

# Legislative Assembly,

Tuesday, 8th October, 1907.

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## OPENING OF FOURTH SESSION.

The Legislative Assembly met at three o'clock p.m., pursuant to Proclamation, which was read by the Clerk

In obedience to summons, Mr. Speaker (Hon. T. F. Quinlan) and hon. members proceeded to the Legislative Council Chamber; and having heard His Excellency deliver the opening Speech [*vide* Council report, *ante*], they returned to the Assembly Chamber. Mr Speaker reported to the House what had been done.

## PAPERS PRESENTED.

By the *Premier*: 1, Industrial Conciliation and Arbitration Act—Sixth Annual Return and Report of proceedings by the Registrar of Friendly Societies. 2, Report of Commissioner of Police to 30th June, 1907. 3, Report of Inspector General of the Insane for 1906. 4, By-laws of the Municipalities of Fremantle and Broad Arrow-Paddington.

By the *Colonial Treasurer*: 1, Government Savings Bank Report and Returns to 30th June, 1907.

## BILL—MARRIAGE ACT AMENDMENT.

Introduced by the *Premier* (to assert privilege) and read a first time.

## DEBATE—ADDRESS-IN-REPLY.

*Motion to adopt.*

Mr. T. P. DRAPER (West Perth) said: I have received the honour from the Government of being asked to move the adoption of the Address in Reply to His Excellency's opening Speech. I do that the more willingly because it gives me an opportunity of expressing my approval and support of the Government

in developing the resources of this State. I am pleased to learn that by reason of the bright prospects of the harvest, the agricultural industry will probably be flourishing this year. I am also pleased to note that by reason of the abundant rains, the prospects of the pastoral industry are good, and that a profitable season is practically ensured. It is some gratification no doubt to the Government that Western Australia will shortly reap the benefit of that vigorous development policy which the Government have carried out in the past, and which, as I am pleased to see from His Excellency's Speech, they intend to continue in the future. These bright prospects of the agricultural and pastoral industries are the more gratifying because they are visible at a time when many who are engaged in our manufacturing industries are inclined to despond because of the impediments thrown in their way by the Federal tariff. The bright prospects are therefore the more welcome, and will encourage the Government to carry out their policy of developing the resources of the State; and I trust that Ministers will obtain the money necessary to bring their proposals to a satisfactory issue. An energetic policy of land development is the more necessary because, if we may judge by the experience of the other States, agricultural development has practically always followed with increased vigour on the prosperity of gold-mining. In this State the two industries are now bound up together; for we know that the more we encourage gold mining the more successful is our agriculture and the greater the prospect of opening up our waste lands, and of bringing about a satisfactory development throughout the State. Now that gold-mining is flourishing amongst us, and while the present mines are still being worked, it is all the more necessary that we should proceed energetically to pursue the policy foreshadowed by the Government. There can be no doubt that with gold, especially when it is in our pockets, there is always a vanishing-point. We have reason to believe that large auriferous belts in this country are practically untouched; and though some of us may

think that during the next few years we shall have to depend on agriculture alone, yet, if due encouragement is given to prospecting and to the mining industry generally, we may witness many years of gold production as well as of agricultural settlement. To secure such a result I am well aware that money is required. That money can be obtained from one of two sources: either by effecting economies, or by taxation. Having regard to efficiency there are limits to effecting economies, and there are limits to taxation also. I trust that the limits of reasonable taxation have not yet been reached; and I shall be glad to carry out the pledge I gave at my election—I may perhaps be pardoned for referring to it though it is of recent date—that although I did not think fresh taxation was necessary, yet, if it were necessary for the development of the State, I should be the last man to oppose fresh taxation, provided that its incidence was fair and reasonable, and fell upon those who were able to bear it. Some of us regard land taxation as a kind of fetish; with some it amounts almost to a religion. I need hardly say I am not one of these; but, when taxation is necessary for the development of the State, and when the incidence of that taxation is fairly and equally distributed on those who are able to bear it, then if the necessary Bill is brought in, I am perfectly willing to support it.

*Mr. Horan*: It is only a question of a fee.

*Mr. DRAPER*: I do not think that remark is justifiable. I ask that it be withdrawn.

*Mr. Horan*: I have pleasure in withdrawing the remark.

*Mr. DRAPER*: I have no doubt, after studying the land tax measure of last session, that the Premier considered it a Bill of the nature I have mentioned; and I recognise that the Premier, in introducing this session a Bill of a different character, is probably not introducing a Bill in entire accord with his conviction; but he has taken a broad view, and in order to consolidate those who sit on this

(Government) side of the House and to bring his party into unity in all respects, he is bringing in a land taxation measure which embodies also an income tax. I congratulate the Premier on his action, and I submit that his supporters not only in this House but in the country will be grateful to him. This is not a case of conflict between the privileges of this House and of the Upper House. The duties of the Upper House and of this House are clearly defined by the Constitution Act, and there is no room left for any dispute as to the privileges and the duties of each. If the Premier had, with a view to obtaining additional funds, brought in this session a land tax measure in the form proposed last session, I should certainly have shown him the same strenuous opposition that I exhibited last session and at my election. If he had done so, I should certainly have preferred him to obtain by cutting off the municipal and roads board subsidies the moneys required to carry out the Government policy. But the Bill now promised is one which broadens the incidence of taxation; and it may therefore be questionable whether by cutting off roads board and municipal subsidies we should be doing justice to people who now live in towns. In addition to this, there is the chief objection to the land tax. We all know that any Government in power is averse to bringing in a new system of taxation; and rather than incur the odium of a fresh and novel proposal, Ministers are always too ready to fall back upon existing statutes which enable them to obtain money from the country. Hence if there were an Act passed for obtaining money by a land tax merely, we should have no security whatever that any future Government which assumed office would not utilise that Land Tax Act to obtain all the funds required by the State. It is an avowed principle of the Opposition in this Chamber that they do not look on land taxation purely as a means of raising revenue; they are willing to tax land for other purposes. In other words, they regard land as the property of the State. They forget that lands in this State have been alienated under certain definite conditions; and I

submit that when imposing a land tax we must regard it as similar to every other tax, and must make it fair and equitable. However, if a Land and Income Tax Bill is brought in, that difficulty will I think disappear. There can be no doubt that the Government have effected considerable economies in their administration. Under the Public Service Act, even if the Government desire to initiate a drastic system of retrenchment, in which I do not believe and which I should certainly oppose, they would be unable to retrench those officials who come under the provisions of that Act. The only methods by which economies can be effected under the Act are by paying compensation to officers for loss of office, by pensioning them off, or, when vacancies arise, by not filling up those vacancies but by amalgamating the duties attaching to the vacant posts with the duties performed by officers still in the service. There can be no doubt that to pension men who are capable of say ten or fifteen years' work, and also to pay allowances for loss of office, would be very questionable economy, and an economy which I submit the Government of this State cannot now afford. I learn that between seven and eight hundred employees of the Railway Department have had their services dispensed with, and that these men have been taken from all ranks and grades of the service. In these circumstances I think it is obvious that to effect farther economy in the Railway Department by retrenching employees would cause considerable hardship which none of us would like to witness, and in addition would probably render the service inefficient. It may be that the Government will use their discretion in disposing of the moneys saved in the Railway Department; and if they use those moneys for developing the resources of the country, for promoting land settlement, they will probably be exercising a wise discretion; because we have the fact before us that we have to compete with the other States. They have been developed for years; and in addition, the Federal tariff is inimical to the development of even the agricultural resources of this State, by reason of the additional expense which the in-

creased Customs duties throw on those who import agricultural machinery. It is therefore wise to give every facility to the selector to obtain fertilisers for his land, and to get his produce to a profitable market. Such facilities will not only benefit those who have taken up land, but will undoubtedly conduce to the prosperity of the dwellers in towns, especially the inhabitants of the metropolis. I recognise that this measure has been brought down by the Premier as a compromise. If it is a measure of fair and reasonable taxation, and embodies a fair and equitable principle, I will support it on the second reading, but I reserve to myself the right to move any amendment I may consider necessary when the Committee stage is reached. The Land Tax Assessment Bill, as brought down last session, contained one exemption which possibly would be justified on the ground that every encouragement should be given to those who have taken up land in the State; I refer to the exemption of five years to the holders of conditional purchases. To support a land tax logically, there should be no exemptions. If there are to be any exemptions in the new measure, I would urge on the Government to see that no discrimination with the exception of an exemption for the first five years to those who have taken up conditional purchases, is made between owners of country lands as compared with owners of town lands. It is obvious that whereas you have an exemption of £250 to every owner of country land in the State, that exemption must be considered unfair to those who live in towns and have only an exemption of £50. It is still more unfair when the owner of country land, whatever the circumstances may be, is always entitled to have that £250 deducted from the assessed value of his land, whereas the owner of town land, where the assessed value is over £50, would have no exemption whatever. I urge therefore, that if exemptions are brought down, they should be equal for the country owner and the town owner. If exemptions are justifiable in connection with an income tax, I fail to see why they should not also be justifiable when a land tax is advo-

cated. Cases might frequently arise of the widows and families of poor men, who had invested their savings in land, suffering as great hardship owing to the fact that they would have to pay a land tax when the assessed value was only £250, as it would be upon a man having an income of £250. I would also urge that there should be a constant ratio fixed between the land and income taxes, so as to ensure that no Government which might come into power would be able simply to choose as to whether the land or income tax should produce the revenue. [*Member*: You cannot do that.] You can pass a Bill through the House, but if you want to amend it you will have to bring the whole measure up again. It is easier to have an Act passed into law than it is to upset an existing Act. If there was a constant ratio fixed, we would have a security that the Government would take no undue advantage of either tax. I do not know what the proposals of the Government are concerning the amount of the taxes; but to give an instance in support of what I have just been urging, supposing the tax on land were  $\frac{1}{4}$ d. in the pound, and the income tax were 2d., I would suggest that the constant ratio of 8 to 1 be fixed. There should be no necessity, as a land and income tax are proposed, for the value of mortgages to be included in the value of land to be taxed. I submit that mortgages should be classed under the heading of income tax, and that the assessed value of the land should be ascertained after deducting the value of the mortgages upon it. I trust we shall find that there will be no measures by which duplicate taxation can be imposed. With regard to exemptions as to income tax, they will probably bear hardly on the man who has himself and a family to support. Supposing the exemption in the case of the income tax were £150, I would suggest that the exemption should apply to single men, and that married men should be entitled to an exemption of £250. I mention this as showing what appears to me to be a reasonable and fair measure of taxation to impose upon the people. There is also one other point in relation to the income tax which appears

to me to be important. Many people have urged that an income tax is a tax upon thrift. I submit that argument can be avoided by making a distinction between income obtained by personal exertions and income obtained from a business. In addition, the adoption of some such method will prevent a difficulty in obtaining the tax from firms doing business here but whose partners are resident out of the State. I am glad to see that the Electoral Bill brought down last session will be re-introduced without alteration. All parties are unanimous in thinking that the electoral laws of this State require reform. We may look at it from different points of view, but there can be no doubt that the general principle of the Bill introduced last session would have ensured that proper facilities were given to people to get on the rolls. At the same time it provided for proper safeguards to prevent duplicate and improper voting. In addition, the measure went farther, and practically ensured that a man could not be returned here by a minority of the electors; if three or four members were standing that man who really had the support of the majority of the electors would be returned. [*Mr. Bolton*: You have never read the Bill; preferential voting is not compulsory.] A useful measure, which I understand will be brought down, is that of local option. I welcome this measure as an instalment, practically, of local government. There can be no doubt that the people who reside in a particular district are those best qualified to judge whether the licences should be increased or decreased, or whether there should be prohibition in that particular district. [*Mr. Taylor*: That does not apply to this Chamber, does it?] From recent utterances, it may be necessary to introduce also a principle of local option within this Chamber; and if so, I am glad to learn that the Bill will meet with some support from the Opposition. Another measure mentioned in the Speech is certainly not of a controversial nature, and is one which I am sure will be welcomed by all parties; I refer to the Infant Life Protection Bill. The recent disclosures in Perth clearly

show that it is a necessary measure, and in the interests of humanity a few should be passed by both Houses. I regret to find that no mention is made of the Civil Service Act. It may be that a measure will be introduced to this House, but at the present time the Civil Service is seething with dissatisfaction at the classifications made by the Commissioner. [Mr. Taylor: I do not think that is a fair statement.] I do not wish to cast any imputation upon the Commissioner, whom I know to be a hard working and conscientious man, but it is a physical impossibility for any one man without assistance to make a proper classification of the various professional branches of the Civil Service. In addition, the method of appeal should be altered, for under the existing Act the appeal is practically from Cæsar to Cæsar. I object to the Appeal Board as constituted by the Act. I do not intend to speak at length to-day, and in conclusion I will move the adoption of the following Address in Reply to the Speech of His Excellency the Governor :—

*May it please your Excellency,—We the Legislative Assembly of the Parliament of the State of Western Australia, in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank your Excellency for the Speech you have been pleased to address to Parliament."*

Mr. J. P. McLARTY (Murray): I have been asked to second the motion for the adoption of the Address-in-Reply, and I do so with pleasure because I consider the request a compliment not only to myself, but also to the constituency which I have the honour to represent. I fulfil the duty with the greater pleasure because I am in accord with the measures mentioned in the Speech of His Excellency, and which cannot fail to meet with the approbation of members. There are Bills for the more efficient protection of infant life, an amendment of the liquor laws, and an amendment of the Roads Act. These Bills are all of a useful character and they meet with the approval of the country generally. It is gratifying to know that the Government

desire Parliament to make provision for the construction of several railways and other works included in the Loan Authorisation Act, 1906; for good railway communication is of the utmost importance to any country. I consider it our duty to do all we can in this direction, so long as we are in a position to obtain the funds necessary for the purpose. Special reference is made to a Bill having for its object the purchase of the Denmark Railway and estate, and this is a project which must prove of great value to a large number of settlers in the South-Western portion of the country. If public works are to be carried out, provision must be made to pay for them and, as the exigencies of the State demand farther taxation, it is to be hoped that Parliament will see its way to grant what is needed. I trust that the recess will enable us to resume our duties with renewed energy, and that we shall be able to conduct the business in a way which will be satisfactory not only to ourselves but also to the country generally. It is a subject for congratulation that the mining, agricultural, pastoral and timber industries continue to make good progress; and the same may be said of the pearling industry, which is in a sound condition, pearlshells now commanding a high price. The splendid season gives promise of an abundant harvest, and it must be a great pleasure to the whole country to know that the State will be in the proud position of exporting a large quantity of wheat. Considering the quality of the wheat grown in Western Australia and the splendid yields which can be obtained, it is not unreasonable to hope that in this direction the State will progress by leaps and bounds. A farther matter for congratulation is the frozen meat industry, which it is expected will in the near future reach large dimensions. The slight cloud of depression which has been overshadowing the State is now being dispelled, and bright days are in store. If we are patriotic and true to ourselves, we cannot fail to do good to the State, and all will be well. Let us bear in mind the memorable words which the immortal bard puts into the mouth of Wolsey, in the pathetic ad-

dress delivered by the unfortunate cardinal to Cromwell:—

Let all the ends thou aims't at be  
thy country's,  
Thy God's, and truth's.

In conclusion, I desire to re-echo the wish expressed by His Excellency the Governor, that our deliberations may be marked by earnest consideration for the needs and general welfare of Western Australia, and I trust we shall be able to bring many important issues to a happy conclusion. I beg to second the motion.

On motion by *Mr. Troy*, debate adjourned.

### ADJOURNMENT.

The PREMIER moved that the House at its rising do adjourn until the next day, at 4.30 o'clock p.m.

Question passed.

The House adjourned accordingly at three minutes past four o'clock, until the next afternoon.

## Legislative Council,

Wednesday, 9th October, 1907.

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

Prayers.

### QUESTION—RAILWAY CROSSING, CLAREMONT SHOWGROUND.

Hon. J. W. LANGSFORD (without notice) asked the Colonial Secretary:

Will the Minister bring under the notice of the Commissioner of Railways the necessity for providing ample protection at the railway crossing near the Agricultural Showground, Claremont, during the State Schools Demonstration on Friday next?

The COLONIAL SECRETARY replied: Yes.

### QUESTIONS, LONGER NOTICE.

The COLONIAL SECRETARY, in asking that a question be postponed, requested that, when possible, hon. members should give two days' notice of questions, unless the matter was one of urgency.

### QUESTION—SEWERAGE CONTRACTOR'S LIABILITY.

Hon. J. W. WRIGHT asked the Colonial Secretary: 1, Is there a clause in the conditions of contract which made the contractors liable for damage done to buildings etc. during the construction of the George Street Sewer? 2, If so, were the contractors made liable for such damage, and what was the amount paid by the contractors? 3, Who repaired the damage caused by the contractors (excavating for sewers) to residence on Perth Town Lot 56, and at whose instigation was the money expended? 4, Did the Government contribute to the cost of repairs to said residence, or did they bear the whole cost, and what is the total amount paid by the Government in connection with this or any other property damaged? 5, Have the Government provided any portion of money for repairing such damage, and what was the justification for Government expending such money? 6, What is the total amount paid to the contractors over and above contract amount?

The COLONIAL SECRETARY replied: 1, Yes. Clause 37 reads as follows:—"All buildings, walls, fences, and works of any description met with on the site of the works, that it is found necessary to remove, or that may be disturbed, shall be replaced or repaired at the sole cost of the contractor and left at the completion of the works in their original