department. As for dismissals, it was well known that most men felt aggrieved when dismissed, and generally the worst characters were the most aggrieved, and would appeal to the Minister for an inquiry. The Minister was only making a whip for his own back in introducing such a clause as that. A roads board was deemed capable of appointing a secretary, and a secretary had to perform a great many duties. A roads board was not an irresponsible body. It was elected by ratepayers of the district and was responsible to the ratepayers, the people whose money the board had to expend, and if a roads board was not doing its duty the ratepayers would soon hear about the matter. Any self-respecting man who came forward as a repre-

sentative of a ward in a roads board district would consider he was in honour bound to look after the interests of the ratepayers in every possible way, and protect the funds of the board. The inspector would have to collect license fees, issue licenses, see that carts were properly licensed, had proper width of tyres, that horses were properly driven, and that the regulations generally were carried out. The secretary could always do most of that work, and what he was not able to do the members of the roads board would look after themselves. As a rule, the fees were brought to the office, but in cases where people endeavoured to avoid paying the fees it was customary to employ a man for a month to go around and collect them. This was done in the district which he represented. It was quite unnecessary to make a provision in the Bill that the appointment of these inspectors should have the approval of the Minister. It was not to be believed for one moment that the Minister was likely to endeavour to force a board in the matter, but the provision was unnecessary and might cause a great deal of trouble to the Minister and his officers. He opposed a similar provision in last year's Bill, and his attitude was the same towards it now.

The MINISTER FOR WORKS: Hon. members would no doubt admit that this was a provision which had found its way into many Acts of Parliament purely to give the Minister the power to exercise control in the event of injustice being done, or a proposal by a local governing body possibly to do something that could not be approved.

Mr. A. E. Piesse: The roads board pays the salary.

The MINISTER FOR WORKS: There was no need to go outside of the officers already employed by a local governing body. They could be appointed inspectors under the Bill, but roads boards might go outside them and in order to avoid the responsibility of the powers they should exercise under the measure might appoint men totally incompetent or not physically fit; and where we found they made an appoint-

ment with the determination to avoid their responsibility, the Minister would step in in an extraordinary case of that kind. The Minister would not go into the merits or demerits of these appointments, but had his officers, and he did not suppose there were any officers who took more interest in their work than those in connection with the supervision of local government. If those officers found that any proposed appointment was not suitable they would advise the Minister. It was a case of the Minister having the authority of Parliament to do something and doing it under the advice of competent officers. A similar provision was put in the Health Act by the hon. member for Northam when he was on the Treasury benches. If it was a case of a board appointing anyone not competent we would say, "Get some one more capable." In the event of a dismissal the Minister could prevent the dismissal taking place during the currency of a case. An inspector might decide to take action against somebody in the district, and there might be an attempt to get rid of him during the currency of the case. The provision would be required only in exceptional cases. He had no desire to cast any reflection on the roads boards, which should be given every encouragement in view of what they were doing for the development of the country. At the same time there were exceptional cases where it would be necessary to have the power just to step in and steady anything that was being done in the nature of an injustice.

Mr. A. E. Piesse: What protection has the inspector if the local authority chooses to reduce his salary?

The MINISTER FOR WORKS: If there was an injustice of that description, it must be remembered that the Government had always the subsidy to control. They were not compelled to pay any particular subsidy, but provided it and paid it in proportion to the good work the roads boards were doing. Generally speaking, the Minister should have the right to exercise some control in exceptional cases.

Mr. A. N. PIESSE: Would the Minister say what he would do in a case where the secretary of a roads board declined to take on the work of inspector traffic?

Hon. H. B. LEFROY: The case of the health board and that of a roads board were not analogous. Health boards were in many cases appointed by the Minister. In the case of health boards the appointment had to have the approval of the Minister, but those health boards were irresponsible bodies so far as the public were concerned; they were appointed by the Minister, and if the Minister appointed the body it seemed only right that he should appoint the secretary.

Hon. W. C. Angwin (Honorary Minister): That is not correct.

Hon. H. B. LEFROY: Some health boards were appointed by the Minister, but no roads board was appointed by the Minister. Where there was the possibility of a health board being appointed by the Minister it was necessary to provide in the Act that the Minister should have the appointment of the inspector.

The MINISTER FOR WORKS: By way of appreciation of the way in which hon. members had taken up time during the afternoon he now asked that we should report progress.

Progress reported.

*Sitting suspended from 6.15 to 7.30 p.m.*

## BILL—BILLS OF SALE ACT AMENDMENT.

### *Second Reading.*

The ATTORNEY GENERAL (Hon. T. Walker) in moving the second reading said: The measure I have the privilege of moving the second reading of this evening is one that is not comprehensive. Its introduction is one of the effects of certain discovered weaknesses in the Act that experience has shown in the course of its operation. Some time ago, in fact, soon after this Government took office, the Chamber of Commerce sent representatives as a deputation to me, and repeated

that function at a later period, to point out that under present methods of giving Bills of sale—keeping the bills unregistered until a critical moment came, honest creditors were often deprived of their rights. This Bill, therefore, principally aims at altering that defect. Its main object is first of all to substitute the provisions of the South Australian Act for Section 5 of our Bills of Sale Act, 1899. The principal Act, as we are aware, enables what we may call secret bills of sale to be given. A grantee can keep a bill of sale in his possession right up to the hour we will say, of bankruptcy, and step in at the last moment. He need not register and inform creditors generally that he has security in his possession. The consequence is that the grantor obtains credit by what is tantamount to false pretences. He stands to all appearances in possession of goods and property that are mortgaged or granted under a bill of sale to another, and those who have obtained credit upon those appearances are deprived of their rights and are punished for their trust. This Bill makes it imperative that the holder of a bill of sale shall register it, and if the registration is not affected in accordance with the provisions of the Act, this Bill, if carried into law, will make that bill of sale void, and of no service whatsoever. The Chamber of Commerce suggestions have been carried into effect and will void therefore an unregistered bill of sale as regards chattels in the possession of the grantor at any time within three months of bankruptcy. As hon. members are aware, under the existing law the holder of an unregistered bill of sale may, on the very eve of bankruptcy of the grantor, by taking possession of the chattels, gain an undue advantage over the ordinary creditor, as his title to such chattels cannot be impeached so long as they were not actually in the debtor's possession at the moment of bankruptcy. The evil of that, I need hardly enlarge upon. This Bill will remedy the defect. There is a further purpose, too, in this Bill, and it is to wipe out the section in the principal Act which makes it imperative that a bill of sale must cover an advance of at least £30. In South Aus-

tralia for a long time they have had a provision for the granting of bills of sale covering small amounts. A man can borrow £5 and give security over whatsoever chattels he possesses, and in a very simple form he can effect a bill of sale. Here we are sometimes put to very serious inconsistencies. A poor man with the security of the furniture he has in his household, wants a temporary advance to tide him over an urgent difficulty and £5 will probably do while £10 might be ample, and he goes to those who have money to advance, but he finds that before he can borrow the money, he must borrow £30, even though it is returned immediately afterwards, and he is put to all the expense of giving a bill of sale, as though he were a rich man and were borrowing an enormous sum of money. This measure not only enables a man to borrow a small sum, and to give security by way of bill of sale, but it enables him to do it cheaply. He need not go into a lawyer's office and have a very exact and lengthy document stamped in a particular form, drawn up and executed in a particular manner, lodged and registered with all the technicalities that require the skill of a trained legal practitioner; he can fill in the first schedule which is placed at the end of this measure, and by filling it in honestly, can himself carry out every part of the transaction and comply with the Act, and that will be an effective security. The second schedule of the measure gives the covenants and powers that are implied in filling in that first document, which hon. members will see is a very short and simple form, requiring no special skill in order to fill it in. It is not anything like the ordinary length of a bill of sale, and it is not even the length of the schedule from which it is condensed, that is, the schedule in the South Australian Act. Therefore, I consider that it has effected something in that respect. Of course, the ordinary covenants and powers implied in a bill of sale are to be read into that bill of sale outlined in the first schedule and are construed as there, unless the grantor has himself agreed to modify or extend or limit in some way the

effects of those covenants and powers. That, of course, is at his discretion, but the schedule itself is quite sufficient to effect the purpose desired. There is another reform to which I want specially to draw the attention of hon. members opposite, and that is the clause giving to workers to whom wages are owing exactly the same privileges that a landlord now has. I consider this to be perhaps one of the most controversial portions of the amending measure. It enables a worker to whom wages have been owing for the space of one month prior to the realisation on a bill of sale, to have a preferential claim, or a claim equal to that of the landlord who owns the property; in other words, up to the full amount owing and within one month of the time of realisation the grantee shall have that a charge against whatever he realises from the seizing of the chattels and the worker may follow the goods. He may take possession, or if the goods have already been taken away he can follow and attach them. I know this is looked upon as a new principle, upsetting the general security of a bill of sale, but I cannot see, if the landlord should have his claim prior to the secured creditor, why the worker should be deprived of his right.

Hon. J. Mitchell: Is there any limit to the claim?

The ATTORNEY GENERAL: A month's wages. It is fixed for a month for the reason that workers must learn not to allow their wages to run into arrears. When a man has worked for longer than a month without getting his wages, then it is his own lookout, but it is quite a reasonable thing that a man should work for a month without getting his pay from an employer and to that extent the security is charged with it. The workman must be paid before the landlord can take his dues under the security. Now those are the main features of the Bill, the chief amendments that are effected. There is another provision to which I should draw attention, which alters the principal Act and the amending Act, namely, that a bill of sale shall be gold, not only as for past advances, for

old debts, but for contemporaneous advances; and it shall be possible under the Bill to make the security effective, even though concurrent advances include future advances. That is to say, the document may be the expression of security for, not only the old debt owing at the time of making the bill of sale, but for the money advanced at the time of making the bill of sale, or within three days thereof, and shall include all future advances up to the sum named in the Bill. So that the borrower may take his money by instalments, as it were, take a portion of it to-day, a portion next month, and a portion again the month following, until the top figure placed in the Bill is reached. And this shall be a valid bill of sale covering every item from the old debt right up to the last advance that is to be made.

Hon. J. Mitchell: The present bill of sale provides for further advances.

The ATTORNEY GENERAL: Well, there is some doubt in law as to whether that holds good.

Hon. J. Mitchell: It would be void under this Bill.

The ATTORNEY GENERAL: No. On the contrary future advances shall be held to be covered by the security. That is to say, you must name your sum. The security is good for £1,000.

Hon. J. Mitchell: If you named the £1,000.

The ATTORNEY GENERAL: Oh yes, you must name the £1,000. You cannot make the security good for any sum. You must make it good for the sum you name, whether you receive it all at once or piecemeal. But the security only covers the amount named. If your bill of sale is for £1,000, and you take £100 now, and £100 next week, and so on, until you reach £1,000, the security only covers that sum named.

Mr. Wisdom: You pay the stamp duty on the £1,000.

The ATTORNEY GENERAL: Undoubtedly. You pay the stamp duty for the sum you intend to borrow when making out the bill of sale. There is another feature also to which the attention of

hon. members should be drawn. It is this: our present law makes it imperative that you shall name the rate of interest, that you shall mention the percentage you charge by way of interest in your bill of sale. This makes an alteration, which I think is only just, to this effect: that you shall name your maximum rate of interest; but it allows, during the currency of the security, if I may use that expression, an alteration in accordance with the current rate of interest. It is well known that when a bill has a long currency very often the money market fluctuates, and at one time the current rate is lower, while at another time it is a little higher. It cuts both ways. If you have your maximum, beyond which you shall not go, in the rate of interest, and the current rate of interest is lowered during the currency of the bill, the interest provided in the bill may be lowered. The idea is that if one borrows money at six per cent., and afterwards the current rate of interest goes to seven per cent., and one can get money nowhere at less than seven per cent., this would allow one to adjust that interest to the current rate.

Mr. Underwood: You can come down, too.

The ATTORNEY GENERAL: Yes, you can fix that in your original bill; you can make your agreement and come to your terms, but you must mention your maximum, beyond which you shall not go.

Mr. Moore: Which clause is that in?

The ATTORNEY GENERAL: In Clause 3, which repeals, or rather alters, Subsection 4 of Section 6 of the principal Act, by inserting after the word "rate" the words "or maximum rate."

Mr. SPEAKER: I recommend to the Attorney General the advisability of making his explanation in Committee.

The ATTORNEY GENERAL: I shall be pleased to do so. I was merely drawing attention to the effect of the wording of the exact amendment we are proposing in the measure. There is only one further point to which I would draw the attention of the House. This will be found in the last clause. In the principal Act there is a definition of "stock." In the amending Act of 1906 there is again a definition of

"stock," which more or less modifies and alters the definition given in the principal Act. That alteration creates more or less an inconsistency, at least it creates confusion in reading the two together. There is no necessity for the definition of "stock" in the amending Act of 1906. It has evidently been inserted therein by some inadvertence, and to remove that anomaly and inconsistency and liability to create confusion, I have returned to the definition of "stock" as given in the principal Act; but no further than that. I do not want two definitions of "stock" standing upon our law of bills of sale. If the first one is not good enough we should repeal it, or if the second one is not good enough, or complete enough, we should repeal that; and I am repealing that because the definition of "stock" in the principal Act is the more general, the more inclusive and more strictly logical to the purposes intended, and therefore I propose to repeal that definition of "stock" in the amending Act of 1906, keeping the definition of "stock" as it stands in the principal Act. I think I have explained the objects of the Bill and outlined its principles, and therefore I move—

*That the Bill be now read a second time.*

On motion by Hon. Frank Wilson, debate adjourned.

## BILL—LAND VALUATION.

### *Second Reading.*

The PREMIER (Hon. J. Scaddan) in moving the second reading said: The Bill that is now being distributed for the consideration of members is one that is not of a controversial nature, except perhaps in its main feature, namely, the question of whether it is desirable that we should have one uniform system of making valuations for Government and for local authority purposes. If we can agree on that point we will have little difficulty in so discussing this measure on its second reading, and dealing with it in Committee, as to make it a workable measure and one which will be of con-

siderable benefit to the State as a whole. I know of only one country that has introduced a measure of a similar nature, namely, New Zealand. The Act has been operating there so long now that no one in that country, no party, thinks of submitting a proposal that it should be repealed or amended in its main features so far as it affects the uniform valuation of land. As it was needed in New Zealand at the time it was introduced and passed, I think I can claim it is equally necessary in Western Australia at the present moment. We have with us to-day, and likely to remain with us, a system of raising revenue by means of a land tax. We also give powers to the local authorities, powers which are likely to remain with them, to raise revenue by imposing taxation on those who are owners of land and property within their boundaries. And we also provide for the payment of duties in other directions on the value of property held by our citizens. But, unfortunately, at the present moment each of these various bodies appoints its own valuers, who may have varying ideas in regard to the methods of arriving at a valuation. And so we have a considerable amount of discontent when, as sometimes happens, on one side of a thoroughfare the valuer of one local authority values on a certain basis, while on the opposite side of the same thoroughfare another local authority has a different valuer, who values on a totally different basis, with the result that different rates of taxation have to be paid. Naturally that creates discontent among the taxpayers. Another feature worthy of consideration is the fact that, after all, the number of valuers employed who follow these different methods have to be paid for by the taxpayers or ratepayers in these various localities, whereas under a proper system of uniform valuation for all these purposes the first charge would be the last and only charge upon the taxpayer, and greater satisfaction would be given. The Taxation Department, which imposes taxes in accordance with the law of the land, as it exists at the moment—and I want hon. members to consider the Bill from that

point of view, and not from the point of view of prospective taxation; because that must be considered by itself; but from the point of view of the existing laws, which are likely to remain for sometime—employs valuers from time to time, together with others called assessors, who make valuations of different descriptions, sometimes in town and sometimes in the country, and all of those persons who are employed in the Taxation Department have various methods of arriving at their valuations. For instance, last year we were engaged in the valuation of property in the city proper for the purpose of taxation under the land tax, and this year we are engaging others for the purpose of arriving at the valuation of property in the suburban area, and we are also considering now the question of engaging valuers for determining the values of some of our country land. The difficulty under those conditions is that in the first place we have at different times to engage various persons and we are not always certain that the persons we engage for the purpose are the most expert to arrive at the true value. As a matter of fact, judging by the amount of correspondence that the Minister receives from various land valuers because somebody has been appointed and these persons have been overlooked, it would be difficult to find anyone qualified at all to value land.

Mr. O'Loghlen : Do you ever get two valuers to agree ?

The PREMIER : We never get two valuers to agree because they employ different methods, but if we had a staff of valuers who would work on definite lines, always giving the land owners the right to appeal against the values placed upon their land, we would arrive at uniformity, and would not have the constant complaint of one taxpayer against the other. As I was pointing out, we employed certain persons for the purpose of making a valuation of city property last year, and this year we are employing other persons for the purpose of arriving at the values of property in the suburban area. Perhaps when the values



are submitted to us we will have a tremendous difference of opinion existing, not only between the valuers, but also between the taxpayers with regard to the values and the methods of arriving at them. Those are difficulties that must arise under the present system of employing different men from time to time who work with different methods. Then we have the valuations for municipal councils and roads boards. The municipal councils raise the greater portion of their revenue by rating on the annual value, and the valuer has to satisfy himself not only as to the value of the land, but also as to the improvements on it, and there are tremendous differences of opinion on these points, as hon. members who have had any experience of municipal government will know. The roads boards, on the other hand, raise the bulk of their revenue on the unimproved value of land, and here let me say that I think it is essential that we should have some uniform system of arriving at the unimproved value of land throughout the State. Perhaps there is more discontent in this connection than in regard to any other feature of land valuation, because of the varying methods employed and the different values arrived at by the local authorities throughout the State. The Minister for Works and those who have held Ministerial office will know the tremendous difficulty there is in getting uniformity in connection with the roads boards in order that the Government who pay them a subsidy and also make them special grants, may be satisfied that each locality in the State is getting equal treatment. But under the existing conditions, where a person is casually employed, who may or may not have a thorough knowledge of the land in that particular district, any uniformity is impossible. Then when resumptions of land by the Government take place, or when the land is taken by the Government as security for loans, or when it is valued for probate purposes, there is nothing to render the values consistent with any standard valuation. At this stage I may be candid enough to admit that on one point in this Bill there may be some dif-

ference of opinion, and that is where we have made provision that the values arrived at under this measure shall be accepted for the purpose of land resumptions by the Government. I am ready to admit at once that there is something to be said against such a proposal, but I also think that there are more weighty arguments in favour of its insertion. We all know the experience the State has had in connection with the resumption of land by the Government in the past. I am not going to quote any specific instance now, because this Bill does not deal with individual cases, and it is undesirable to mention particular persons at this stage, but I know of instances where, for the purpose of taxation, a very low value has been placed on the property by the owner, but immediately the Government stepped in and resumed the land. The owner has raised the price as much as five hundred-fold. Now that may be all right from the point of view of the person who is selling his land to the Crown, but it is his brother-taxpayer who has to provide the money to make this purchase, and if that person is not paying taxation on the true value of his land, and another person is paying taxation on the true value, then the person who undervalued his land for taxation purposes has been robbing his fellow citizens. That is actually the position. If any person is paying his fair share of taxation by giving a true valuation, and another person is evading taxation by understating the value of his land, the latter person is undoubtedly robbing his fellow taxpayer, and that is a condition of affairs that should not exist. All we are proposing in this Bill is that for the purpose of resumption by the Crown, the value fixed by the Valuer-General, which shall be entered in a register, and which may be appealed against by the owner, shall be accepted for the purpose of arriving at the value which the Crown is to pay for the resumed land. But in order to get over the point that for the purpose of resumption more careful valuations are necessary than are required for the purpose of taxation, we have inserted a provision whereby the Valuer-General may,

on a property being resumed, make a special valuation, notwithstanding that a valuation already appears on the register. The object of that is that when we resume for Government purposes, we resume not only the land but also the improvements existing upon it, and for the purposes of taxation the improvements do not require the same amount of close study in order to arrive at their value as is required for purposes of resumption. Therefore, if the Valuer-General considers that close attention has not been given to the value of the improvements, he may make a separate and more careful valuation than was considered necessary for the purpose of general taxation. Thus, while being just to the owner in valuing his land for taxation purposes, we also wish to ensure that the person who gives up his land for the public welfare will not suffer. Of course, the terms of the Public Works Act in regard to the conditions of resumption by the Crown will be continued. The Bill does not interfere with those provisions at all. It merely allows the Valuer-General to fix the values of the land to be resumed.

Hon. J. Mitchell: Have they to be accepted without appeal?

The PREMIER: Not at all. When the valuation is fixed and entered in the register the owner has to be notified, and he has the right of appeal.

Hon. Frank Wilson: Against the valuation for taxation purposes?

The PREMIER: Against the valuation for all purposes, even for death duties, and he may object to the valuation from any point of view he chooses. Even if the Valuer-General makes a fresh valuation for the purpose of resumption the owner has still the right to appeal because an alteration has been made in the value recorded in the register.

Hon. J. Mitchell: On a fresh valuation.

The PREMIER: On every fresh valuation. Not only may the owner appeal against the first valuation, but he may appeal every year, notwithstanding the fact that no alteration has been made, so that he may be satisfied with the valuation made for taxation purposes. Then in the event of resumption taking place,

if twelve months has expired, he may appeal against the valuation on the ground that circumstances have changed since the valuation was first made. I deliberately made that provision to meet the case of resumption in the interests of the owner as well as the State as a whole. I am not desirous, nor do I think I am attempting in this Bill, to do anything that is in the slightest degree unfair to the owner of property. At the present moment no owner knows how soon the Government may require his property in the interests of public welfare, and we have no right to ask him to suffer any loss through the compulsory resumption on the part of the Crown.

Mr. George: Who should be the judge of the loss?

The PREMIER: The owner is partly the judge, but he has the right to appeal to the Supreme Court and the decision of the judge is binding on the Crown as well as on the owner. He is protected in every possible way by this measure, as hon. members will find as we proceed. I do not wish to labour this question at this stage, but I desire to make hon. members aware of the provision in the Bill and what we have proposed to make the measure fair to the owner as well as to the Government.

Hon. F. B. Lefroy: Will the valuations be retrospective in any way?

The PREMIER: Not at all. They will only take effect from the time a district is gazetted, and the valuation is actually made. They cannot be retrospective in any way. May I point out that until such time as a district has been proclaimed under this Act this valuation is not made, nor does the measure apply, so that for some considerable time, many years perhaps, only certain portions of the State will come under the operation of the Act. It would be far too expensive a procedure to bring the whole of the State under the provisions of the measure at once, and attempt to make valuations of land throughout Western Australia immediately. Therefore we propose to bring the different districts under the Act from time to time, in order to have a land values register more than anything else,

and in order that those values may be arrived at on a uniform basis. Under the existing conditions, each taxpayer upon receiving notice of assessment and calling upon him to pay his land tax, has the right to appeal against the assessment within thirty days, on the ground either that his land is not taxable or that the value assessed is excessive. This right of appeal is given for only a period of 30 days, and on consideration I am of opinion that, so far as concerns some of the more distant parts of the State, 30 days is rather short notice, and therefore I have decided to increase the period from 30 to 60 days for the purposes of this Act, in order that the taxpayer may have a fair opportunity of considering the assessment and lodging his appeal. As regards the right to appeal after the notice of assessment has been received by the taxpayer, there is considerable expense and trouble in re-opening the question of the value of the land, particularly in re-opening the valuations piecemeal in different parts of the State and at different times, and I think it would be much preferable to have a land values register, to have a complete district valued, to enter the values in a register and simultaneously send notices to the property owners of the values entered in the register, and then give them 60 days within which to appeal against the values arrived at. But once having appealed, and the question having been decided, the owners have no right to appeal from the values fixed under any other Act; that is to say, the values fixed under this measure shall apply as regards the land tax and also as regards rating by local governing bodies. The owners cannot appeal against the value fixed by the local authority, so that we not only remove the task of valuating from the local authority, but we also remove the difficulties that are presented to-day through objections to the values fixed by the local authority. These values will be entered in the land values register, however, and may be appealed against by the owner. But we do not remove their right of appealing under other conditions which have nothing to do with the fixing of the value. Hon. mem-

bers will discover by reading the measure that owners will still have the right to appeal for every other reason except that for which the property is taxed.

Mr. Taylor: Will this Bill take the valuing of property out of the hands of local governing bodies?

The PREMIER: It will take the valuing of property completely out of the hands of local governing bodies, and the value will be fixed by the central authority. The local governing bodies will not have to make the valuations they do at the present time. The Bill also provides that the values fixed under this measure shall be used for land taxation purposes, municipal rates, roads board rates, health rates, other similar rates, and probate duty, and we also have a provision to include any other rates or taxes levied under any other Act of Parliament which has been passed and is already on the statute-book, or which may be passed in future and proclaimed to be subject to this Act, so that for practically all purposes where values have to be used for rating and taxation purposes they must be used by these different and varying bodies. They will not only be used compulsorily for these purposes, but they will also be used voluntarily by other Government departments. To-day the State is the greatest lender of money on mortgages within our borders. We lend tremendous sums of money yearly through the Agricultural Bank, and the sum is greater at present than it has been in the past. The Savings Bank is authorised, and it lends money on mortgages—

Hon. J. Mitchell: Not much.

The PREMIER: Yes, to-day more than in the past.

Mr. George: That will do.

The PREMIER: The Workers' Homes Board are authorised and are lending money on mortgages to-day more than in the past, and considerably so. Be that as it may, these Government bodies are lending money extensively to-day on mortgages, and each of these bodies has its own valuers for the purpose of arriving at these values, which in some instances have been arrived at by local governing

bodies employing valuers and by the Taxation Department employing valuers. In some cases the same property has been valued no fewer than three times, and in other cases I think I am safe in saying that it even exceeds three times, but under this measure all these Government departments can make use of values arrived at by the Valuer General and his staff for lending money from any of these institutions.

Mr. George: You admit there are differences in valuation?

The PREMIER: Yes, simply because they employ different methods and different valuers, but if we have an expert staff, which we will be able to obtain, valuing on a uniform basis, even if there is a difference of opinion regarding the methods adopted and the values arrived at, we can claim that we are working on a uniform basis whereas to-day that is not the case. The valuers under this provision would be employed by the Government and would not be subject to keeping favour with any particular owner of property in any particular part of the State, and they would be free to fix their values on a uniform and set basis fixed by the Valuer General.

Mr. Turvey: Would the valuations be made annually?

The PREMIER: The valuations would be made only when it was considered advisable and on proclamation, but we are empowering the Valuer General to alter or amend the values at any time and not simply annually, but whether or not, every time he makes an amendment we give the right of appeal, and we give the right of appeal annually to the owner, whether there has been any alteration or not. The owner may have overlooked some point in the previous year so that we give him the right to appeal 12 months after.

Mr. E. B. Johnston: Would the Agricultural Bank accept those values?

The PREMIER: I am not prepared to say they would; I have not consulted the officials.

Hon. J. Mitchell: I do not think they would.

The PREMIER: I think they would.

Hon. J. Mitchell: Not when the valuations are 12 months old.

The PREMIER: Exactly the same statement was made when this measure was introduced in New Zealand. When the Minister pointed out that private companies lending money on property would be able to accept these values, his statement was scoffed at, and members said they were not likely to do anything of the kind, but to-day trustee companies and private companies in New Zealand are accepting the values arrived at by the Valuer General under a similar measure, and I have no doubt that the Agricultural Bank, the Savings Bank, and the Workers' Homes Board will accept these values generally when we have such an expert staff as we will have to fix the values on a uniform basis. As I have indicated there is already an Act of a similar nature in force in New Zealand and I will read an extract from a memorandum by the Valuer General of New Zealand written in 1905. They have had considerable experience since then, and the law is proving as successful to-day as when this memorandum was written. It states—

Prior to the passing of the Government Valuation Land Act, 1896, there was an entire absence of uniformity in the system of making valuations of land within the Colony for Government purposes. Each lending department employed a separate set of local valuers for valuing mortgage securities. The Land Tax Department periodically employed a small army of temporary valuers when it required a new valuation of the land of the Colony for taxation purposes, and each local authority had its own particular method of making up its roll for the levying of rates. With such a diversity of methods employed it is not to be wondered at that values were uneven, and in many cases unreliable. Some valuers possessed sufficient independence to act fearlessly; others did not. Some had a system of their own which was different from that adopted by others, and some did not thoroughly understand the principles

affecting land valuation. The advent of the Government Valuation of Land Act, however, introduced a new system, under which the defects of the former system were, if possible, to be overcome. All values required by the Government Departments and by local bodies, whether for loan, taxation or other purposes are now made by valuers employed by the State. Those valuers work upon the one system which is laid down by the above-named Act, and are responsible to the Government alone. They receive a regular salary, and when valuing for loan purposes are not dependent for their remuneration upon the good will of the person whose property they are valuing. Land tax is levied on the unimproved value, and so also are the local rates in districts where the rating on Unimproved Value Act is in force. It is therefore particularly necessary that uniformity of unimproved values should be studied by the valuer, otherwise one owner would be rated unfairly in comparison with his neighbour. When the values appearing on a roll become out of date revision takes place, but before any revised values can take effect the district must be gazetted for revision by Order in Council. There is no fixed period between one revision and another. The necessity for revision depends upon whether or not the roll values are correct.

I could also, if necessary quote from a report by the Hon. W. Pember Reeves, late High Commissioner of New Zealand, on this very same question, but I think it unnecessary to do this except to say that in the report he stated that undoubtedly from the point of view of local rating and Government taxation purposes this measure had not come too soon, and it had been of tremendous value, not alone to the Government, but to the citizens of New Zealand. I think I have sufficiently explained the need for this measure. I am certain in my own mind that we are all at one on that particular point, namely, that there is a need for a uniform system of valuation. Just how far it should apply is a matter

which we can discuss on the second reading and in Committee.

Hon. J. Mitchell : That is the point.

The PREMIER : But I hold the view that the measure as submitted is a fair one, not alone in the interests of the State, but in the interests of the owners of property as well. Under the Bill valuations may be made of the improved value, the unimproved value and the annual value. Speaking generally the improved value will be taken to be a capital sum which the fee simple of the land might be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require. That is generally speaking, although there are special provisions under the Bill. The unimproved value will be the capital sum which the fee simple of the land might be expected to realise if offered for sale in the manner aforesaid assuming that the improvements, if any, thereon had not been made. The annual value will, in general, be ascertained in the same manner as that provided in the Municipal Corporations Act. These are the general methods of valuation, but special methods are provided for in certain cases. Thus, all Crown leases, other than miners' homestead leases, and leases under the Workers' Homes Act will be valued at a sum equal to twenty times the annual rent reserved by the lease. Lands held under timber license and other similar concessions will be valued at a sum equal to 5s. per acre, whilst land held under exclusive pearling licenses will be valued at twenty times the annual rent. These are special methods adopted at the present time by the Taxation Department for the purpose of levying taxation under the Land and Income Tax Act, and which are now practically accepted by owners as being reasonable and fair. These special provisions which are set out in Clause 27 do not apply to lands held on conditional purchase or any lands held by the Crown with the right to acquire the fee simple. These are valued as fee simple lands, and can only be valued from that point of view. As no special method of valuation is provided for miners' homestead leases

and leases under the Workers' Homes Act they too, will also be valued as fee simple lands. It is provided that we will proclaim valuation districts, and it is only in such districts that the measure will have effect. The valuation will be under the general control of a Valuer General, and there will be a Deputy Valuer and other officers to assist him, but it is not our intention to increase to any extent the officers in our departments to carry out the provisions of this measure. We believe that we can very well call upon certain officials in our departments to do this work. It will be heavy for some little time, it is true, and it may be necessary to engage special assistance, and we have made special provision to bring only certain districts under the Act from time to time by proclamation in order not to incur too heavy an expenditure in the early stages. We have already made valuations of certain parts of the State—

Hon. J. Mitchell : The whole of the metropolitan area.

The PREMIER : No, we are completing the metropolitan area this year, but we have made valuations of certain parts of the State, and they could be proclaimed almost at once, and the values obtained could be used, and once used and entered in the register the owners would have the right of appeal in the first instance to the Valuer General, and then if the property was valued at less than £500 the appeal could be taken to the nearest local court, and if over £500, to a judge of the Supreme Court.

Mr. George : Would the cost of the valuations be shared in any shape or form by the local authorities ?

The PREMIER : No. This will be a duty devolving on the State, and after all it will be a very small matter, because at the present time we have to pay a subsidy to the local governing bodies on their rates. They have to levy rates in order, among other things, to pay the valuers whom they employ from time to time, and if they do not raise the same amount from rates in consequence of not having to pay valuers, we shall have to pay them less in the way of subsidy, but

the fact remains that from the point of view of the people who have to find the money, either as ratepayers or taxpayers, the burden will be much lighter than it is under existing conditions, and the results obtained will be of much more value to the people. The Bill also provides for keeping a register of land values, and that register shall be kept in Perth—that could hardly be avoided—but while it is kept in Perth full opportunity will be given to property owners in various parts of the State to see copies from time to time, and they will also have an opportunity of knowing exactly how they are provided for in the register, and if any alteration is made from time to time, notice of valuation must be published and objections can be made by persons interested—only by persons interested, of course. It will not be necessary for an entirely new valuation to be made every year, but such addition or alteration may be made as is necessary. Objection can be taken to every item in the register every year, whether such item has been altered in that year or not.

Mr. George : Will the register be open to inspection by the public ?

The PREMIER : Yes, the register will be open to public inspection. May I also explain that it is necessary where we have valuers who are called upon to perform certain duties, that we must make provision for them to perform those duties, giving them powers to enter lands and make inquiries, and penalties are imposed upon persons who obstruct the valuers in the discharge of their duties. Objections to valuations will be dealt with in the first instance by the Valuer-General, but there is the right of appeal from his decision to the court of review. The court of review will, when the valuation does not exceed £500, be the local court held nearest the land. Power is given to the Governor to appoint a special magistrate to sit and hear appeals under the Act in place of a magistrate assigned to any local court. In other cases the court of review will be the Supreme Court and the appeal will be held before a judge selected by the Governor. Power is also given to the Sup-

reme Court to remove into that court any appeal pending in a local court.

Mr. O'Loughlen: Is any provision made for prompt payment after resumption?

The PREMIER: I might explain that this has nothing whatever to do with resumption, except from the point of view of fixing the value. The Public Works Act will continue to operate as though this measure was not passed. It does not provide anything in the way of how we shall pay or what other considerations a person should have because land is compulsorily resumed by the Government.

Mr. E. B. Johnston: Can the owner get ten per cent. above this value?

The PREMIER: He will get what he is entitled to obtain under the Public Works Act to-day. This measure does not affect that in the slightest. As a matter of fact, the Valuer-General may consider it necessary to make a closer valuation than he has made for the purpose of the register, and when resumption takes place may make a fresh valuation, but he is not concerned with how the Government proposes to act in the slightest degree.

Hon. J. Mitchell: You take land under this Act?

The PREMIER: No, we only provide a method by which we fix the value.

Mr. Allen: Is there a right of appeal against that?

The PREMIER: Certainly. The owner of the property which will be resumed has the right in the first instance of appealing against the value fixed. He has that right reserved to him for twelve months and he has the right, in the event of the Valuer-General making any alteration of any description, no matter how small, to appeal against the valuation on that item and every other item as well. He must be notified of every alteration made and he has his rights under the Public Works Act.

Mr. George: Should not that valuation be "shall" instead of "may"?

The PREMIER: We frequently resume land that is unimproved, and why compel a fresh valuation to be made when a valuation may have been made only a month or two before? A man can

object but I would like to point out that if we propose to allow the owner of a property who was quite willing to accept the valuation from the point of view of paying rates and taxes, to object to the valuation being fixed for the purpose of resumption, we are allowing him to do something which in my opinion is absolutely dishonest.

Mr. George: No.

The PREMIER: That is the difference of opinion which exists.

Hon. Frank Wilson: He would have to appeal to have his valuation increased?

The PREMIER: Yes, he may appeal to have it increased. In many cases under existing conditions they appeal against the valuation fixed by the Taxation Department on the ground that it is too low, and expect the Taxation Department to accept their high value. I could give instances where we have lost thousands of pounds in taxation because the Commissioner of Taxes refuses to accept the valuation placed on land by the owners, where those owners have somehow obtained the information that the Government were going to resume their property, and in cases where a railway was going to be constructed in a district the value of land has been jumped up from 10s. to 25s. and the Commissioner of Taxes has been asked to accept it, but has said "no." Owners have placed a value on the land, not for the purpose of paying taxes, but because they thought the Government were coming along and would have to pay them more than what was the true value. If a land tax is of any value a man should pay on the true value of his land; and if one man does not and another does, the former is not acting fairly towards his fellow citizen. It is due to the fact that we have not a uniform system of valuation that some are able, by virtue of their position, sometimes in a social sense, to get out with less taxation than is their due, and we are overcoming that by obtaining power to have proper valuations made on a uniform basis. I do not think it is necessary for me to say much further on the matter. I think that outside the two or three points I have mentioned we can agree,

if, of course, we can accept the principle of uniform valuation. Otherwise the provisions of the measure are of a machinery nature, and I believe that when we reach Committee and get over the points of difference that apparently do exist, we shall be able to place on the statute-book a measure which will be of value to the people and the State as a whole. I want hon. members to disabuse their minds with regard to any prospective legislation. I am prepared to admit at once that we propose to amend the Land and Income Tax Act, but the imposition of a land tax has no bearing on this particular Bill, except from this point of view: that if to-day the land is over-valued and a man is paying on the over-value, the matter will be adjusted by having this uniform system, but, on the other hand, if, owing to the owner being in a remote district, it is difficult for us to send valuers and he is really evading his fair responsibility of having his land valued and taxed on a proper basis, he will also be brought under the provisions of this measure and will be, as any other citizen, taxed according to a uniform basis and cannot complain. As I have already remarked, we do not desire to establish any new department and do not propose to do it. We propose to use the existing Government officers for the purpose of putting this measure into operation at the outset. It may be some little time before we think it is desirable that it should operate owing to some little expenditure that may be entailed, and it will be brought into operation, not throughout the State at once, but in those parts where we have already made valuations and propose to continue them, and in others under consideration, and then we will arrive, as they have in New Zealand, not only at a uniform system of valuation, but will have valuation of land throughout Western Australia for the purposes of land tax, municipal and roads board rates, probate duties, and other purposes, and will be in an infinitely better position than at the present time. For that reason, I think the Bill will be accepted by the House, and therefore I have much pleasure in moving—

*That the Bill be now read a second time.*

On motion by Hon. Frank Wilson debate adjourned.

# **BILL—WATER SUPPLY, SEWERAGE, AND DRAINAGE AMENDMENT.**

## *Second Reading.*

Debate resumed from 21st August.

Hon. FRANK WILSON (Sussex): The amending Bill introduced by the Minister for Works last week in connection with water supply, sewerage, and drainage is not very voluminous. It does not cover very much ground, so far as legislation is concerned, but deals principally with the officers of the department, power to dissolve boards, and repeals a certain section in last year's Act which limited the term for which that Act was imposed to 12 months, namely, next November. As such, it would not require much comment at my hands this evening, indeed, I think it might almost be passed without much discussion either in the second reading debate or in Committee, had it not been that the Minister for Works seized the occasion, according to the published accounts of his speech, to eulogise very strongly his administration of this Department, the Department of Water Supply, Sewerage, and Drainage, and to pat himself and his colleagues on the back, and attempted throughout his speech to discredit the Government that had gone before. It is therefore necessary that one should take up a few minutes in drawing attention to observations which fell from the lips of the Minister on that occasion. I, of course, agree with him that it is necessary for this measure to be passed. It is necessary that the Act which was passed twelve months ago to constitute this big department should be continued, otherwise there would be to a large extent chaos and confusion which would be very detrimental to the interests of the public, more especially in the metropolitan area. A huge department has been created by the amalgamation of several departments, and at the present time I am not pre-



pared to say whether that amalgamation has proved itself absolutely to the satisfaction of this House, or even to the Government, although the Minister thinks that it has done so. But it must be carried on, the work must be carried on and so must the administration of these amalgamated departments, until it has been proved one way or the other for the public good or bad. Until we have the proper balance sheet of the various sections of that large department we are unable to judge as to the result of the amalgamation and the result of the administration of it. The Minister claims that it was satisfactory to note there had been no complaints, yet later on I notice in the report of his speech he admits that there have been bitter complaints at Boulder and Coolgardie, all of which, I must say, he stated had been overcome. Nevertheless the complaints were there and he claimed that those complaints were occasioned because of certain action he had to take in the direction of economical administration. We cannot forget the bitter and lengthy complaints from the farming community, the settlers on the land who have been compulsorily taxed. We cannot forget their complaints against the heavy charges and heavy taxation imposed on them, and imposed whether they were using the scheme water or not. The farmers in the Eastern districts complained of the burden which had been placed on their shoulders.

The Premier: Only a section.

Hon. FRANK WILSON: A very large section, and they see no redress in view so far as their grievances are concerned. Bitter complaints have also been made in the metropolitan area regarding the house connections with the sewerage scheme. I hear wherever I go, complaints as to the manner in which the work is being carried out, complaints in regard to the charges made for carrying out the work. I admit, so far as the metropolitan area is concerned, that those who complain belong to that class which the Government, according to the Attorney General, delights to bleed, namely, the property owners, and perhaps, from that point of view, the Government are only carrying out that renowned threat made

by the legal luminary of the Cabinet when he said that they were going to bleed the wealthier people of this State and take away some of that wealth in order to decrease the burdens of another section of the community. It is the property owners who have to bear the burden.

The Premier: They pass it on.

Hon. FRANK WILSON: This amalgamated department and the Government forget that the property owners now embrace in Western Australia a considerable number of those who before classed themselves in the ranks of workers. It may be that the cost of administration and the connections with the sewerage scheme of different houses in the metropolitan area, as far as it has gone, up to the present time, has forced many to take advantage of the exceptional terms for deferred payment provided under the parent Act which I had the honour of passing through this Parliament. Yet the Minister complains very bitterly that many have taken advantage of this generous provision, and he declares now that he is going to compel people in the future to pay right off if they can afford to do so. I fail to see how any Government, or any Minister, is going to discriminate as to who is able to pay cash down, and who is entitled to take advantage of the deferred payment system.

The Premier: Every trader does that.

Hon. FRANK WILSON: Then the Premier is going to set up as a trader, as a plumber, and he will refuse credit to one, notwithstanding that he has security in the shape of the property, and grant it to another. The Minister for Works, I know, has a great opinion of his own capacity and judgment, and evidently he has imbued his leader with as high an opinion of that capacity as he himself holds.

The Premier: He would not go to you for a reference.

Hon. FRANK WILSON: Neither the Premier nor the Minister for Works will sit in judgment in the water works office to decide who is to be given credit, so that the duty, naturally, will devolve upon some subordinate official, a very danger-

ous power indeed to place in the hands of any public officer of any department.

Mr. George: It is not fair, either.

Hon. FRANK WILSON: It is said that five per cent. interest on the capital cost of these connections is too little, and we are going to have that raised. I have a vivid recollection when introducing the original measure, of the then members of the Opposition, including the present Ministers, fighting for a reduced rate of interest, and commending the Government on that occasion when they agreed to accept five per cent. To-day the Minister for Works is so hungry for increased revenue, owing to the extravagance of his leader, that he will even grasp a little extra percentage on the deferred payments to be made by the small householders, who are compelled under the law to bear this heavy expense.

The Premier: What is the difference between the cost of money then and now?

Hon. FRANK WILSON: The difference is fairly considerable, but the Premier has always boasted that he could borrow money very much better, if not as well, and just as cheaply, as I could.

The Premier: Certainly the latter.

Hon. FRANK WILSON: Then, where does the margin come in which necessitates the increase of interest which he is going to ask these small property owners to bear.

Mr. George: The tactics of Shylock.

The Premier: You are a good judge of the tactics of Shylock.

Hon. FRANK WILSON: It is also complained that the previous Government did not spend anything in effecting repairs to the Goldfields Water Scheme main. My reply to that is that all the money asked for by the expert officers of the department was granted, and seeing that the staff to-day is practically the same as the staff which was in charge of this important work three years ago, the Minister by making that charge is only reflecting upon his own staff by making such a foolish assertion.

The Premier: It is not the same staff.

Hon. FRANK WILSON: We know that the Goldfields pipe main has caused untold anxiety to everyone who has been

in charge of that work. We know that inquiries were made in London, that experts were called together during my time to inquire into the cause of the deterioration of the main. The reports from the experts were submitted to our local engineers, and after many months of inquiry, and many months of tests and trials, what was deemed to be the best remedy, according to the knowledge and evidence that could be gathered, was inaugurated, and steps were taken to arrest the pitting which had set in, and which had threatened the existence of the main. But to charge any Administration with neglecting to attend to this matter, after what has been done, is to take an undignified position, and, as I said before, the Minister by so doing is reflecting upon his own staff. The Minister said that we depleted the stock of pipes.

The Premier: Hear, hear.

Hon. FRANK WILSON: And that we made no effort to get a further supply of pipes, and that they were in the unfortunate position that they did not know where to look for pipes to replace those which had to be removed from time to time. The Minister complains, too, that there are no works here, but there were no works in the State at the time when a previous Labour Administration were in power. No one could think of keeping works going for the manufacture of pipes, in order to be ready to provide one or two occasionally, as they were required to replace defective ones along the main. A certain number of pipes were kept on the ground, and a number were provided so far back as in Sir John Forrest's time, and that was before anyone had any idea that the deterioration in that pipe main would be so severe as subsequently proved to be the case. To charge us with being responsible for the fact that there were no works here for the manufacture of these patent pipes is childish and is beside the question altogether. Do not the Government know where they can get these pipes? They have only to wire to Mephan Ferguson in Melbourne, and not even go so far as Sydney, to get all the pipes of this class that they require to replace

those which have proved defective from time to time.

Mr. George: And get them very quickly too.

Hon. FRANK WILSON: Yes, because they are still being manufactured. I notice that the Minister for Works is not so cautious as the Treasurer in regard to giving figures to the House. When he introduced this measure he did not wait for audited figures nor an audited balance sheet, but he plunged right in and gave figures which have been published in due course. I cannot tell whether those figures are accurate or not; they are difficult to follow; and no matter how astute one might be in relation to figures, it would be impossible, without the detailed balance sheet which he has promised—contrary to the usual custom of his colleague, the Premier—to supply us with at an early date, to come to a correct conclusion as to the results, the economical results, be it marked, which have followed the altered administration of this great department in the last two years. There are, however, certain outstanding features which I am justified in calling attention to on this occasion. For instance, the Minister told us that the income from the Goldfields Water Supply scheme last year was £12,000 more than in the previous year, and he stated that the operating expenses were £10,000 more and that the interest and sinking fund had increased by £6,000. So that we have operating expenses and interest and sinking fund amounting to £16,000 more than in the previous year with an income which only increased by £12,000, or a shortage—an increased loss be it marked—of £4,000 on the year's working, and this notwithstanding that heavy burden which has been placed upon our struggling settlers in the eastern districts, whether they use this water or not. A fixed tax of £5 plus 4d. per acre in some portions, and 2d. per acre in others, with a price of 6s. per thousand gallons if away from the main, is a very heavy burden to bear, a very heavy payment to be made by farmers struggling to make ends meet during the present season as well as in the

past dry seasons they have gone through. This does not strike me as being a very brilliant achievement for the Minister to claim such credit for during the past twelve months, so far as the Coolgardie water scheme is concerned. Then we turn our attention to his remarks in connection with certain financial results of the Metropolitan Water Supply, Sewerage and Drainage Scheme. He says the net result was a loss of £8,000. I can quite believe it. And this loss of £8,000 was as compared to a profit last year of £12,000. So we have this outstanding feature: that the scheme, so far as this metropolitan section is concerned, has gone back to the tune of £20,000. And in addition to that we have what he has taken great exception to, and what I shall refer to a little later on, namely, the £11,000 special depreciation fund which was charged up in 1911-12 and was discontinued. So that, apparently, on the Minister's own showing—I am simply taking the figures published in the Press—the department is £31,000 worse off for the past twelve months' administration than it was during the previous twelve months. Again I see nothing very brilliant about this record, and nothing that should command, without further explanation, such a flow of commendation and eulogy as the Minister claimed at our hands. Now let me explain, in reply to his bitter complaint with regard to that special depreciation fund, why that fund was created. But before I do so, let me remind you, Sir, that he went out of his way to condemn the previous Administration for having created that special depreciation fund and charged it up against the revenue of the department. The depreciation fund was provided, firstly, because in the original purchase of the Perth water supply, which my friend on the left, the member for Murray-Wellington (Mr. George) has some personal knowledge of, the purchase price of £220,000, which was paid for these works when taken over, included £80,000 which might be termed goodwill. In other words, the works which stood on a valuation at £140,000, were sold to

the Government for £220,000. This £80,000 goodwill had to be written off, had to be provided for in some shape or form to bring the works down within the limit of the debenture value of the undertaking and the actual value which could be proved by assets in the hands of the Government—this £80,000 had to be written off. It was fully explained when the Bill was introduced by myself, four years ago I think, in 1909. This £80,000 had to be found somewhere, and we took at that time the wise precaution of setting aside a small percentage of the profits every year in order that this fictitious value—which, of course, the sellers of the scheme were perfectly entitled to at the time—might be written off, and the works stand on the books of the Government at the value which had been ascertained by valuation. I wonder what the Premier proposes to do with the Perth tramways? We know he has paid a large goodwill in connection with the purchase of that undertaking. Is he going to allow it to stand for all time, or he is going to make some special provision, as we did, to get rid of the goodwill? Surely the only course open to him is to take that course which suggests itself to sound business people, the course which private individuals would take in the management of their own concerns. That in itself is sufficient answer to this charge that we have overburdened the citizens with a special depreciation fund. But we have some £61,000 invested in water meters in the metropolitan area, and these meters have only a life of from 12 to 15 years at the outside, some of them much less than that, even if repaired and maintained. And the sinking fund, which takes 40 years to redeem their capital cost, is not sufficient to overcome, to provide for depreciation on articles of this nature, of a value aggregating £61,000. Therefore we decided, and properly decided, that special provision should be made in this depreciation fund for these water meters being written off. Then we have in the City many miles of what are known as tube reticulation mains, in other words, iron pipes of small dimensions, laid in

order to give the citizens the facilities of the water supply, and ultimately taken up again when full sized 3in., 4in., or 6in. cast iron mains could be put down, as the demand for water was sufficient to warrant the larger expenditure. These tubes will not last 40 years, but have to be depreciated specially. Apart from the fact that they will not in themselves have the same lifetime as cast iron mains, you have this fact staring you in the face, namely, that they are taken up from time to time, and relaid in further outlying districts requiring immediate supplies of water on a small scale. Every time you touch them you deteriorate them and decrease their value, and therefore it was a just and proper and business-like method to provide a special depreciation fund for such mains as these. Then we have another reason why this fund was created. The large steel main coming from the Canning into Perth is affected in a similar way to the Coolgardie pipe line, to which I have just referred; not to the same extent, but to some extent, and that steel main will not have a life of 40 years or 50 years, as the case may be, to be redeemed by an ordinary sinking fund. It is just as necessary to make some provision for it as it is to make provision for the Coolgardie water main itself. The special depreciation was charged on a schedule drawn up by the expert officers of the department. It is idle for the Minister to get up in his place in the House and reflect upon the previous Administration which so wisely provided, in the interests of the people, this special depreciation fund. Other figures that caught my attention are those of the Water Supply Department for the year ended 30th June, 1912, as quoted by the Minister. He said that the water supply portion of this department in Perth, Fremantle and Claremont, had shown a profit during that year of £12,893. In other words, the water supply of Perth showed a profit of £10,700, that of Claremont, which, of course, is very much smaller and the rate is considerably lower, £700, and that of Fremantle, which is still cheaper again to the consumers, but has not the same quality, let me remark in passing,

showed a profit of £1,200. We had a £12,893 profit from the working of the water supply of Perth for the year ended 30th June, 1912. The year just ended should show equally as much profit as that I have quoted, or it should, indeed, show a greater profit, especially considering the enormous expansion of the business, and the economies which the Minister claims to have effected under his administration. At any rate I am justified in saying that the profit of the water department alone cannot have been less during the year which has just ended than £13,000. What has the Minister done with it? It must have made a profit, yet he shows £8,000 loss in the aggregate, according to his figures. Well, that profit has either gone to Consolidated Revenue, been paid into the Treasury, or it has been utilised to reduce the loss of another department, namely, that of sewerage and drainage.

Mr. Lander: It may have gone to the new reservoir.

*[The Deputy Speaker (Mr. McDowall) took the Chair.]*

Hon. FRANK WILSON: The Act provides that separate accounts shall be kept, and that the ratepayers who use our water supply shall be rated for the maintenance and upkeep of that supply alone, and that they shall not be charged with the expenditure in any direction connected with sewerage and drainage. Yet we have it here pretty apparent that either this profit has gone to Consolidated Revenue or it has been utilised to cover up the loss of the drainage and sewerage department. The people who pay the water rates are not all the same people who pay for sewerage and drainage. In other words, whereas nearly all the people who have property connected with our sewerage and drainage scheme, are water ratepayers, there are numbers of water ratepayers who do not participate in the benefits of the sewerage scheme and pay rates thereto. On the 30th June, 1912, nearly 22,000 houses were connected with the water supply in the metropolitan area; according to the Minister, only some 4,000

houses have as yet been connected with our sewerage scheme. It must be obvious at once, then, that to take the profit of those who are paying water rates and for water supplied to them, and utilise it to cover up the loss of those who are connected with the sewerage department, is wrong, is unsound, and contrary to the Act. Another thing that struck me in these figures as being worthy of the attention, not only of members of the House, but also of every citizen in the metropolitan area—indeed, I go further, and say of every taxpayer in Western Australia—was the statement made by the Minister that the interest and sinking fund charged during the year ended 30th June last had increased from £28,917 to £71,681. We have here a sum of £40,000, which, he explained, is represented by interest and sinking fund on the capital expenditure for sewerage and drainage works since their inception—interest and sinking fund charged, and properly charged, to the capital cost of the works, and I am glad that the Minister made it clear that it had been so charged. He complained that we were late in making the charge. Well, he has been two years in office, and has not been in any great hurry to make the charge himself. But, apart from that, it does not matter when the charge was made, whether five years ago, or year by year, or in a lump sum on the completion of any section of work. What I want to know is what has become of the money? Every debit, even in a Government department, demands a credit, and they cannot debit up works of this description with an amount of £40,000 for interest and sinking fund unless they credit something with the amount. Have they issued bonds from the Treasury to the metropolitan water works, or from the Savings Bank, and have they raised the money, or if they have not, what have they done with it? Will the Treasurer tell me whether he issued these bonds, and whether this £40,000 has been manipulated into the general revenue of the State or not? I hardly think it can be so, but if the £40,000 has been raised, and has gone into the Treasury, together with other payments from this big department,

the chances are that it has been absorbed into the general revenue of the State. Here, possibly, we have another solution of the reduction of the deficit so suddenly in June last. We remember that £40,000 was filched from the trust account of the Fremantle Harbour Trust, and calmly appropriated to reduce the deficit, and it is just possible in the absence of any denial from the Treasurer, that another £40,000 may have been taken from this department, and thus the deficit was reduced by £80,000.

The Premier: You judge everybody by your own example.

Hon. FRANK WILSON: I am judging the Premier by his action with regard to the trust funds that he collared from the Fremantle Harbour scheme. No doubt a man who will do that sort of thing will not be above collaring the interest and sinking fund that has been accumulating on this capital expenditure during the last seven or eight years. But I want to know what has been done with the money? I do not say it has been wrongly applied, except in this respect, that it was wrong of the Premier to take this £40,000 to decrease his deficit by placing that sum in the general revenue for June last.

The Premier: From your point of view it is wrong to take anything.

Hon. FRANK WILSON: It is not sound financing, and it is hiding up the true position, which the Premier is so able to do.

Mr. Allen: What has he done with it?

Hon. FRANK WILSON: He does not know.

The Premier: I have not loaned it out to my friends, anyway.

Hon. FRANK WILSON: There are two different methods of dealing with the funds of the Water Supply Department. Assuming that the profits have been, as they were for several years, over 7 per cent., there is the old method of, after having paid 4 per cent. interest, and sinking fund of one per cent., investing the remaining two per cent. in the concern, and allowing it to go on earning 7 per cent., or whatever the whole scheme will produce. Then there is the other method

of paying the money into consolidated revenue, which, apparently, is done at the present time. Of course, if the money goes into consolidated revenue, the benefit does not come back to the taxpayers of the water scheme, but if it is invested in the works to go on accumulating profit according to the results of the operations of the department, it is there to be used for improvements to the works, and by that means reduce in a small degree the rate which the citizens are charged.

The Premier: You cannot apply that principle to all Government concerns.

Hon. FRANK WILSON: There is no difficulty in applying it in this instance, at any rate. It has always been applied in the past, and I do not see why that principle should not be continued.

The Premier: It has never been applied.

Hon. FRANK WILSON: If the money is paid into the consolidated revenue, the general taxpayers of the State get the benefit; whereas if it is invested in the concern, the ratepayers of the metropolitan water scheme get the benefit. Of course, they may not get the benefit in an actual reduction of rates and charges, but they get the benefit in the improvement of the works, and the added earning power of the scheme after the works have been so improved; or the Minister may decree that the money shall go to the redemption of the capital account, and if he does either of these two things the people get the money returned to their pockets. In the other case, if it is paid into consolidated revenue, it goes into the pockets of people who are not entitled to it. Complaints are rife in the metropolitan area, as I have instanced, and I am afraid under this vast department which is being built up the consumers are treated more as taxpayers than as customers. The taxpayer contributes his quota to the general revenue of the country for its maintenance and administration, and he is finished then. He is compelled to pay. Under an Act of Parliament payment is demanded, and he has nothing for it but to pay up with a good grace. But the consumer who is purchasing a commodity,

even from a public department, is entitled to consideration as a man paying for services rendered, and I am very much afraid, according to the tone which is developing in that department, that the consumers are not getting quite the same consideration as they were receiving heretofore. In other words, they are looked upon as people from whom taxes may be raised, rather than as people dealing with the department and paying for a commodity. The builders of new houses in the city of Perth and elsewhere are complaining loudly that they are delayed in their operations under the new administration. Water is the first thing they require when they go on a site to put up a building, and under the old system every facility was given to them to get the water. Within a week at the most the pipes were laid down and the water was available on the spot. The approval of the Minister was anticipated, and those in charge of the department had power to make connections at the earliest possible moment after application was made. Now red tape is supervening, and according to the contractors it is from four to six weeks before they can get a water supply. Their operations are retarded, and the work, which a vast number of the unemployed who are pacing the streets of Perth are asking for, is withheld from them.

Mr. Foley: Have you seen any unemployed since the election?

Hon. FRANK WILSON: I have seen hundreds of them. Why, they marched the Premier in effigy to the Esplanade on one occasion in order to hang him, and if it had not been for the might of the Government police force, who lay in ambush with a motor car, that effigy would have been strung up to the highest tree.

The Premier: I would rather have been hung in effigy than be in your company.

Hon. FRANK WILSON: I was not there; I should have liked to see it, and I would even have stood the Premier a drink on that occasion to raise his drooping spirits.

The Premier: Did you recognise that suit of clothes?

Hon. FRANK WILSON: No, but I think the owner should have sued the Premier for the recovery of it. It certainly was stolen by the police force and somebody should be held responsible.

Mr. Bolton: You are not going to claim the clothes?

Hon. FRANK WILSON: I am sure I am not. Now, with regard to the house connections, the Minister says there are no complaints. For the last 12 months one has been unable to walk down the streets without meeting some irate householder, who wanted the blood of this department because of the manner in which these house connections were made, and the cost of them.

Mr. Lander: Did you have yours done by the department?

Hon. FRANK WILSON: I did, and I am sorry to say that I had to pay £218 for work which ought to have been carried out easily for from £140 to £160.

Mr. Heitmann: The same complaints were made when you were Minister.

Hon. FRANK WILSON: Oh no. Day labour, I think, has proved itself to be unsatisfactory in that department. There is no doubt that a large number of men are employed who are not quite up to the mark, and who are not quite as skilful as they ought to be. They are incompetent. I had three plumbers on my job, and one man came along and condemned the work of the previous one and did it over again, and so it went on till the bill amounted to £218.

The Premier: They were putting the boot into you. They recognised an old friend.

Hon. FRANK WILSON: I know that they had possession of my property for over three months in order to put those connections in, and the only section of the men employed on that work who were satisfactory were the men who put the drain pipes down in the garden. They did work splendidly, but, as for the others, may Heaven protect me from having them inside my establishment again. The contract system has proved to be more satisfactory than day labour in this department.

Mr. McDonald: Satisfactory to whom?

Hon. FRANK WILSON: Satisfactory to everyone, because it prevents the owners from paying excessively to the department for the mistakes of the department.

The Premier: Why did not you get yours done by contract?

Hon. FRANK WILSON: I wish to Heaven I had done so. I had it done by day labour because I had an estimate submitted to me privately which showed that I ought to save a considerable sum as against contract.

The Premier: You did not keep to the contract.

Hon. FRANK WILSON: I believed in that estimate and fell in.

The Premier: You did not keep to the contract.

Hon. FRANK WILSON: It is remarkable that while the Minister is congratulating himself, scratching his own back if I may use the term, and saying that the cost of these house connections in Perth compares very favourably with the cost of those in the Eastern States, connections carried out in the greater number of instances by day labour, the secretary of the Plumbers' Union does not quite bear him out. That gentleman, in defending the day labour employees, admits that the cost of the work is excessive, but he says the men are hedged in with red tape and divergent interests, and that the high costs are due to the system of distributing the material. Here we have the secretary of the Plumbers' Union—

Mr. Taylor: Who is that, is it McCallum?

Hon. FRANK WILSON: I do not know, it might be McCallum. I should like to throw out a suggestion that here is scope for the undoubted talents which the Minister for Works, according to his own statement, possesses for inquiring into and administering the details of his department. He likes to control details; he is a practical man, and no one can do better than he according to his own account. Here is sufficient scope for him to inquire into the different statements I have referred to, his own and that of the secretary of the Plumbers' Union, to see

whether the red tape which the secretary of the union alleges is the cause of the high cost, is really the cause and whether he cannot remedy it and do away with the complaints.

Mr. Taylor: Is it red tape or red lead?

Mr. George: They do not use red lead.

Hon. FRANK WILSON: Then we have the Minister opening out on the removal of the offices. I say at once that it is doubtful economy, so far, at any rate, apart from the fact that the new offices in James-street are not as convenient to the general public as the Wellington-street premises were. But the Minister takes great credit because he is getting a revenue of £700 from the old offices by way of rental from some other department.

Mr. George: The Taxation Department.

Hon. FRANK WILSON: The Taxation Department, I presume, and he instances this as additional revenue presumably to decrease the cost to those who pay water rates and sewerage rates in Perth. Roughly, £21,000 was expended, if I remember rightly, on the site in Wellington-street, and the buildings which were erected thereon, together with the adjoining block, which was secured for the necessary extension of the offices and stores of this department.

Mr. George: And a bore was put down.

Hon. FRANK WILSON: I think such was the case. Upon this £21,000 we are paying interest at 4 per cent. and 1 per cent. sinking fund, or £1,050 per annum, to say nothing of the maintenance of the building thereon, the insurance, and other charges incidental to a property of that description. So that with a £700 rental and £1,050 interest and sinking fund payment charged up against the department, together with maintenance and insurance, we have a loss of at least £500 on this transfer of offices which the Minister is taking credit for, and nothing is said by him as to the cost of the new offices and site, the removal to Fremantle of the immigrants' home which used to be there, and the cost of the new store going up at Loftus-street, which is quite away from the direct supervision and control



of the responsible officers at the head office.

Mr. Taylor: It is going to a very important centre, Leederville.

Hon. FRANK WILSON: It is much too early for the Minister even to become jubilant over the results of his administration of this department. I certainly cannot join him in his congratulations. I prefer to wait until the scheme has proved itself, until we get these detailed balance sheets which are promised to us of each sub-department showing that the proper expenditure is charged to the people who legitimately and legally are to carry it under the Act, until the confusion which is apparent in the statements of the Minister himself, with regard to the finances of this great department, has been removed, and until we know that no one is being injuriously affected by that system. Shareholders are apt to view the protestations of efficiency and economy and more effective administration with suspicion when loss is immediately admitted as a result of those acts, and that I maintain is the position of the Minister on this occasion. He ought, I think, to contain himself in all modesty and frankly admit that the administration has not yet had time to get into proper swing and going order, and that, whilst he is sorry and regrets that he has to announce a loss on this occasion he is quite prepared to give his word that such will not be the case at the end of the next financial year.

Mr. Gill: Will you take his word?

Hon. FRANK WILSON: The Premier has promised to wipe out his deficit every year. He has failed, it is true, but we credit him with the inclination to keep his promise, although we doubt and have reason to doubt his ability. The Minister, I think, had better occupy his spare time—he has evidently got some—in attending to the detailed administration of this department, instead of attempting to discredit previous Administrations. I think, also, I am justified in saying that it is undignified on his part to read a carefully prepared speech to this House which was certainly a thinly-veiled attack upon the previous Government

which I had the honour of leading. It is more undignified still to employ the State's highly paid officials to work up a case against any previous Administration. It does not redound to his credit and it places those officials in a very invidious position indeed.

On motion by Hon. J. Mitchell debate adjourned.

*House adjourned at 9.40 p.m.*

## Legislative Council,

*Tuesday, 2nd September, 1913.*

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

### QUESTION—FREMANTLE DOCK.

Hon. J. W. KIRWAN asked the Colonial Secretary: What was the total amount of money spent on the Fremantle Dock up to the date of the abandonment of the work?

The COLONIAL SECRETARY replied: £207,417 18s. 11d.

### PRINTING COMMITTEE.

#### *Change of Member.*

On motion by the COLONIAL SECRETARY, resolved: That the Hon. R. G. Ardagh be appointed a member of the Printing Committee in the place of the mover, who had resigned.