

Bill reported with an amendment, and a message accordingly forwarded to the Assembly requesting them to make the amendment, leave being given to sit again on receipt of a message from the Assembly.

*Sitting suspended from 11.54 p.m. to 11.54 p.m.*

## BILL—LAND TAX AND INCOME TAX.

### Assembly's Message.

Message received from the Assembly notifying that it had made the amendment requested by the Council.

### In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Title—agreed to.

Bill reported without amendment, and the report adopted.

### Third Reading.

Read a third time and passed.

## ADJOURNMENT—CHRISTMAS HOLIDAYS.

The MINISTER FOR EDUCATION: I move—

That the House at its rising adjourn till Tuesday, the 9th January.

I desire to thank hon. members for their courtesy and consideration, particularly during the last two or three days. I wish to extend to you, Sir, the compliments of the season, and I hope that you and all members of the House, and those associated with them, will enjoy a merry Christmas and a happy and prosperous New Year.

Question put and passed.

*House adjourned at 12 o'clock midnight.*

## Legislative Assembly.

*Thursday, 21st December, 1922.*

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The Deputy Speaker took the Chair at 2.30 p.m., and read prayers.]

### STRANGER IN CHAMBER.

The DEPUTY SPEAKER: I hope no member has brought a lady into the Chamber during the reading of prayers. It is contrary to practice.

Lt. Col. DENTON: I am sorry, Mr. Deputy Speaker. Overlooking the practice of the House, I brought my wife into the Speaker's gallery.

### STANDING ORDERS SUSPENSION.

The PREMIER: I move without notice—

That during the present sitting so much of the Standing Orders be suspended as is necessary to enable Messages received from the Council to be taken into consideration forthwith, and also to permit of the introduction without notice of Bills, and their passing through all stages at the one sitting.

It may be necessary to put through a Bill after we receive a message from the Council. I want the Standing Orders suspended to permit of this being done.

The DEPUTY SPEAKER: I have counted the House, and I find there are more than 26 members present.

Question put and passed.

### BILL—ROAD CLOSURE.

Introduced by the Minister for Agriculture and read a first time.

### BILLS (2) THIRD READING.

1, Industries Assistance Act Continuance.

## 2, Agricultural Lands Purchase Act Amendment.

Transmitted to the Council.

### BILL—NORTHAMPTON RESERVES.

Second Reading.

The MINISTER FOR AGRICULTURE (Hon. H. K. Maley—Greenough) [2.40] in moving the second reading said: The purpose of the Bill is to enable hospital accommodation to be provided at Northampton. The hospital committee were granted, by way of assistance, the old State school site and buildings. That site has proved unsuitable, and the intention is to allow the hospital committee to dispose of the property and apply the funds obtained towards the building of a new hospital on a more suitable site. Northampton is the centre of a fairly large mining and agricultural district, and hospital facilities have been necessary for quite a long time past. The hospital committee have gathered, by way of public subscriptions and social functions, some £300 or £400, and if they are allowed to sell the old State school site and buildings, the money derived from the sale will enable them to make suitable hospital provision. The old State school is some two miles out of town and is quite unsuited for a hospital site. The committee have secured and invested in trustees a hospital site immediately adjoining the railway station, which from the point of view of convenience, is a very desirable situation. That is the whole purpose of the Bill.

Hon. W. C. Angwin: Is this reserve 16476 mentioned in the Bill the hospital site?

The MINISTER FOR AGRICULTURE: Yes. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Munsie in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 1—agreed to.

Clause 2—Power to sell and application of proceeds:

Mr. PICKERING: When the position is so complicated a sketch should be provided on the back of the Bill to illustrate what is proposed. There seem to be three sites in question, the school site, the old school site and the hospital site.

Mr. Latham: There are only two.

Mr. PICKERING: Has the State school site been given for a hospital site?

The MINISTER FOR AGRICULTURE: No. After the Bill has been passed I shall have the plan framed and presented to the hon. member.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

## BILL—KOJONUP AGRICULTURAL AND HORTICULTURAL SOCIETY'S LAND.

Second Reading.

The MINISTER FOR AGRICULTURE (Hon. H. K. Maley—Greenough) [2.50] in moving the second reading said: This Bill is designed to unravel a considerable tangle which has occurred at Kojonup. The agricultural society thought they had the title to land, and wanted to devote the proceeds to improving another show ground granted to them because the old site was too small. The society had the Crown grant of Kojonup lot 20 for the purpose of an agricultural hall site. They also had a vesting order under Section 42 of the Land Act of lots 19 and 21 for the purpose of a show ground. These blocks were considered too small for a show ground. They were originally intended for an agricultural hall site. The society acquired other land from the Crown and, under the impression that they held the title to the three blocks, sold them to the Kojonup hospital committee for £200. The hospital committee purchased the land for the purpose of erecting a hospital but decided that only one block, No. 19, was required. They in turn, without holding the title, sold lots 20 and 21 for £400, which money has been paid into the National Bank, Kojonup, and is being held in escrow pending the giving of a valid title. Lot 20 was again sold by the purchaser for £250.

Mr. Munsie: There has been a bit of profiteering in land there.

The MINISTER FOR AGRICULTURE: And that money is also held in escrow pending the clearing of the title.

Mr. Pickering: Who is holding the money.

The MINISTER FOR AGRICULTURE: The National Bank, Kojonup. The hospital committee have retained lot 19 and have let a contract for the building of a hospital. Since these transactions came under the notice of the department, the Crown grants of lots 19 and 21, with the approval of the Executive Council, have been issued to the agricultural and horticultural society, so that they are now the proprietors in fee simple of lots 19, 20 and 21. To validate all these transactions it is necessary to pass this Bill granting the trustees of the society power to sell and transfer such land free and discharged from any trust. The Bill provides that the proceeds of the sale shall be earmarked for the special purpose of making improvements to the agricultural society's new show ground. I do not know why people get into these extraordinary tangles and have to come to Parliament to get them straightened out.

Mr. Underwood: Are you sure they will be all right now?

The MINISTER FOR AGRICULTURE: So far as the department's knowledge goes this will clear the whole matter up. I move—

That the Bill be now read a second time.

On motion by Hon. W. C. Angwin, debate adjourned.

## ANNUAL ESTIMATES, 1922-23.

In Committee of Supply.

Resumed from the previous day; Mr. Munsie in the Chair.

Department of Railways, Tramways and Electricity Supply (Hon. J. Scaddan, Minister).

Vote—Railways, Tramways, and Electricity Supply, £2,552,000 :

Mr. LATHAM (York) [2.55]: I congratulate the Minister on the able manner in which he introduced his Estimates. He has done much to clear up the doubt and suspicion in the minds of people that we were not getting the best possible results from our railways. I must speak in defence of what was really an attack on the wheat growers of the State. While I admit that the freights on wheat and super are considerably lower than on some other goods, yet I believe these are among the best paying freights carried by the railways. In every instance it is possible to make up a full train load of wheat and, consequently, the full capacity of the engine is employed. Therefore there is no loss as regards rolling stock or service. The same applies to super. It is a recognised fact that the months in which the greatest quantities of wheat are carted are February, March and April, and these are the months when the farmer gets his super for seeding. I do not like members misleading the Committee into the belief that the farmer does not make the best use of his time by carting in his wheat and carting back his super on the one journey. This is a recognised principle with farmers. I guarantee that if a full train load of super were required anywhere, it could be supplied. Sometimes, through lack of business acumen, or perhaps owing to the fault of financial institutions the farmers are not able to make the necessary arrangements to get their super away from the works so that they can use the trucks as backloading. In most cases, however, this is done and therefore it must be profitable work for the Railway Department. Otherwise, the department would have to haul the trucks back empty. Most of the trucks come from the port of Fremantle and the super works are either at Fremantle or along the road to Midland Junction. Therefore, no great loss can be made by carting back super at a low rate.

Mr. Marshall: Would you give similar concessions to the mining industry?

Mr. LATHAM: Yes, if that industry provided back loading.

Mr. Marshall: On copper ore and wool.

Mr. LATHAM: Concessions are already granted on ore. The mining industry does not receive the concessions I would like it to get, but I do not see why the member for Murchison should be annoyed because one section of the community gets something he cannot get. Why does not he agitate to get some of these concessions? I shall be prepared to help him to get them, if he can show that full train loads can be made up.

Mr. Marshall: For copper ore, wool and timber?

Mr. LATHAM: I do not think that full train loads of copper ore would be available. Special train loads are carried at a reduction of 10 or 15 per cent. Some of the losses made by the Railway Department occur in connection with non-paying lines, such as the Ravensthorpe and Port Hedland, for example. It is impossible to-day to make those railways pay working

expenses, let alone interest. The losses have to be made up by other sections. So it is perfectly clear that while the freights on wheat and super are not very high, they help to meet the department's deficit. In reading the report of the Commissioner of Railways I was struck with the financial results set out on page 7. They show that the earnings of what the Commissioner terms isolated railways—Ravensthorpe and Port Hedland—total £13,687, and working expenses alone amount to £19,556. However, those are railways which have been put down for a purpose, and they serve that purpose. The Minister told us last night that very little traffic was going over the Kanowna line. I quite agree with the Minister that it is not desirable to pull up such a line while there is a possibility of further mining developments in the district. A considerable number of railways, I believe, could be put to better use if there were co-ordination between the Public Works Department and the Railway Department. I was particularly struck with a paragraph in the report of the Commissioner of Railways stating that certain additional sections should be constructed in order to assist working operations. He gives as an instance the line from Narrogin to Narembeen, 120 miles long, which is worked as a dead end; and he says that by the building of an additional section of 52 miles, half the cost of working would be saved. These are some of the things which occasion the deficit on railway working. I consider that the information given us by the Minister last night entitles us to congratulate ourselves on the management of the railway system. We are sure to have little troubles in a great concern like the Railway Department, involving an annual expenditure of two millions sterling; but an analysis of the report of the Commissioner of Railways proves that not a great deal of improvement can be effected without the provision of considerable additional capital. If it is only a question of increasing the rates on wheat and super by the small amount required to raise them to 2d. per ton per mile, I do not know that the farmers would greatly object. But it does seem to me unfair to be continually putting up the bogey that the farmers alone are responsible for the annual loss on the railway system.

Mr. WILSON (Collie) [3.6]: In addressing myself to the Railway Estimates I desire to compliment the Minister for Railways on the fair and impartial manner in which he presented them. I was greatly struck by certain references made last night to the Collie coal industry. A good deal of misconception exists in the minds of hon. members regarding that industry. The report of the Royal Commissioner on the Railway Department contains the following statement:—

The price paid for Collie coal is in the opinion of the Commissioner excessive.

What does the Royal Commissioner really mean by that statement? Does he wish to suggest that if the Commissioner of Railways saw fit to buy coal in the open market from the Eastern States, he would get an enhanced value for the money he pays out? However, the Royal Commissioner merely makes the

bold statement that the price paid for Collie coal is excessive. He does not substantiate that opinion with any facts. He asked Mr. Evans, the locomotive engineer, whether he did not think the price of Collie coal too high. Mr. Evans replied—

I do not think that it would be less expensive to use Newcastle at the present price than it is to use Collie coal.

Here we have the man who uses the coal declaring that he does not think Collie coal more expensive. The inference from the statement of the Royal Commissioner would be that the Collie coal companies are receiving boosted prices as compared with Eastern States coal prices. I desire to give hon. members particulars of the real prices paid for Collie coal during the past few years. In 1914 the price paid for Collie coal was 10s. 9¼d. per ton. Last year the price was 17s. 7¼d., or an increase of 63 per cent. on the 1914 price. On the other hand, the price of Newcastle coal in 1914 was 23s. 10d., and this year it is 47s. 5d., showing an increase of almost 100 per cent. For Collie coal at the pit's mouth an average price of about 17s. 7d. per ton is paid. The tonnage produced at Collie has increased. The Minister for Railways and the Commissioner of Railways have been particularly good in trying to get Collie coal used almost exclusively on our system. It is something to speak of and say that a quarter of a million tons of Collie coal were used by our railways last year, and only about 8,000 tons of imported coal. Again, there is the increase in the use of shipping coal from Collie. For this year that private trade reached the vicinity of 300,000 tons. I may say that the Government, while they are now paying an increase of about 7s. per ton for Collie coal, have not forgotten to increase the freight on Collie coal to private consumers by about 7s. per ton. Previous to 1914 the cost of transport from Collie to Perth was 6s. 3d. per ton; now it is about 13s. per ton. This shows that the Government have a payable proposition in connection with the export of Collie coal. There are only two industries which compare more favourably than Collie coal in the matter of transport. They are timber and wheat. Collie coal stands third on the list. Now I wish to give the Committee particulars of what the Government have gained by using Collie coal, practically exclusively since 1916. It is often said by members opposite that our farmers should receive world's parity for their wheat. Nothing like world's parity has been given to the Collie coal industry. Let me say that when I speak on behalf of that industry, I speak especially on behalf of the miners. The coal companies can look after themselves. In 1916 the price paid for Collie coal was 11s. 5d. per ton. On the equitable value, taking the basis laid down by Mr. Hume when the present Minister for Works was Commissioner of Railways—

The Minister for Works: I had to pay 8s. 9d. for it, and I did not like that.

Mr. WILSON: No; because the Minister was too conservative to use the Collie coal. But now that coal is appreciated. At one time it was thought that there was nothing good in the West.

The Minister for Works: I recognise the worth of the coal.

Mr. WILSON: Many drivers who formerly were opposed to Collie coal now say, "It is our own commodity," and do their best to use it.

The Minister for Works: So they should.

Mr. WILSON: It says much for the patriotism of those men that last year a quarter of a million tons of Collie coal were used, and only 8,000 tons of Eastern States coal. The equitable price of Collie coal in 1916, instead of 11s. 5d. as actually paid, should have been 19s. 11¼d. Thus the Government of 1916 received a bonus from the Collie coal industry of £60,000. In 1917 the price actually paid for Collie coal was 12s. 11d., whereas the price which should have been paid was 21s. 4¼d., the difference representing a bonus to the Government of £85,000. In 1918 the price paid for Collie coal was 13s. Just imagine that during the war, in 1918, the Collie people gave this country coal at 13s. per ton, when in England it was selling at £4 or £5 per ton. And still we find persons trading local industry. Instead of 13s., the Collie people should have received 23s. 4¼d. per ton. They gave to the Government for that year a bonus of £109,000. In 1919 the price for Collie coal to the Government was 15s. 5d. It should have been 29s. 9d., the difference representing a bonus of £149,000. The price of Newcastle coal at that time was 41s. 8d.

The Minister for Works: I could have bought Collie coal at 6s. per ton when I was Commissioner.

Mr. WILSON: I remember the time when coal was hewn from the mines of the Duke of Hamilton, in Scotland, at 10d. per ton, the Duke receiving 2s. 6d. royalty on it. Surely the Minister does not stand for that sort of thing.

The Minister for Works: No.

Mr. WILSON: I also remember ironstone being got by the miners in the Old Country at 1s. 3d. per ton. But that has nothing to do with present conditions.

Hon. W. C. Angwin: You could get Collie coal at one time for 4s. 6d.

The Minister for Works: It was offered to me at 5s. 6d., but I was not allowed to buy it.

Hon. P. Collier: It does not matter what it was then; what is the value now?

Mr. WILSON: We could have bought wheat at 2s. 6d. a bushel at one time, but we cannot buy it at that now. Members of Parliament used to receive £200; now they get £400. Coal miners are as much entitled to receive increases as anyone else. The saving effected by using Collie coal last year was enormous.

The Minister for Mines: The saving for the year 1921-22 was £144,000, and yet we

bought imported coal. That saving takes into account the calorific value.

Hon. P. Collier: That is the actual saving.

The Minister for Mines: Yes, taking into account the calorific value of the article.

Mr. WILSON: It has often been sneeringly said that masters and men got together some years ago and went over East to get what they wanted. I happened to be a miners' delegate and went across twice. At that time the miners in the Eastern States had had an advance in their wages and the owners had received an advance in the price of coal. These people always got their increases four or six months ahead of the advances granted here. Since the year 1916 no less than £727,000 has been saved to the State by the use of Collie coal. The Royal Commissioner, Mr. Stead, draws attention to the Premier coal. I do not know whether that is because I happened to be the pioneer of the Premier mine, but he continued to pick at the coal from that mine. It might be interesting to the Minister to hear why I went out and secured that lease. When I was general secretary, I was also what is known as a check inspector. I went along one morning to inspect and take the ventilation records at a mine in Collie and the manager said to me "You cannot go down, Wilson." I said "What is the matter?" He replied "You are not eligible. The Coal Mines Regulation Act provides that a practical working miner may be appointed to go down a mine and inspect a face and see that the ventilation is good." I said, "Do you infer that I am not a practical miner?" He replied "You are too practical, but you are not a working miner." My reply was, "So that is the tissue paper you are sitting on." I decided then to go out and prospect for myself, and at a later date found the Premier lease. With regard to the coal from that property, it is admitted that it is too light, but I take the stand that the Royal Commission appointed by the Scaddan Government did more to prove the value of Collie coal than Mr. Stead could ever hope to do by listening to tittle-tattle around the street corners. Mr. Stead says in effect that the Premier coal is not suitable. Where did he get his experience on which to base his opinion? I do not know, but I can tell him where I got my experience. I was on the locomotive which carried out all the tests, and it has been conclusively proved that a mixture of Premier coal with one of the hard coals gives the best of results, and is better for locomotive purposes than the best coal from Collie. In spite of that some people have thought fit to decry Premier coal and Cardiff coal and all soft coals instead of making up their minds to mix them with the hard coals, a procedure which it would pay them to do. Mr. Stead says—

Premier mine coal: Your Commissioner gave particular attention to this coal and evidence shows that it is not a suitable coal for locomotives.

What attention did he pay to it? Did he carry out any locomotive tests with it? I can tell him it is one of the best coals for stationary engines.

Mr. Teesdale: Is it not getting fair treatment?

Mr. WILSON: The Government have always tried to be fair, but I am talking about Stead condemning it, merely on tittle-tattle. I was a member of the Royal Commission, the chairman of which was Prof. Woolnough, the other member being Mr. Simpson, now Public Service Commissioner, and during the course of our investigations locomotive tests were carried out by the department's own drivers. Perhaps I had better read what that Royal Commission had to say on the subject—

Referring to the trials with hard and soft Collie coal (Proprietary and Premier) it is found that the consumption with the mixed coals is less than the average of the two coals combined, when burned separately, the best results being obtained with equal proportions of each—quantity expected 153.05; actual quantity 143.1; improvement 9.55.

Then the report goes on to say—

The admixture of these two coals gave excellent results in the firebox, the faults of both coals being minimised and the steaming improved.

This was the report that was presented about eight or nine years ago and up to the present time practically nothing has been done to carry this finding through. Mr. Stead fishes out the gist of this report but before doing so he condemns the Premier coal, a most unfair thing to do. A word now about a State coal mine. I have always believed in the nationalisation of the coal mining industry, and I am correct in stating that when the Labour Party were in power I put up a scheme for the nationalisation of coal mining which could have been carried out without a penny being spent by the Government of the day. In my opinion, if the Labour Government in those days could have seen ahead of them, we should have had the whole of the Collie coal fields for nothing. Coal is one of the industries that should be nationalised.

Mr. Pickering: It is a key industry.

Mr. WILSON: That is so. Western Australia had a State coal mine many years ago. Sir John Forrest established one in Collie and it was producing the best coal there, the same coal as that from the Proprietary and the WallSEND mines. The Government of the day, however, did not try to make it pay, and after a time they disposed of it for practically a song to a man named Deakin who, in turn, palmed it off on to the late Mr. Zeb. Lane, and in that way the mine passed out of the hands of the State. With regard to the traffic congestion at Collie, the present Commissioner of Railways has made suggestions for the purpose of coping with it. In his report of last year the Commissioner indicated that there should be a connection from Muja or

Shotts to Cardiff on to the Preston Valley near Mumballup which would give an alternative route for wheat and coal to the port of Bunbury. Collie is an exceedingly busy place in the summer months. Thousands of tons of coal leave there every week. The Minister for Mines speaking at a meeting at Collie only a couple of weeks ago drew attention to the fact that in 24 hours no less than 3,600 tons of coal and timber left the district.

Hon. W. C. Angwin: We can regard safely what the Minister says because he is a tee-totaller.

Mr. WILSON: I can vouch for the fact that everything was all right with the Minister while he was in Collie. Moreover, I had the statistics and I knew he was correct in his statement.

Hon. W. C. Angwin: There would be no fear of the Minister seeing the figures twice over.

Mr. WILSON: I desire to give the Commissioner of Railways credit for being able to see ahead. I do not care whether coal goes to Fremantle or to Bunbury. That is immaterial to me so long as the bawbees come into the country.

The Minister for Mines: The coal may go to Albany.

Mr. WILSON: I hope so, and in passing I may say that there is talk of other coalfields being developed in this State. I shall be pleased to hear of the successful development of better coalfields because the country that has a large field of good coal soon becomes rich in industries, and that is what we want here. In the course of the Address-in-reply, the member for Menzies (Mr. Mullany) saw fit to bring up the question of the excessive price of coal, the old parrot cry, and incidentally the rate of wages paid to the miners. I do not know where he got his figures from, but I know that I got mine from the general secretary of the miners' union and from the companies. It is said that coal miners make very high wages, but people who talk like that forget that the period of a coal miner's work is intermittent. In fact, he is like the lumper in many respects. He may work a couple of days and then be idle for a time. The member for Menzies said that I had asked a series of questions relating to relative prices of Collie and Newcastle coal. The Minister supplemented his answers with this statement—

The equitable price of Collie coal, being a national asset used for a national purpose, should be the cost of production based on fair rates and conditions to those employed in the industry, and a fair margin of profit on the capital invested therein, irrespective of the price of Newcastle, Welsh, American or any other coal.

In the Cardiff mine during the week ended 22nd July, the men worked three and a half days and received £4 8s. 1d., out of which they had to pay for their lamps and for other incidentals. In the succeeding weeks their earnings were as follows: 29th July, £4 8s. 1d.; 5th August, £2 18s. 8d.; 12th August,

£2 18s. 8d.; 19th August, £3 16s. 4d.; 26th August, £3 16s. 4d.; 2nd September, £4 18s. 10d.; 9th September, £4 18s. 10d. These are the allegedly excessive wages paid to Collie miners. In some of the mines even now men are working only three days a week. They have often to stand by and wait for a ship to come in. It has been said that some lads are making as much as is paid to men on the machines in Kalgoorlie. It must not be forgotten that the award provides that the adult wage shall not be paid to any person under the age of 19. A young fellow of 19 is as good a man as ever he will be. Of course some of them get tit bits. There are men in this House who get tit bits. Ministers and whips get more than the ordinary member, because they do extra work.

Mr. Teesdale: They are welcome to it.

Mr. WILSON: Yes. If a miner makes £5 or £6 a week it is just a little ray of sunshine that comes his way. Up to the present very few companies have paid dividends. Profits may have been made out of the amalgamation, but whether the amalgamation will ever pay dividends is another question. We had six companies in Collie four years ago, the Proprietary, Westralian, Scottish, Co-operative, Premier and Cardiff. Now there are only two. Whether those people who have subscribed the capital in the Amalgamated Collieries will ever get dividends time alone will tell. In the Premier mine no dividend has ever been paid and no dividend is likely to be paid during the next four or five years. The Government have assisted this company to the extent of £2,000 or £3,000 under the Industries Assistance Act. The company struck a bad spot. They put their tunnel down and everything looked promising. After a few months' work the roof had no solidity and the floor turned out to be shifting sand. A crowbar could be driven into the floor and lost. After they had spent £15,000, an inspector declared that the mine was a death trap. These are some of the facts with which members are not familiar. The miners work only intermittently as they have to wait for ships to come in. There may be a ship to-day and not another for a fortnight. Their work is as intermittent as that of lumpers. The Governments of the past and present day have done their duty by trying to foster the industry, because they realise that it is a national asset.

Progress reported till a later stage in the evening.

## BILL—LAND AND INCOME TAX ASSESSMENT AMENDMENT.

### Council's Amendments.

Returned from the Council with a schedule of seven amendments which were now considered.

### In Committee.

Mr. Angelo in the Chair; the Premier in charge of the Bill.

No. 1.—Clause 2—After the word “by,” in line 1, insert “omitting Subsection 2, and is further amended by.”

The PREMIER: The effect of this amendment will be to strike out the 50 per cent. additional tax levied on absentees. I do not propose to agree to the amendment.

Mr. O’Loughlen: See that you stand up to it.

The PREMIER: I move—

That the amendment be not agreed to. Question put and passed; the Council’s amendment not agreed to.

No. 2.—Clause 2—Add the following proviso after 2 (b):—“Provided that in any assessment made under this section a deduction shall be allowed for interest incurred by the person in the production of the income derived from dividends.”

The PREMIER: I move—

That the amendment be agreed to.

It is a fair and reasonable amendment and is already the law, being provided for in another part of the Act.

Question put and passed; the Council’s amendment agreed to.

No. 3.—Clause 2—Add the following at the end of the clause:—“Section 16 of the principal Act is further amended by inserting in paragraph (4) after the word ‘sale’ in the second line, the words ‘after the 30th days of June, 1921.’”

The PREMIER: This is a difficult proposition dealing with the profit on walk-in walk-out sales. We have taxed such profits illegally, but we refunded all that was collected where refunds could be demanded up to the 30th June, 1920. Last year another place amended the Land and Income Tax Assessment Bill and asked us to agree that only profits made on such sales after February of this year be taxed. That amendment was never considered by us, but it became law, because it was our fault that it was not struck out. Another place now asks that the legislation of last year be retrospective only to the extent of the 30th June, 1921. We provided for the 30th June, 1920.

Hon. P. Collier: Is it merely a matter of a year?

The PREMIER: Yes, but it is a pretty big thing. Our taxation Bill of last year imposed taxation on such profits made between the 1st July, 1920, and the 30th June, 1921. It is called retrospective legislation, and to an extent it is retrospective. Our Act went back to only June, 1920. We have refunded the taxation charged on profits on such sales made prior to that date. It can be reasonably argued that there was no law until the Bill of last year was passed, so that it did become retrospective legislation. A large number of people who made profits in this way before the passing of the Act were exempt from payment. By the passing of the Act we provided that for the past 12 months payments

should be made on such profits. Last year the Council objected to that on the ground that it was retrospective legislation. This year they have again objected and sent down this amendment. I am inclined to agree with it, at all events so far as bona fide sales are concerned, but there are many sales which are not, in my opinion, bona fide. Partners owning a business or a station can form themselves into a limited liability company and transfer their assets to the company after writing them up. The stock may be valued at £2 on the books of the department but on transference may be valued at a higher amount, and the partners transferring, actually to themselves, would be escaping taxation on the difference. I propose to agree to the Council’s amendment with a proviso that we make this clause apply to change in name of ownership only, so that when other people do sell their stock they will pay taxation on the proper amount. Perhaps the Council are justified in objecting to retrospective legislation and I think we ought not to fix the date at the 30th June, 1921, but the date on which last year’s Bill was introduced in the House, namely, the 31st August, 1921. If that were not done those who operated in May and June would be under one law, and those who operated in July and August would be penalised. I move—

That the Council’s amendment be modified by striking out the words “thirtieth day of June” and inserting “thirty-first day of August.”

Modification of Council’s amendment put and passed.

The PREMIER: I move—

That the Council’s amendment be further modified as follows:—Clause 2—Strike out the last three lines and insert “Section 16 is further amended by adding a proviso to Subsection 4 as follows:—Provided that where a taxpayer shall have furnished an income tax return, and shall have subsequently converted his or their business into an incorporated company, and holds or hold substantially the whole of the share capital of the company, and has not or have not received any cash consideration on the conversion of the business into that of a company, such taxpayer or taxpayers shall be exempt from tax under this subsection in respect of any sale of the business to such company effected between the 1st day of July, 1920, and the 31st day of August, 1921, if the company adjusts the value of the stock-in-trade, live stock, or other goods, chattels and effects so acquired by the company to the value as stated in the returns furnished by the taxpayer or taxpayers being the vendor to the company. Provided also that where such adjustment is made by such company the commissioner shall refund to the taxpayer or taxpayers the amount of tax paid by him or them under this subsection and exempted as aforesaid. This will mean that the proper profit will be shown by those partnerships which transfer

their assets to a company consisting, as often happens, of the original partners. Partners become a company and transfer their assets, placing on them a value different from that which appears in the department's books. These people will not escape payment of the proper amount of taxation if the amendment is carried. They were the owners before and are still the owners. This will enable the department to collect the tax from them on a proper basis.

Mr. PICKERING: It is impossible for any member to have an adequate conception of what the amendment means.

Mr. Teesdale: It is plain enough and we have a clear idea of what is intended.

Mr. PICKERING: This sort of thing leads to our amendments being discredited in another place and having them returned to us for reconsideration. I protest against members being placed in the position of not being able to get as full a grasp of the amendments as members of another place can do.

Further modification of the Council's amendment put and passed; the Council's amendment, as modified, agreed to.

No. 4—Clause 4. Strike out this clause.

The PREMIER: I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 5—Clause 5.—Add the following subsection to stand as 5 (a):—So much of the assessable income as is paid in calls on shares in a mining company or syndicate carrying on mining operations in Western Australia for gold, silver, base metals, or other minerals.

The PREMIER: I move—

That the amendment be not agreed to.

This means that all amounts paid in calls shall be exempt from taxation.

Hon. W. C. Angwin: It is in the Federal Act.

The PREMIER: It is not a reasonable proposal. Men put money into ordinary mining ventures with the object of making a profit. It is not reasonable that a man should be able to reduce the amount of his taxable income by the amount he has invested in this direction. If this were allowed to go through, we should not get any taxation from money invested in mining.

Mr. J. Thomson: You would get the dividend tax.

The PREMIER: That is a different matter. This merely applies to the investment of capital.

Hon. W. C. Angwin: They have not put in horse racing.

The PREMIER: They heard that the hon. member had given up betting. There are many avenues into which people put their money that are just as risky as mining.

Question put and passed; the Council's amendment not agreed to.

No. 6. Clause 5.—Insert the following:—“Section 30 of the principal Act is further amended by adding to Subsection (7) the following:—‘In ascertaining the sum to be allowed under this paragraph, the Commissioner shall determine the estimated life of the machine, implement, utensil, rolling stock, or article, and shall allow as a deduction in each year of the estimated life of the machine, implement, utensil, rolling stock, or article (whether in the use of the taxpayer or not) the sum obtained by dividing the cost of the machine, implement, utensil, rolling stock, or article, by the number of years of its estimated life; but the taxpayer shall bring into account in the year of sale any sum received by him on the sale of the machine, implement, utensil, rolling stock, or article. For the purposes of this subsection the estimated life of the machine, implement, utensil, rolling stock, or article shall be its reasonably effective life, assuming it is maintained in good order and condition.’”

The PREMIER: I propose to ask the Committee to agree to this amendment, subject to two modifications which I will move. The major part of what is suggested in the Council's amendment is already carried out.

Hon. W. C. Angwin: But in any case, people already include these matters in their taxation returns.

The PREMIER: That is so.

Mr. Teesdale: Will the Premier inform the House whether this amendment applies to printing machinery?

The PREMIER: It applies to all sorts of machinery, including printing machines.

Mr. Teesdale: I see the point.

Mr. McCallum: Why that interjection?

The PREMIER: I move—

That the Council's amendment be modified by striking out from lines 9 and 10 the words “whether in the use of the taxpayer or not.”

If we agreed to the amendment as it stands, it would mean that machinery could be kept in stock and not used, and yet depreciation could be claimed in respect of that machinery. I do not mind agreeing to this provision being made regarding machinery in use, but it is asking too much to agree to it in respect of machinery that is simply stored.

Hon. W. C. ANGWIN: I am surprised that the Premier has agreed to the amendment at all.

The Premier: I intend to move a still further amendment.

Hon. W. C. ANGWIN: Where is there a company or a private individual carrying on any class of business, whether it be printing, farming, manufacturing or anything else, whose income tax returns do not include provision for depreciation?

Mr. Teesdale: Of course, that is the point.

Hon. W. C. ANGWIN: This amendment will mean that the Government will have to employ experts to value the various types of machinery.



The Premier: Only when it is considered the deductions are unfair.

Hon. W. C. ANGWIN: The Council's amendment sets out that the Commissioner shall do this; at the present time it is done by the individual. This may entail an expenditure which will be much larger than the tax to be collected. It is a silly ridiculous proposition. There is no objection to the Premier's amendment, but we should throw out the whole clause.

Mr. Teesdale: This is a most ridiculous proposal from the Council.

Modification put and passed.

The PREMIER: I move a further modification—

That in line 16 after "article" the words, "in excess of the depreciated value" be inserted.

The amendment will mean that when a machine is sold and it stands in the owner's books at a valuation of £100, if the price received is £150, the extra £50 will be regarded as profit on which taxation will require to be paid.

Further modification put and passed.

Council's amendment as modified put, and a division taken with the following result:—

Ayes	..	..	..	..	19
Noes	..	..	..	..	16
					—

Majority for .. .. 3

#### AYES.

Mrs. Cowan	Mr. Pickering
Mr. Denton	Mr. Piesse
Mr. George	Mr. Richardson
Mr. Harrison	Mr. Sampson
Mr. Hickmott	Mr. Scaddan
Mr. Johnston	Mr. J. H. Smith
Mr. Latham	Mr. J. Thomson
Mr. H. K. Maley	Mr. Underwood
Mr. Mann	Mr. Mullany
Sir James Mitchell	(Teller.)

#### NOES.

Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Munsie
Mr. Collier	Mr. Teesdale
Mr. Corboy	Mr. Troy
Mr. Gibson	Mr. Walker
Mr. Heron	Mr. Wilcock
Mr. Lutey	Mr. Wilson
Mr. Marshall	Mr. O'Loghlen
	(Teller.)

Council's amendment as modified, thus passed.

No. 7. New clause.—Add the following new clause to stand as Clause 9:—"Section 3 of the Land and Income Tax Assessment Act 1921 is repealed."

The PREMIER: I move—

That the Council's amendment be not agreed to.

We have allowed improvements on properties to be amalgamated for the purposes of tax-

ation. We stated that where a person held blocks not more than 10 miles apart the improvements required on the two could be carried out on one block and they would be regarded as spread over the two blocks. We have given these people time to carry out improvements and we should no longer agree to any such provision. We have had to deal with a Closer Settlement Bill. It is only reasonable to ask that these holdings should be no longer neglected. It is sought to amend last year's Act by striking out Section 3, which permitted this consideration to be given to land holders. It is no good talking about closer settlement and forcing the land adjoining railways into use if we continue permitting these things to be done.

Question put and passed; the Council's amendment not agreed to.

Resolutions reported and the report adopted.

Reasons for disagreeing to four of the Council's amendments adopted, and a message accordingly transmitted to the Council.

#### BILL—LICENSING ACT AMENDMENT.

Message—Governor's Amendment.

Message from the Governor received and read recommending that Clause 99 be deleted, as he was advised that in view of his instructions the Bill must otherwise be reserved for the Royal assent.

The PREMIER (Hon. Sir James Mitchell—Northam) [4.42]: I move—

That the Bill be recommitted for the purpose of considering the amendment recommended by His Excellency the Governor.

During the course of the present sitting I will introduce another Bill containing the clause the deletion of which is suggested. That Bill can wait for the assent of the King. If the Bill now before us is reserved for the assent of the King, it cannot come into force for a month. It is a matter of such importance that the Licensing Act Amendment Bill should be brought into operation immediately, that I have no hesitation in asking the House to agree to the course I suggest.

Question put and passed.

Recommittal.

Mr. Angelo in the Chair; the Premier in charge of the Bill.

Clause 99—Employment of Asiatics:

The PREMIER: I move—

That the amendment be made.

Mr. MARSHALL: While entirely sympathising with the Premier's desire that this Bill should operate for the rest of the financial year, I wish to know exactly when the other Bill to which he has referred will be brought down.

The Premier: I have it here now.

Mr. McALLUM: If this matter is allowed to pass without comment we shall establish

a precedent that may be used in time to come with dangerous effect to the democracy of the country.

The Premier: Oh no.

Mr. McCALLUM: I believe this is the first time in the Parliamentary history of this country where a Bill has been returned by the Governor with a request that Parliament should alter it.

The Premier: Bills are very often held up for Royal assent.

Mr. McCALLUM: This is an entirely new procedure. The Message states that the Governor is acting in accordance with instructions. We should know what those instructions are. When the elected representatives of the adult population of this country pass a law without a dissentient voice, it is difficult to understand that instructions should come from 10,000 miles away questioning the decision arrived at. I understand that messages have been received questioning laws that this Parliament passed some years ago, and if I understand the position rightly, it has been practically stated that Parliament is not to interfere on certain given subjects.

The Minister for Mines: No such message has ever been received.

Mr. McCALLUM: Parliament and the people are entitled to know what instructions were received by the Governor. We are supposed to be a sovereign Parliament and we are supposed to be a democracy, and now we are told that no matter what this Parliament may decide, the decision has to be reviewed.

The Minister for Mines: That is part of the Constitution.

Mr. McCALLUM: It is the first time in the history of the State that it has been exercised in this manner.

The Minister for Mines: The object is to secure immediate assent to the Bill.

Mr. McCALLUM: I quite understand that it is in order to allow the Bill to become law immediately, and that otherwise the Bill would be reserved for Royal assent.

The Minister for Mines: This particular clause would compel it to be reserved for the Royal assent.

Hon. P. Collier: Rather than lose the whole Bill the present course is followed.

Mr. McCALLUM: We are tampering with a very dangerous principle.

Hon. W. C. Angwin: It is not being tampered with in the least.

Mr. McCALLUM: At any rate it does not suit me.

Hon. W. C. Angwin: Show me where there has been any tampering.

Mr. McCALLUM: I say there has been.

Hon. W. C. Angwin: Nothing of the kind.

Mr. McCALLUM: I am responsible for my own views and no matter what is said I shall not allow the matter to pass without expressing my opinion.

Hon. P. Collier: The matter really involves the relationship of the Crown with these people.

Mr. McCALLUM: But the Governor tells us that he has received certain instructions.

Hon. P. Collier: From the Crown.

Mr. McCALLUM: Are we not entitled to know what those instructions are?

The Minister for Mines: We know from the Constitution what those instructions are.

Mr. McCALLUM: The Constitution does not set out which Bills are to be reserved for Royal assent.

The Minister for Mines: But we know that a Bill can be so reserved when it deals with an international matter.

Hon. T. Walker: In some cases a Bill must be reserved.

Mr. McCALLUM: The Constitution does not definitely set out which Bills are to be reserved.

The Minister for Mines: You might pass a Bill involving the Empire in war.

Mr. McCALLUM: I have been told that there have been instructions issued which may be used with considerable effect against the democracy of this country carrying out its own wishes.

Hon. W. C. Angwin: You cannot carry out your own wishes in everything.

Mr. McCALLUM: I know that. We are a sovereign State; we make our own laws and we should know if there are instructions to limit us. I am making my protest against the course that is being adopted.

The Minister for Mines: Are you making a protest against Bills being reserved for Royal assent?

Mr. McCALLUM: No, against Bills being passed in the dark, without our knowing what the instructions are that are limiting our power. It is quite evident that those instructions do limit our powers.

The Minister for Mines: You have been told pretty plainly that the clause must be excised if we want the rest of the Bill to go through.

Mr. McCALLUM: This matter is just on the fringe of the principle of a white Australia.

The Minister for Mines: It has nothing to do with it.

Mr. McCALLUM: It has. For many years I have heard of certain instructions having been issued, and now we have it definitely from the Governor that he has those instructions. Parliament is entitled to know what they are. We should know whether the Constitution and our powers are being whittled away.

The Minister for Mines: Not in the slightest.

Mr. McCALLUM: We are told here that in regard to this one clause we are not to have our way because it must be reviewed.

The Premier: Nothing of the sort.

Mr. McCALLUM: The Governor says he cannot agree to it being made law without consulting the Crown. That is as good as saying that our decision has to be referred to London before it can be made law. We should know what instructions the Governor has received.

Hon. W. C. Angwin: They are contained in the Constitution Act.

Mr. McCALLUM: The Constitution Act does not deal with this subject at all. There are statutes in existence to-day containing clauses exactly similar to this one.

The Minister for Mines: The Factories Act was reserved for Royal assent. Scores of Bills have been reserved for Royal assent since I have been a member.

Mr. McCALLUM: Very few. I quite understand that it may be possible for a Parliament in a part of the British Empire to arrive at a decision which may involve the Home authorities in complications.

Mr. Teesdale: I am sure you appreciate that.

Mr. McCALLUM: I am not desirous that this Parliament should do anything of that nature. No such proposition would have any support from me. But it should be known, if this proposal goes to England, that we view with grave concern the principle of responsible Government, and when we are told in a Message from the Governor that he has received instructions and that those instructions affect our power to make our own laws, we should know what those instructions are. We are entitled to know where we stand, and whether there has been interference with our authority.

Hon. T. WALKER: This is a clear case where the House is justified in taking the course suggested. No one will doubt the earnestness and sincerity of the member for South Fremantle (Mr. McCallum) in advocating in its every phase the question of not only a white Australia but freedom from secret interference with the full autonomy of Parliament. But if the hon. member consults his own Standing Orders he will find that instructions are issued not alone to the present Governor, but to all Governors and deputy Governors and administrators who may for the time being occupy the office. These instructions are published in our Standing Orders, page 217. These instructions are general. They are stereotyped; and they are for guidance for all time. They have the imprimatur of the King himself. These instructions were given at Our Court at Saint James's on the 29th day of October, 1900, in the 64th year of the Queen's reign, and they have been in force ever since. On page 219 it will be found that it is incumbent upon His Excellency to reject certain measures or portion of certain measures. Clause VII. reads:—

The Governor shall not, except in the cases hereunder mentioned, assent in Our name to any Bill of any of the following classes:—(1) Any Bill for the divorce of persons joined together in holy matrimony. (2) Any Bill whereby any grant of land or money, or other donation or gratuity, may be made to himself. (3) Any Bill affecting the currency of the State. (4) Any Bill, the provisions of which shall appear inconsistent with obligations imposed upon us by treaty.

We have treaties and compacts and contracts with other parts of the British Empire, and with Asiatics who are not of the British Empire, and this clause affects such people. Members are aware of the very acute feeling existing in India against anything like restrictive legislation on the part of the States of the Commonwealth. The instructions preclude the Governor from assenting to any Bill, the provisions of which "shall appear" to be inconsistent with treaty obligations. This clause appears to limit or restrict or legislate for these treaty nations who are Asiatics, such as Japanese and Chinese, and those who form part of our Dominions but who might also be restricted under the clause we have passed. Therefore this clause clearly comes under the Governor's instructions. If the provision only "appears" inconsistent with the Empire's obligations, the Governor is bound to object to it and must either return it to Parliament for reconsideration or reserve the Bill for Royal assent.

Mr. LUTEY: I am pleased that the member for South Fremantle (Mr. McCallum) voiced the views held by a number of members. No doubt this Bill requires the Royal assent, but it is well that our views should be stressed so that, if the Bill is sent Home, our views will be known to the authorities on the other side of the world. Years ago Sir Henry Parkes spoke very emphatically to the Imperial Government and the strong stand he took did much to preserve to us our white Australia. In dealing with this matter, the Imperial Government will doubtless consider the views expressed by the representatives of the people and I am glad the member for South Fremantle put the point so clearly.

Question put and passed.

Resolution reported the report adopted, and a message accordingly forwarded to the Council.

## BILL—LICENSING ACT AMENDMENT (No. 2).

All Stages.

Introduced by the Premier and read a first time.

Second Reading.

The PREMIER (Hon. Sir James Mitchell—Northam) [5.5] in moving the second reading said: This Bill merely re-enacts the clause we have just cut out from the Bill which has already been passed, and nothing more.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate; reported without amendment and the report adopted.

Read a third time and transmitted to the Council.

*Sitting suspended from 5.10 to 7.30 p.m.*

# ANNUAL ESTIMATES, 1922-23.

In Committee of Supply.

Resumed from an earlier stage of the sitting.

Mr. CORBOY (Yilgarn) [7.35]: I wish to speak about the retirement of one of the officers of the Railway Department and to deal with the principle rather than the individual. This officer has been in communication with the department, and I do not wish it to be thought that I am pressing his case here at his request. The officer in question has been in the service of the department since March, 1897, a matter of some 25 years. He held various positions. Prior to 1916 he became clerk in charge of the record room of the Chief Traffic Manager's office. In 1916 he was transferred to the position of clerk in charge of records of the Perth goods agent's office. On the 15th July last this officer was advised by the Chief Traffic Manager that owing to depression in trade, and the consequent necessity for retrenchment, there was now no position where he could be suitably placed, and that it had become necessary to dispense with his services. He was informed that his services with the department would terminate as from the 17th August, 1922, and he was required to relinquish duty on that date. The communication to him said, "Approval has been given to your being granted a retiring allowance equivalent to 12 months' pay." This was signed by Mr. Lord, the Chief Traffic Manager. The retirement took place at a time when a number of retrenchments were being made in the department owing to the depression in trade. This officer had served in an established capacity, and it is contended that he is entitled to the benefits of the Pensions Act, 1871. The retirement was due to the reorganisation of departmental activities, and not to any misconduct or fault on the part of the officer. It is not contended by the Commissioner that he had not served in an established capacity. He received a salary of £270 per annum, and that amount has been offered by the Commissioner in full settlement of his claims and has been accepted, without prejudice, by him. The question of granting this officer a pension on his retirement was brought before the Commissioner, on one occasion in particular by a deputation from the officers' union. The case was submitted by the Commissioner to the Public Service Commissioner to ascertain what would be done in a similar case in the Public Service. Consequently upon the reply received from the Public Service Commissioner, the Commissioner of Railways stated that in view of the expressions of opinion on the file by responsible officers, it seemed doubtful whether the necessary certificate could be given, and that, should this prove to be the case, it would then be a question of what cash allowance could be granted to him in

the event of his retirement. Under the Pensions Act it is necessary for an officer who is being retired in these circumstances to obtain from the head of his department a certificate of satisfactory service. In this officer's case there are apparently on his personal file some reports that are not favourable to him, and which have been taken into consideration by the authorities in dealing with the case. It is wrong that senior officers should be able to place on the personal file of another officer detrimental reports, unless such reports have previously been brought under the notice of the officer concerned. Whilst in the service I always thought I should have been acquainted with what was on my personal file, so that I might have a chance of refuting any misstatements.

Mrs. Cowan: It is a most unfair practice.

Mr. CORBOY: Officers frequently know nothing of the nature of the reports that have been placed on their personal file. In the case of a serious misdemeanour, the officers are made acquainted with the reason for their retirement, but usually they know beforehand.

The Minister for Works: I thought they could always see their personal file.

Mr. CORBOY: I was denied the privilege of doing so.

The Minister for Works: For years officers have been able to see their personal files.

Mr. CORBOY: I can speak only from personal experience. The position in this officer's case is somewhat similar to mine. He knew nothing of the report on his personal file but apparently these documents decided the Commissioner in refusing to grant the certificate necessary to enable the officer to get a pension. He has not been called upon for any explanation concerning the matters referred to on his file, nor did he know what appeared there. The union wrote to the Public Service Commissioner, as chairman of the Pensions Board, asking if the board had considered Connolly's claim to a pension, and if the information supplied by the Commissioner of Railways represented the decision of the board, or was a mere expression of opinion. The reply received was that as Connolly had not reached the retiring age, he could be granted a pension only under Section 7 of the Superannuation Act, but that, before such pension could be recommended, the Commissioner would have to grant him a certificate. The reply of the Public Service Commissioner was different from that received from the Commissioner of Railways. The union asked that a certificate should be granted to this man, but it was refused. The contention was that the services of the officer were not as efficient as they might have been. That is a wrong attitude to adopt. If Connolly was not efficient, he was not to blame. The department kept him in a job for 25 years, and placed him in a responsible position as officer in charge of the records of the Chief Traffic Manager's

office. The officers senior to Connolly were responsible for his being placed in an important position, and it was their fault if he was not efficient for the work. It is unjust, when he is retired as an excess officer, to deny him his rights under the Pensions Act. He was placed in a position which those over him thought he was capable of filling. I will compare the difference between the treatment meted out to this officer and that meted out to another. Connolly gave the best of his services to the department for 25 years. He was retired without any pension. Another officer was dismissed some time ago for grave misconduct. He appealed and his case was dealt with by the appeal board, with the result that he secured his pension of £300 per annum. I refer, of course, to the case of Shillington. He was dismissed for misconduct and got his pension. The other man was dismissed because the department was being re-organised and yet he was refused his pension, because of secret reports on his file. I do not want to labour the question, but I think it is grossly unjust to deal with a man like Connolly in the manner I have indicated, while meting out entirely different treatment to an officer who happened to hold a higher position in the service. Some protest should be made against the practice of placing secret reports on the files of public officers. This practice gives the man concerned no chance of refuting charges and when the time comes when he has to be retired, he loses the right to a pension, without having committed any wrong that he was capable of avoiding. The differential treatment meted out to Connolly and Shillington is striking and shows that grave injustice has been done in connection with pension matters.

Mr. MARSHALL (Murchison) [7.47]: After listening carefully to the remarks by the Minister for Mines and Railways when introducing his Estimates, one might assume that the financial position of the railways is much improved. Should the Estimates be realised at the end of the present financial year, that no doubt will be the position. It is pleasing to hear that that may be the case after the years of adversity, which have been experienced. The taxpayers have had to shoulder extra burdens in order to keep the wheels in motion. I have no desire to comment at length upon the report of the Royal Commissioner who investigated the work of the present Commissioner of Railways and his administration. Having laboured under the idea for many years that our railways were over-burdened, taking into consideration the work to be done and the tonnage to be carried, it is rather surprising to find that the Royal Commissioner did not comment upon that particular aspect. That was a subject which created a great deal of discussion in Parliament last year. The Royal Commissioner having failed to deal with that question, it is impossible for members to comment upon it at length seeing that we have not the inside knowledge that the Royal

Commissioner must have gained. As to the attitude of members of the Country Party regarding railway matters as applied to the agricultural industry, I have no desire to penalise any section of those engaged in primary production. Those hon. members, however, have displayed keen interest in connection with the carriage of superphosphates and other requirements of the farmers, at cheap rates. The primary producers are deserving of every encouragement and there is some justification for the application of cheap rates and freights in connection with super. and for back loading. When we consider, however, that the farmers and orchardists in Western Australia earn incomes running up to £539 per annum and more—

The Minister for Mines: That is not so.

Mr. MARSHALL: That is the average.

The Minister for Mines: Not at all.

Mr. MARSHALL: Then the Commissioner of Taxation is wrong.

The Minister for Mines: That figure represents only the average earnings of those who paid taxation. What about those who do not pay?

Mr. MARSHALL: That is the point I wish to make. There is a certain section of those engaged in primary production who derive benefit from the concessions accorded the struggling farmer, but who are in a position to pay the full charges. Country Party members talk about the deplorable position of some of the primary producers. They are perfectly justified in doing so but, at the same time, there is a section of those farmers reaping benefits and who are in a position to pay their way. It is unjust that concessions should be accorded those who are in a good position. The Government should extend concessions and give every consideration to the struggling farmers regarding the marketing of their produce but that should not be used as a lever to secure from the general taxpayers of the State relief for those who are in a position to pay. My sympathy is always with the struggling farmer and the Government should do everything possible to alleviate his position. I protest, however, against the wealthier producers receiving the same assistance. Wheatgrowers and fruitgrowers are not the only people who have laboured under adverse circumstances. There are squatters and pastoralists who barely eke out an existence in outback districts miles away from the metropolis, and who do not receive much consideration. No concession is extended to those people and they are called upon to pay the highest rates the railway officials can levy. Western Australia can be given the credit of assisting primary producers. That policy has not been confined to any one Government but it has imposed upon the taxpayers a heavy financial burden. When the position of the wool growers is considered, we find that different treatment is meted out to them. It cannot be said to the credit of the Government that the position of the wool growers whose

clips bring the highest prices in the open markets, is due to the assistance of the State. Our wool production is the outcome of the enterprise of private individuals, and the pastoralists and wool growers, who have had to carry on in the face of deplorable and adverse circumstances, are compelled to pay high rates in order that the wheat and fruit growers may get the benefits accorded them by the Government in the shape of cheap freights. These struggling people have had to pay their quota towards helping the wealthy wheat and fruit growers who can well afford to pay full rates. I trust members of the Country Party will recognise that in securing concessions, other industries should not be overburdened. The Minister stated in reply to an interjection during his speech that he did not consider there was an obligation on the Railway Department to grant concessions for the transport of various commodities and that assistance could be given in the form of back loading. When it came to a question of assisting the copper mining industry at Kumarina and Ilgarrarie, many miles inland, the action taken by the railway department did not carry out the contention of the Minister. How the departmental officials arrived at the charges they levied respecting copper ore, is a mystery to everyone except the officials themselves. There were three different rates struck bearing on the metallic value of the copper ore. I cannot understand how those rates were arrived at, because one rate was struck for copper ore showing a metallic value of £30, and another for ore showing a value of £60. Why there should be the difference, I cannot understand because the weight to be hauled remained a ton, whatever the value of the ore might be. Probably the influences bringing about this position had some relation to the assistance to be given to the prospectors and private interests trading in copper ore. The supposition may have been that the copper ore carrying the higher values could pay for the lower grade ore. If that be so, an injustice has been done. It is more costly to extract the ore carrying the higher values because the people concerned have to pay £5 a week in order to keep an official to classify the ores. The ore was taken to the railway junction and was trucked as valuable ore on which the freight that had to be paid was 52s. 7d. Yet on the other ore, which was worth £30 per ton, the freight was 26s. 6d. I would like the Minister to assist the copper industry by fixing a definite rate as backloading. If the prospectors out back are going to be harassed in this fashion by different rates of freight, which rates are not capable of being understood by anyone, then the industry as well as the department will be bound to suffer. The Railway Department should be satisfied with a small profit on backloading.

The Minister for Mines: Do you suggest there should be a flat rate irrespective of the value?

Mr. MARSHALL: Yes. I would not mind the department securing a small profit from backloading, but it cannot be argued that it is fair to have differential freights for carrying varying grades of ore. These irregularities should not exist.

The Minister for Mines: The irregularity that low grade ore is carried at less than cost?

Mr. MARSHALL: It was never thought by the prospectors that there was to be this varying rate, otherwise they would not have paid what they did for the classification of the ore. The Minister should ascertain exactly what the department are prepared to do. No one denies that the department are entitled to make a small profit on backloading. If something definite were fixed the prospectors would have an idea of the position they were in. I further call the attention of the Minister to several anomalies, which, while not of vital importance from the official point of view, are nevertheless vital to those people engaged in the industries which are at the terminus of railway lines, particularly on the Murchison. Let me mention the flat rate which prevails at the present time from Fremantle to Geraldton via the Midland line. The Minister will remember that I received a communication from Meekatharra on this point and that the reply I got on the subject was not satisfactory, inasmuch as unthinkingly, the Commissioner of Railways handed over to the Midland Railway Company freight which our own railways might have carried at a profit. I cannot see why the Commissioner should make this arrangement and so offer facilities to private enterprise to cater for Murchison freight by sea from Geraldton to Fremantle. This is being done at the expense of the taxpayers. If the commodity were carried via Wongan Hills at the same rate, we would thus be fighting the shipping company and adding to the revenue of the State. Unfortunately, in consequence of this particular agreement which the Commissioner has seen fit to enter into with the Midland Company, practically all freight is being drawn over the Midland line to Geraldton and there transferred to the Government line and forwarded on to the Murchison at what is known as the third class rate, which is 25s. to 27s. 6d. per ton cheaper. We are losing a great deal of revenue in this way.

Mr. Mann: But the consumers are getting the benefit.

Mr. MARSHALL: I would remind the hon. member that while the consumers on the Murchison are getting the benefit of £1 per ton, the Midland Railway Company, whose shareholders live in London, are receiving £2 10s. per ton.

Mr. O'Loughlen: And the deficit is growing all the time.

Mr. MARSHALL: So long as private enterprise can bleed the taxpayers white, the member for Perth will be satisfied. Provided the stick-fast fleas can get their heads in, the member for Perth is content.

The Minister for Mines: Will you get the members representing the North Province to support you? If you can get that support I will do what you ask.

Mr. MARSHALL: I will.

The Minister for Mines: They approached me and it was only by their pressure that I conceded the point.

Mr. MARSHALL: The Minister should be ready to do the district a good turn, not at the expense of the other fellow, but at the expense of the taxpayer. Geraldton will lose nothing inasmuch as the merchandise will still go through there. I will take the Minister's advice and will interview the representatives of the Province.

The Minister for Mines: Was it not their representations that prompted the Commissioner to follow this course?

Mr. MARSHALL: No. At the same time the arrangement is being carried on to the detriment of the railway service.

Mr. Johnston: Do not the same rates apply on the Wongan Hills line?

Mr. MARSHALL: This is a special agreement between the Railway Department and the Midland Company by which a flat rate of £2 10s. per ton is charged from Fremantle to Geraldton. There is no flat rate on any Government railways. I do not mind flat rates existing provided the State does not lose revenue.

Mr. O'Loughlin: Perhaps the Railway Department are catching it up on the stretch between Geraldton and Meekatharra.

Mr. MARSHALL: No. Third class rate is charged there and it is about 27s. 6d. cheaper. Another matter on which I wish to get information is in regard to freights. A firm at Meekatharra wrote to Fremantle or Perth asking for five tons of coal to be forwarded to them. They got word back to the effect that they were unwise in ordering five tons of coal, that it would have been more profitable to order six tons, because it would be cheaper to take a 6-ton truck, the freight being 34s. as against 52s. 3d. when less than six tons were raised. I ask the Minister whether it is not possible to put five tons of coal into a 6-ton truck and pull it at a lower cost than the six tons?

The Minister for Mines: There is very little difference.

Mr. MARSHALL: If there is any difference it should be in favour of the five tons; yet the department charged less for the 6-ton truck than for the five tons. My desire is to see that those who are living outback shall get justice. I wish also to enter a protest against the manner in which stock is railed at Meekatharra and intermediate stations and handled by the Department. I wish it to be understood that I am in no way blaming that section of the staff comprising the driver, fireman and guard of the train. Those officials are ever ready to do their best in the way of showing consideration for the stock, and seeing that it is landed at Midland Junction or elsewhere in the best possible condition. Unfortunately certain officials along the line seem to do what they like with the stock, irrespective of the wishes of the owners or anyone else. To the 10-10 p.m. train ex Meekatharra on Sunday the 2nd July several trucks of cattle were attached. Five bogeys were

kicked off at Yalgoo on the morning of the 3rd, and were left there for 14½ hours. The stock growers of the Murchison bring their cattle hundreds of miles to the railway and have to truck them before sunset. It is time Meekatharra was exempted from this regulation, which necessitates the cattle standing in the trucks for five hours before starting for the market.

Mr. O'Loughlin: What about the S.P.C.A.?

Mr. MARSHALL: They cannot interfere with the Government. They can prosecute the owner only. When the Government first took over the Wongan Hills line, they could run stock from Meekatharra to Robb's Jetty in 14 hours less than the time occupied to-day.

Hon. W. C. Angwin: You ought to know that the Government of to-day are much slower than the Government in power in 1911.

Mr. McCallum: They are a go-slow Government.

Mr. MARSHALL: I thought they were all for speeding up. The growers 700 or 800 miles inland are entitled to receive better attention, so that their stock will reach the Midland Junction sale yards in good condition. The schedule time for the journey is 54 hours. Why, no one knows. Years ago when there was vastly more traffic on the line, the journey was done in 40 hours. It is not fair to the distant stock raisers that they should be thus handicapped when they have to compete with other growers in close proximity to the sale yards. If the stock coming from the North-West via the Murchison arrives in poor condition, it has to be stored and fattened, and the price to the consumer is consequently increased. It behoves the department not to treat stock in the cruel fashion in which it is being treated at present. On the 25th October, four bogeys of cattle were kicked off at Nannine and four others were taken on in their place. The cattle from Meekatharra arrived at Midland Junction 18 hours late and missed the Wednesday sale. This was due to bad administration.

The Minister for Mines: You do not suggest that the head office in Perth wired up to have that done?

Mr. MARSHALL: That stock was in the trucks for 72 hours and the weather was pretty hot. The S.P.C.A. can do nothing but summons the owner, to do which would be most unfair. When the Railway Department are responsible, they should bear the penalty. I wish the head office would get busy and see that the traffic is conducted better than it is. At Mullewa on the 25th October, buyers were guaranteed that if they purchased stock which was being sold by Dalgety's and Elder, Smith & Co., they need have no fear that ample trucks and facilities would be available to transport the stock to any part of the State. A buyer from Sandstone purchased heavily. He got all the trucks he required and trucked his stock, but the station-master informed him that he had not an engine-driver. When the official was asked where the engine-driver was, he was told there was only one man who knew the line and he was away picnicking and would not be back for a week.

The Minister for Mines: Then we shall have to abolish those picnics.

Mr. MARSHALL: And a few of the departmental officers should be abolished, too. Pro-

ducers in the outback centres should not have to tolerate such injustices.

The Minister for Mines: You could only get someone else, and he would perhaps be away for two weeks.

Mr. MARSHALL: Our officers might be very good, but it might be possible to get someone better. At Mullewa, on the 25th October, a special train left with stock booked to Phillips of Northam. It was taken as far as Cue where half the train was taken off and the other half was backed into a siding and left there for 12½ hours. In place of the trucks taken off, an equal tonnage of rags, bones, bottles and wool was put on. If the bottles had been full, I could have understood the action of the department. Producers are suffering seriously in consequence of such neglect, and the treatment of the stock is most cruel.

The Minister for Mines: If your statement is correct, it is.

Mr. MARSHALL: The Minister can confirm it in every detail. I go to the Murchison about once a month, and it is noticeable that at every siding when the carriages are uncoupled, the stock is pulled and bumped up and down the line during the shunting operations, the animals being knocked from one end of the compartments to another.

Mr. McCallum: Giving them a longer ride.

Mr. MARSHALL: They do not require any longer ride than is necessary.

Mr. Chesson: The whole trouble is that there is only one engine to do the shunting.

Mr. MARSHALL: As a representative of the outback producers, I protest against this sort of thing. It is essential that the stock be carefully handled so that the metropolitan area shall be supplied with good meat at a cheap rate. Producers would have ignored the railway facilities entirely had the season been good, as they would have travelled their stock to market. They are forced into patronising the railways. Similarly, Murchison residents are conscripted by the Railway Department. I ask the Minister to see that justice is done to those people. Further, I wish to draw the Minister's attention to an anomaly with respect to railway tickets which inconveniences the people between Mullewa and Meekatharra. It is hard on those people that, when travelling from Perth to Meekatharra, say, they should incur the payment of extra fares because they happened to break their journey at, for instance, Mullewa. I know of a case in which a Meekatharra resident, stopping at Mullewa for the purpose of making a deal in stock, was required to pay the full fare to Meekatharra again. He was not permitted to break his journey.

The Minister for Mines: If he likes to do that sort of foolish thing, he ought to pay.

Mr. MARSHALL: Should the man have to pay an extra 50 per cent. simply for breaking his journey?

The Minister for Mines: He should buy his ticket to the place he wants to go to, as everybody else does.

Mr. MARSHALL: This happened to be an emergency, and the man was penalised. I disagree with the Minister. I consider that the Railway Department should permit anyone on a lengthy journey to have a break of a week,

without incurring extra fare. The present method seems to me an underhand way of securing revenue. We have heard a great deal about cheap railway freights and other concessions granted to a certain section of the community.

Mr. Pickering: You do not begrudge them, do you?

Mr. MARSHALL: Not where they are justified; but I do object to people struggling on the Murchison being taxed in order that privileges may be granted to south-western farmers who can afford to ride about in motor cars. Members on the cross benches never miss an opportunity of bewailing the poor circumstances of a certain section of the wheat growers, with a view to obtaining concessions for wealthy agriculturists.

Mr. Hickmott: You can do the same; you represent farmers now.

Mr. MARSHALL: We are not impostors. We want the State to attain a better financial position. We are not milkers of the State cow. We believe in justice and equity. I agree with members of the cross benches to a certain point, but there I must stop. I am bound to voice a protest on behalf of men struggling outback who are compelled to pay through the nose for every facility the State offers. Members on the cross benches are going too far, and are asking for more than is justifiable. They are absolute exploiters of the revenue. Much of the success of railway administration during the last 12 months is undoubtedly due to the fact that the officials have been blessed with normal conditions as regards industrial matters. The great deficit of the Railway Department some years ago was put down to the strike, and it must be admitted that the department did lose a great deal of revenue by reason of that strike. Assuredly, industrial peace means a great deal to the railway system. Little can be said against the present administration of the Railway Department on the score of treatment of the employees. However, I wish the Commissioner of Railways to understand that he must be a little more discreet in the matter of retrenchment, and as regards the men whom he picks out for retrenchment, than he has shown himself during the last few months. Possibly the Commissioner is not personally responsible, but permits, through his subordinates, indiscreet retrenchment. That appears from evidence I have before me. If the Minister desires to maintain industrial peace in the department, he should instruct those responsible for retrenchment to be a little more careful. If an organisation like the railway union, holding the key to a key industry, discovers beyond a shadow of doubt that its members are being victimised for certain purposes, there is a tendency to create an industrial upheaval. This is especially so when certain individuals are picked out for certain treatment. The Commissioner, upon being asked to state the reasons why certain individuals have been retrenched, seems at all times to evade the question, and to give different reasons. Efficiency is the cause in one case. Preference to returned soldiers is the reason for another retrenchment. And then the Commissioner puts a returned soldier off. There is the case of a painter named Bone, who was put off for inefficiency after 21 years service in the depart-



ment. It takes the intelligence of the Railway Department 21 years to get a brain wave and discover a man's incompetency.

The Minister for Mines: What is the man's age?

Mr. MARSHALL: I do not know; but I do know that he has had 21 years service in the department. I make free to state that when I have been a member of Parliament for 21 years, I shall take a lot of stopping. I want the Minister to convey to the Commissioner the necessity for greater discretion. I do not wish to see a repetition of what we had 12 months ago. As one who takes a keen interest in industrialism, I say that if this particular organisation, which knows its power, and fully understands the terrific force with which it can hit, gets no redress from the Commissioner—

Mr. Teesdale: Is that a threat?

Mr. MARSHALL: I do not know how the member for Roebourne will take it.

The CHAIRMAN: I think you are rather wandering off the subject.

Mr. MARSHALL: I am speaking on one subject; I do not know whether it is relevant to the discussion. Among the men put off there is a returned soldier, with five children, who has seen active service on the battlefields of Europe. I may add that he has spent the most useful period of his life in the Railway Department. That man has been dismissed on grounds as to which the Commissioner shifts about. While the Commissioner continues to evade the responsibility of giving direct answers to inquiries for the reasons which brought about the retrenchment of these men, it remains the duty of an organisation which is not lacking in initiative—and which has sufficient intelligence to see a hole through a ladder—to continue to ask for the reasons. There are four of these cases: Mr. Blakeley, Mr. Meagher, Mr. Greenholt, and Mr. Bone; all good Australian citizens. In plain English, they have been victimised; and I want the Commissioner of Railways to understand that unless he is looking for another deficit in the very near future, he will need to be very discreet as to the methods which he adopts in effecting retrenchment. Two of the men I have named have five children each. No one will deny that the Commissioner has a right to retrench, but he should retrench in a manner which will leave no suspicion in the minds of those who are working under his control. Seniority of service is given in one case as the excuse for the retention of an individual, but in another case merit is to be considered and not seniority. Retrenchment takes place in a manner that does not give the individual an opportunity to go to the appeal board and prove his case. As one who has recently emerged from the ranks of industrialism, let me remind hon. members that there are very few industrial organisations that will tolerate such a thing. I hope the Commissioner, to whom I have much to be thankful for, will accept the warning I utter, and if he wishes to maintain industrial peace he will see to it that the principle laid down for years will be the policy governing the question of retrenchment in the Railway Department. Apart from the grievances I have mentioned, we have much to be grateful for. The Minister for Railways should see whether it is not pos-

sible to run stock through from Murchison more expeditiously.

The Minister for Mines: I agree with you on that point.

Mr. MARSHALL: I want to get the stock brought down more rapidly. It should be shifted as rapidly as if it were being removed by passenger train. What is to stop that being done? There is nothing to prevent the department bringing down stock from Meekatharra to Midland Junction more rapidly.

The Minister for Mines: Perhaps not, if there is a full train.

Mr. MARSHALL: But we have special trains conveying full loads from Meekatharra to Midland Junction and it takes them 54 hours, which is the scheduled time. Why should that be so? If the train stopped to feed and water stock, I could see some reason for it, but it does not do so. We should make an effort to remedy that position and I contend the pastoralists and others residing in the interior of the State should get more consideration from the Department. There is much more that I could say, but the Premier is anxious to get on with other business and, for once, I will be peaceful and obedient.

Progress reported.

#### BILL—DAIRY INDUSTRY.

Council's Message.

Message received from the Council notifying that the Assembly's modification of the amendment made by the Council had been agreed to.

#### BILL—LAND AND INCOME TAX ASSESSMENT AMENDMENT.

Council's Message.

Message from the Council notifying that it disagreed with the modifications made by the Assembly to the Council's amendments Nos. 3 and 6 made by the Council, that it insisted upon its original amendments and also upon its amendments Nos. 1, 4, 5, and 7, now considered.

Request for Conference.

The PREMIER: I move—

That a conference be requested with the Council on the amendments disagreed to by the Council and that the managers be Messrs. Angwin, Angelo and the mover.

Question put and passed.

Council's Reply.

Message received from the Council notifying that it had agreed to the Assembly's request for a conference, had appointed Messrs. Colebatch, Lovekin and Lynn as managers, and had fixed the President's room as the place of meeting forthwith.

*Sitting suspended from 9.11 till 10.45 p.m.*

Conference Managers' Report.

The PREMIER: I desire to report that the managers of the Assembly met the man-

agers of the Council in regard to the Land and Income Tax Assessment Amendment Bill, and reached an agreement on the clauses as follows:—

No. 1—Clause 2. After the word "by" in line one insert the words "striking out all the words after the word 'rate' in line 5 of Subsection (2)" and inserting in lieu thereof the words "without any deduction for insurance premiums, medical expenses, travelling expenses or deductions allowed for children or dependants or any deduction under the second proviso to Subsection 1 of Section 16 of the principal Act as amended by Clause 6 of this Bill."

This means that the additional impost of 50 per cent. upon absentees will not be insisted upon. This involves a sum of less than £3,000. It was thought wise by the managers to agree to the alteration.

No. 3—Clause 2. The amendments made by the Legislative Council as amended by the Legislative Assembly were agreed to.

This speaks for itself.

No. 4—Clause 4. It was agreed that this clause be maintained in the Bill subject to the following amendments to the proviso: strike out the words "be at the rate of" in line 5 and insert the words "shall not exceed"; strike out the word "allowance" in line 7 and insert the word "expenses"; and strike out the words "be at the rate of" in lines 7 and 8 and insert the words "shall not exceed."

This will give taxpayers the right to deduct the expenses mentioned in this clause.

No. 5—Clause 5. The amendment of the Legislative Council was agreed to subject to the following amendments: strike out the words "company or" in line 4; strike out the words "carrying on mining operations" in line 5 and insert in lieu thereof the word "prospecting"; and in line 6 after the word "metals" insert the word "oil."

This will mean that those who put money into prospecting syndicates may make a deduction of the amount of their calls from their taxable income. I approve of that and I hope the House will agree to it. We ought to encourage prospecting. When, however, it comes to solid development for the earning of dividends that is another matter.

No. 6—Clause 5. The amendment made by the Legislative Council as amended by the Legislative Assembly was agreed to.

This also speaks for itself.

No. 7—New clause. The amendment made by the Legislative Council was agreed to subject to the following amendment: Strike out the word "repealed" in line 4 and insert in lieu thereof the words "amended by inserting the word 'one' instead of the word 'ten.'"

This clause refers to the concentration of improvements. A man may own a property

that is situated within 10 miles of his improved property; we have agreed to reduce this to one mile. This provides for possible severance of properties by roads, water-courses, etc. This should meet with the approval of members. I move—

That the conference managers' report be adopted.

Question put and passed.

On motion by the Premier, the Council's message recommitted.

In Committee.

Mr. Munsie in the Chair; the Premier in charge of the Bill.

The PREMIER: The first paragraph of the recommendations of the conference is as follows:—

No. 1—Clause 2. After the word "by" in line one insert the words "striking out all the words after the word 'rate' in line 5 of Subsection (2) and inserting in lieu thereof the words "without any deduction for insurance premiums, medical expenses, travelling expenses or deductions allowed for children or dependants or any deduction under the second proviso to Subsection 1 of Section 16 of the principal Act as amended by Clause 6 of this Bill."

I move—

That the conference recommendation be adopted.

Mr. McCALLUM: Will the Premier explain what is meant by this? Does he mean an additional tax levied by this Bill, or that the absentee will only pay the same tax as a local resident, minus the allowances?

The Premier: He gets no exemption.

Mr. McCALLUM: There will be no additional impost at all?

The Premier: No.

Mr. McCALLUM: That is not very satisfactory.

Question put and passed.

No. 4—Clause 4. It was agreed that this clause be maintained in the Bill subject to the following amendments to the proviso—strike out the words "be at the rate of" in line 5 and insert the words "shall not exceed"; strike out the word "allowance" in line 7 and insert the word "expenses"; and strike out the words "be at the rate of" in lines 7 and 8 and insert the words "shall not exceed."

The PREMIER: I move—

That the Conference recommendation be agreed to.

Question put and passed.

No. 5—Clause 5. The amendment of the Legislative Council was agreed to subject to the following amendments—strike out the words "company or" in line 4. Strike out the words "carrying on mining operations" in line 5 and insert in lieu thereof the word

"prospecting," and in line 6 after the word "metals" insert the word "oil."

The PREMIER: We want to encourage the search for gold, oil, and other metals in this country.

Mr. McCallum: What effect will the striking out of the word "company" have?

The PREMIER: It has been left to apply to prospecting syndicates, which is sufficient.

Mr. McCallum: Suppose a company sent out a party to prospect.

The PREMIER: It would be sent out as by a syndicate. We shall be careful to see that the exemption does not apply to a company carrying on developmental work after the prospector has finished with the show. I move—

That the Conference recommendation be agreed to.

Question put and passed.

No. 7—New Clause. The amendment made by the Legislative Council was agreed to subject to the following amendment:—Strike out the word "repealed" in line 4 and insert in lieu thereof the words "amended by inserting the word 'one' instead of the word 'ten.'"

The PREMIER: I move—

That the Conference recommendation be agreed to.

Question put and passed.

Resolutions reported, the report adopted, and a message accordingly forwarded to the Council.

*Sitting suspended from 10.58 to 11.40 p.m.*

#### Council's Further Message.

Message from the Council received and read notifying that it had adopted the amendments suggested by the Conference subject to the correction of an error in the last paragraph dealing with amendment No. 7, in which paragraph the Council suggested that the words "inserting the word 'one' instead of the word 'ten'" should be struck out and the following inserted in lieu:—"Strike out the words 'omitting the proviso to Subsection 2' and insert in lieu thereof the words 'inserting in the proviso the word one instead of the word ten.'" The message requested the Assembly's concurrence in this correction.

#### In Committee.

Mr. Angelo in the Chair; the Premier in charge of the Bill.

The PREMIER: I move—

That the amendment be agreed to.

Owing to an oversight we made our alteration in the wrong place. It should have been made in the proviso. The effect will be to allow concentration of improvements in respect of blocks of land situated within one mile of each other.

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Council.

#### BILL—LAND TAX AND INCOME TAX.

##### Council's Requested Amendment.

Returned from the Council with a requested amendment.

##### In Committee.

Mr. Angelo in the Chair; the Premier in charge of the Bill.

Clause 6.—After "the" and before "income" in line 7, insert the word "net."

The PREMIER: The amendment refers to the super tax and the income tax chargeable. The Council ask us to insert the word "net" before the reference to income tax on which the super tax of 15 per cent. is payable. The Commissioner informs me that it does not make the slightest difference.

Mr. Chesson: The super tax is always imposed on the net income tax.

The PREMIER: Yes, and this amendment does not make any difference. I move—

That the amendment be made.

Question put and passed, the Council's amendment made.

Resolution reported, the report adopted and a message accordingly returned to the Council.

#### ILLNESS OF MR. SPEAKER.

##### Motion of Sympathy.

The PREMIER (Hon. Sir James Mitchell—Northam) [11:52]: It will be within the knowledge of hon. members that the Hon. the Speaker has been laid aside by ill health. We all regret that he is not able to be in his place to-night, particularly as his absence is due to a severe illness. We feel great sympathy for the Speaker and his family and I ask the House to agree to the following motion, which I move—

That this House desires to convey to the Hon. the Speaker, the Hon. George Taylor, its best wishes for his speedy recovery to health and strength, its best wishes for the Christmas season, and for his health and prosperity during the coming year; further it desires that the terms of this resolution shall be conveyed to the hon. gentleman by Mr. Deputy Speaker.

Hon. W. C. ANGWIN (North-East Fremantle) [11:54]: I have much pleasure in supporting the motion. The Speaker has been missed by most of us during the past week or two. Whether as a private member or as one guiding the destinies of the House, he has always been in his place. During all the years I have been associated with him in Parliament, rarely have I seen Mr. Speaker absent from the House, whether as a private member or otherwise. We all agree with the Premier in wishing him a Merry Christmas and prosperity for the future. We trust he will soon recover his usual health.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [11:55]: As the oldest member of the House, and next to Mr. Speaker, the oldest Parliamentarian, I desire to add a few words to those which have fallen from the lips of the Premier and of the Deputy

leader of the Opposition. I have known Mr. Speaker for many years and I have rejoiced at being favoured with his friendship. I hope with all my heart that he will soon be restored to health.

Mr. HARRISON (Avon) [11.56]: On behalf of the members sitting on the cross benches, I desire to support the motion before the Chair. I have been a member of this party for the last eight years and I wish to pay a tribute to Mr. Speaker on account of the assistance he has given me on many occasions when I asked him for his opinion. I have pleasure in supporting the motion and trust that his health will be restored speedily so that he may take his place in the Chamber with renewed vigour.

The COLONIAL SECRETARY (Hon. R. S. Sampson—Swan) [11.57]: I support the motion moved by the Premier. We have all been impressed with the wonderful knowledge of the Standing Orders and method of procedure possessed by Mr. Speaker. I would like to congratulate you, Mr. Deputy Speaker, on the manner in which you have carried out the duties which have devolved upon you in the absence of Mr. Speaker, and also those who have acted as chairmen of Committees. In Mr. Speaker we possess a wonderful man in that his spirit is one of outstanding virility. Although sick almost unto death, as I believe he was, he never faltered in the least as far as his spirits were concerned. We trust the nursing he is receiving will be productive of a considerably lengthened period of usefulness to this House, that our genial and capable Speaker will be with us again soon, and that we shall for many years have the advantage of his experience and ability in conducting the affairs of this House.

Question put and passed.

Mr. DEPUTY SPEAKER: I shall have much pleasure in conveying the resolution to Mr. Speaker personally.

#### BILL—LICENSING ACT AMENDMENT (No. 2).

Returned from the Council without amendment.

#### ADJOURNMENT—CHRISTMAS HOLIDAYS.

The PREMIER (Hon. Sir James Mitchell—Northam) [11.58]: I move—

That the House at its rising adjourn till Tuesday, the 9th January.

Mr. MARSHALL: Does the Premier intend to meet at 2.30 p.m. on Tuesday, the 9th January?

The Minister for Mines: We must, until we order otherwise.

Mr. MARSHALL: I fail to see the necessity for meeting so early when we resume the session for we can reconcile ourselves to being here till Easter.

The Premier: Do not make any mistake about that!

Mr. MARSHALL: If that is so, I am pleased to know that the Premier intends to drop many of the Bills on the Notice Paper, for if he does not do so, it will be impossible to get through any earlier.

Mr. Johnston: All the more reason why we should start earlier.

Mr. MARSHALL: I like to hear members of the Country Party talking like that! We have to sit here working till 1 o'clock in the morning when the hon. member is in bed. It ill becomes the member for Williams-Narrogin to put forth the contention—

The Minister for Works: We would give you the right to go to bed too.

Mr. MARSHALL: All I ask is justice. There is no necessity to meet at 2.30 p.m. when we resume after the holidays.

Mr. PICKERING: I protest against meeting at 2.30 and I hope the Premier will not continue to call us together at that hour. The ordinary hour of 4.30 is much preferable.

Hon. W. C. ANGWIN: In view of the strenuous time we have had, I am surprised that the Premier has not extended the period of adjournment. We should adjourn until the 16th January. If we resume a week sooner, we shall not get through the business any earlier.

The Premier: Yes, we shall.

Hon. W. C. ANGWIN: An extra week would give Ministers an opportunity, which they have not had during recent weeks, to attend to their offices. From the appearance of the Premier an extra week would do him good.

The Premier: Make no mistake about that!

Hon. W. C. ANGWIN: It would certainly meet the wishes of members. I move an amendment—

That "9th" be struck out with a view to inserting "16th."

The PREMIER: I cannot understand members requiring more than three weeks.

Hon. W. C. Angwin: Your proposal is less than three weeks.

The PREMIER: I hope the House will resume on the 9th, so that we can get the session completed in reasonable time. It is very uncomfortable to be sitting here in the hot weather, but we must face our responsibilities and consider the measures on the Notice Paper. We ought to be able to get through the business in a very few days.

Mr. McCallum: How many days?

The PREMIER: About six days.

The Minister for Mines: More likely forty days and forty nights.

The PREMIER: I am always anxious to meet the convenience of members, but I think that they should now endeavour to clean up the Notice Paper.

Mr. Pickering: What about the hour of meeting?

The PREMIER: We should meet at 2.30 on the 9th. The earlier hour might be inconvenient to some members, but they should be prepared to make some small sacrifices.

Mr. Munsie: Give us a chance and adjourn until the 16th.

The PREMIER: Why do members want the extra week?

Mr. Lutey: We want a spell.

The PREMIER: Is the hon. member going to be married?

Mr. Munsie: Two members on this side of the House are getting married during the recess.

Mr. McCallum: We might get "Bertie" off this season.

The PREMIER: There are only two bachelors in the House.

Mr. McCallum: Well, we hope to get both of them off.

The PREMIER: Members should be quite refreshed by the time the Perth Cup is run.

Mr. McCallum: The Cup has no interest for me, but I want the extra work.

The PREMIER: Let us get the session over, so that Ministers will have a chance to attend to their departments. I specially want to get those lakes at Fremantle drained, and I cannot start on that work until the session is over.

Mr. LUTEY: I understand a number of members wish to go East and the adjournment proposed by the Premier will be hardly sufficient. We have been sitting long hours for months past. I have had to visit Kalgourlie once a week during the last month or more, and have found it pretty strenuous. Members have business to transact during the recess, and it would be only reasonable for the Premier to concede the extra week.

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

Ayes	..	..	18
Noes	..	..	10
Majority for			8

#### AYES.

Mr. Angelo	Sir James Mitchell
Mr. Carter	Mr. Pickering
Mr. Denton	Mr. Piesse
Mr. George	Mr. Sampson
Mr. Gibson	Mr. Scaddan
Mr. Harrison	Mr. J. H. Smith
Mr. Johnston	Mr. Teesdale
Mr. H. K. Maley	Mr. Underwood
Mr. Mann	Mr. Mullany

(Teller.)

#### NOES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Marshall
Mr. Corboy	Mr. McCallum
Mr. Heron	Mr. Wilson
Mr. Lambert	Mr. Munslie

(Teller.)

Amendment thus negatived.

Question put and passed.

#### COMPLIMENTARY REMARKS.

The PREMIER (Hon. Sir James Mitchell—Northam) [12.15]: Before moving the adjournment of the House I wish to extend to you, Sir, and to the Deputy Chairmen of Committees, Mr. Angelo and Mr. Munslie, as well as to members generally, and the officers of the House, my best wishes for a pleasant holiday at Christmas. I hope that next year will be a peaceful and prosperous one for all concerned. We have had a long session, but a pleasant one, and are now called upon to adjourn for the festive season. There have been some late sittings due to no fault of my own. It would have been so easy for members to have gone to bed at 11 o'clock every

night if only they had agreed to followout my suggestions. We have done a great amount of work during the months that we have been sitting, and the session will long be remembered by us because of its strenuous nature. We all regret Mr. Speaker's illness, and we appreciate the many sterling qualities he possesses. We also appreciate, Sir, your work as Deputy Speaker. The House is a very orderly one and not a difficult one to preside over, but you, Sir, are responsible to a large extent for the guidance and the deliberations of this Chamber and its conduct generally. It is due to you and to the Chairman of Committees that we have got along so pleasantly. I hope when we meet again after the holidays we shall do so as giants refreshed.

Mr. Lutey: If we had another week's rest we might do so.

The PREMIER: We shall no doubt be able to get through the business on the Notice Paper without sitting in the New Year for any lengthy period. I hope members will enjoy themselves between now and the time when we meet again. I wish the officers of the House and the staff of ladies who do the typing for us, and everyone connected with the Assembly, a happy and prosperous New Year. They all deserve the best thanks of the Government and members generally, and I am sure we all sincerely wish them a pleasant holiday.

Hon. W. C. ANGWIN (North-East Fremantle) [12.19]: I join with the Premier in wishing you, Sir, and the staff of the House a very Merry Christmas. I hope that the New Year will be a happy and a prosperous one for all. Members have always received the greatest of courtesy and best advice and encouragement from the staff of the House. Their attention to the requirements of members has been such that it has always been a pleasure to come here. I trust more particularly that our old friend the Clerk of the Assembly, Mr. Grant, will be spared for many years to be with us. His tale of years, like mine, is mounting up; but I trust he will be with us for many Christmases to come. On the whole the session has been a very pleasant one. We on this side have endeavoured to assist the Government through their many difficulties, but I am not going to promise that the harmony which has prevailed so far, and the rapid despatch of business, will continue after the New Year. With the Premier I trust that the year which we are about to commence will be brighter in more respects than one. At the same time I cannot say that I look forward to everything in the garden being lovely. We have strenuous times before us, needing the assistance of yourself, Mr. Deputy Speaker, and the staff in order to place the State in a better position. I wish a Merry Christmas to yourself, Sir, and your staff, and also to every member of the House.

The MINISTER FOR AGRICULTURE (Hon. H. K. Maley—Greenough) [12.24]: The Christmas spirit is prevailing, and I support the remarks of the Deputy Leader of the Opposition with regard to yourself, Sir, and the staff. In

aying a tribute to the services of the Clerk of the Assembly, Mr. Grant, I recall the time when he had the responsibility of informing my youthful mind with a knowledge of the classics, and when, as house master, he was also responsible for my conduct. I trust that on our return from our holidays we shall regard what has elapsed of this session as a mere prologue to the rapid despatch of the business that remains. I join with the Premier and the Deputy Leader of the Opposition in extending to all parties in the House, the staff, and "Hansard" the greetings of the festive season.

Mr. UNDERWOOD (Pilbara) [12-27]: I wish to thank you, Mr. Deputy Speaker, for the manner in which you have presided over the House, and I desire also to thank the officers of the House for their good service. Further, I wish to express my deep regret at the absence of His Honour the Speaker. In doing so I think I express the sentiment of the House.

Members: Hear, hear!

The DEPUTY SPEAKER (12-28): Mr. Premier and hon. members, I feel that the kindly sentiments which have been expressed concerning myself, and the Chairman of Committees, and the staff, confer an honour upon them and upon me. I do not think any Parliament could possibly secure a better staff than that which this Parliament possesses. I must express to Mr. Angelo and Mr. Munsie my gratitude for the splendid assistance they have rendered to me during the unfortunate illness of his Honour the Speaker. I trust that all members will have a pleasant Christmas and come back to finish up the work of the session as speedily as possible, and that our labours will result in placing on the statute-book laws which will make for the advancement of Western Australia.

*House adjourned at 12-29 a.m.*

## Legislative Council,

*Tuesday, 9th January, 1923.*

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

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## ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills—

- 1, Supply (No. 3), £1,040,000.
- 2, Pearling Act Amendment.
- 3, Agricultural Bank Act Amendment.
- 4, Land Act Amendment.
- 5, Licensing Act Amendment (No. 1).
- 6, Land Tax and Income Tax.
- 7, Land and Income Tax Assessment Amendment.
- 8, Dairy Cattle Improvement.

## ACT—LAND TAX AND INCOME TAX.

*An Error.*

Hon. A. LOVEKIN (Metropolitan) [4.37]: With reference to the notification of His Excellency the Governor's assent to the Land Tax and Income Tax Bill, I wish to point out that the Act assented to is not in accordance with the Bill as passed by this House, inasmuch as the word "net" was inserted in Clause 6. That amendment was assented to by the other House, but it does not appear in the printed Act. I think I should draw your attention to the matter, Sir, as you gave a certificate that the Bill as read a third time was in accordance with the Bill as agreed to in Committee.

Hon. J. EWING (South-West) [4.38]: As Chairman of Committees I may say, in explanation, that the Bill was in accordance with the statement made by you, Mr. President, from the Chair. I remember very distinctly that the word "net" was left out and that I wrote it in in my own handwriting and initialled the insertion. Whatever happened after that, the Bill was in accordance with your statement from the Chair.

Hon. J. NICHOLSON (Metropolitan) [4.39]: I moved the amendment inserting the word "net" and my attention has been drawn to the omission of the word from Clause 6. I accept the statement of the Chairman of Committees that the omission of the word is due to no mistake of his or of yours, Mr. President. I believe that the Bill as it left this House was in correct form, and how the word came to be omitted I cannot say. However, the omission is there. It is an important omission, and I think something should be done to rectify it. No doubt the Leader of the House will be prepared to rectify it on some future occasion. Still, the Bill as now assented to is not in the form in which it was accepted by both Houses.

The PRESIDENT: I will ask the Minister for Education to state how he proposes to deal with the matter.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.40]: This matter was brought under my notice by Mr. Lovekin a few days ago, and I have brought it to the