The MINISTER FOR EDUCATION: What, that it was a bad bargain for us?

Hon. A. Lovekin: No, that it was a good bargain for them.

The MINISTER FOR EDUCATION: He said it was necessary that it should be a success as it was the first step in the scheme and the whole of the Empire would watch it. Col. Amery's scheme depends on the success of this initial undertaking, and success not only from his point of view, but from ours. In this letter we have the right spirit of this scheme—"a profound departure in policy for developing, consolidating and strengthening the Empire." It is not with foreigners that we have made this agreement. The Imperial Government, the Commonwealth Government, and the State Government are three members of one family and between them there could be no huckstering spirit. We are told it is good for the Commonwealth. If it were bad for the Commonwealth, it would be bad for us. We are told it is good for the Imperial Government. If it were bad for England, it would be bad for us. Our dependence on the old country of which England is the heart, has prevailed since Australia was founded, and anything bad for the old country would be bad for us. We dare not enter into an agreement which would not be for their advantage. Similarly any agreement bad for us would be bad for the Commonwealth, and futile from the point of view of the Imperial Government. This is but the first scheme of many others that will be put into practice in Western Australia, all over the Commonwealth and throughout the British Dominions. Mr. Seddon touched on the point of view of the immigrants to be brought out. We all know that Australia has been colonised largely by self-sacrificing people who left comfortable homes in the old land because they thought our wide spaces offered greater opportunities for their sons and daughters. It is no small thing to offer to 75,000 of our kith and kin in the old country the broader vision that prosperous, growing sane and sunny Australia affords; it is no small thing to be the first in the great Commonwealth of British Nations to seal a bond of partnership under that "profound departure in British policy for developing, consolidating and strengthening the Empire."

Hon. A. SANDERSON: I wish to ask your direction Mr. President about a matter relating to the printing of a document. Standing Order 341 provides that a document relating to public affairs quoted from a Minister of the Crown, unless stated to be of a confidential nature, may be called for and made a public document. The Minister has agreed to lay on the Table the document from which he has extensively quoted. Would I be in order in moving that the document be printed?

The Minister for Education: There cannot be two motions before the House at the one time.

The PRESIDENT: The hon. member's remarks are superfluous owing to the fact that the Minister has stated he will place the paper on the Table.

Hon. A. SANDERSON: What I wish to know is whether I would be in order in moving that it be printed?

The PRESIDENT: The hon. member may move in that direction at the next sitting.

The MINISTER FOR EDUCATION: This document and quite a number of others will be placed before Parliament when the scheme comes forward for discussion. In the meantime the House is quite welcome to this and any other paper which any hon. member may wish to peruse. If the hon. member desires that the document be printed it can be printed. I will see that that is done.

Question put and passed; the Address-in-reply adopted

House adjourned at 10·5 p.m.

Legislative Assembly,

Tuesday, 5th September, 1922.

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

QUESTION—APPEAL CASE, COSTS.

Capt. CARTER asked the Premier: 1, Were the costs of the appellant (estate of Mircho Groseff) in an appeal from a decision of the Local Court in a case against Messrs. Lewis & Reid, Ltd., which was heard by the Full Court sitting at Perth recently, borne by the Government? 2, If so, what were the reasons actuating the Government in consenting to bear the costs? 3, Is it the intention of the Government to bear the costs of the respondent-defendant in this matter?

The PREMIER replied: 1, Yes. 2, The desire to obtain an authoritative interpretation of the Workers' Compensation Act before dealing with a request that had been made for an amendment of the law. 3, The matter has not been considered.

QUESTION—STATE FERRIES, S.S. "PERTH."

Mr. LUTEY asked the Colonial Secretary: 1, Have the decks of the ferry steamer "Perth" lately been recaulked? 2. If so, what was the cost of the recaulking?

The COLONIAL SECRETARY replied: 1, Yes. 2, £44 18s. 6d.

QUESTION—WATER SUPPLY, METROPOLITAN AREA.

Mr. MacCallum SMITH asked the Minister for Works: 1, Is he aware that the present water supply in the metropolitan area is unfit for human consumption? 2, What does he intend doing to remedy the trouble? 3, Seeing that the Water Supply Department are not supplying usable water, and in view of the damage done to ratepayers' clothes and household linen, is he prepared to do the fair thing and make a rebate on the rates? 4, What progress is being made in regard to the long promised new water scheme? 5, What has been done towards handing the Water Supply Department over to a local authority?

The MINISTER FOR WORKS replied: 1, No. The whole of the supply has been for weeks drawn from Mundaring and Victoria reservoirs. 2, See No. 1. 3, See No. 1. 4, Researches in the hills are complete. The data is being considered, and a report should be available shortly. 5, The proposition is under consideration, and a meeting of local bodies concerned will be shortly convened.

BILL—LICENSING ACT AMENDMENT.

Message.

Message from the Lieut.-Governor and Administrator received and read, recommending appropriation for the purposes of the Bill.

Second Reading.

Debate resumed from 30th August.

Mr. J. H. SMITH (Nelson) [4.37]: In speaking on the Licensing Act Amendment Bill, I desire to protest against the procedure followed by the Premier in introducing the measure in this Chamber. The Premier was not fair. The Bill was introduced one night and on the second night the Premier moved that the second reading should be agreed to. I am opposed to the Bill. I believe the present Licensing Act is sufficient to meet all requirements. The only trouble about the Act is the way in which it is administered. I object to the continual introduction of amendments to that measure. I wish to draw attention to the manner in which the Premier and his Government have treated the Royal Commission which was appointed to investigate the question of licensing throughout Western Australia. The Commission made exhaustive inquiries to ascertain what altered provisions would make for the betterment of the liquor trade. On top of that, however, we find that the Government have, to a great extent, ignored the Commission's report. The Commission cannot fail to feel sore on that question. It appeals to me in this way: In the early stages of my life, I read somewhere that the gods first smile on those whom they wish to destroy. The Premier, in his wisdom, has smiled upon the members of this Commission whom he appointed and then throws them open to ridicule throughout the State by not carrying out their recommendations. To a great extent, the Government have ignored the Commission's recommendations.

The Premier: No.

Mr. J. H. SMITH: It is so. Members have only to read the Commission's report to find out the extent to which they have been ignored.

The Premier: You are quite wrong.

Mr. J. H. SMITH: There are many provisions contained in the Bill which I will combat during the Committee stage. I am pleased to know that the Premier introduced the Bill as a non-party measure. I regret, however, that he has seen fit to advance many of the proposed amendments. At the outset I will deal with the hours of trade. If 9 a.m. to 9 p.m. constitute legitimate trading hours in the metropolitan area and through the rural districts, surely those hours should extend throughout the whole State. Why does the Premier differentiate between the South-West and the goldfields?

The Premier: I took the Commission's advice.

Mr. J. H. SMITH: Are not the timber workers, the agricultural labourers, and the coal miners entitled to the same consideration as the gold miners and the pastoralists?

Mr. Lutey: In one case, the workers live in a tropical climate.

Mr. J. H. SMITH: In that case, the people living in a tropical climate may require their beer, but we in the colder climate require our whisky. If 9 to 9 is right for the South-West and the metropolitan area, those hours should apply throughout Western Australia. I have been waiting for some democratic member to suggest it, but I will do so myself—I suggest that we should revert to the old-time hours. If drink is an evil—some say it is, but I do not agree with them—the best thing we can do is to make it open to the light of day. I believe the hours should be from 8 a.m. to 8 o'clock the next morning. We should allow the people to have what drink they require, and if we did that, there would not be so much drunkenness to-day. Instead of having the screen which the member for West Perth (Mrs. Cowan) says is used because people are ashamed to be seen drinking, we should have the drinking done openly. For my part I consider that the people who are ashamed to be seen drinking should not be entitled to a drink. From my experience of the trade, I know that those screens are placed there expressly for the purpose of "wowsers" who are afraid to be seen drinking.

The Minister for Works: What do you mean?

Mr. J. H. SMITH: I know people who go into the pulpits on Sundays and preach about the evils of drink, and who dilate upon that evil which should be removed from our midst, and yet those are the people who sneak into the back parlours and bars to get their whisky.

Mrs. Cowan: All the more reason for removing the evil.

Mr. J. H. SMITH: I agree that there are some evils associated with the trade and all this talk about prohibition——

Mrs. Cowan: You have given very good reasons for removing the screens.

Mr. J. H. SMITH: By all means, let us remove them. The man who is ashamed to be seen having his drink is not worthy of the name of man. If he is ashamed to be seen having what he wants, he is——

Mr. Underwood: Not fit to blow the froth from the top of a pot.

Mr. J. H. SMITH: That is so. Again, it is ridiculous to ask the trade to pay 12 per cent. by way of taxation. I know the trade has been hard up against it for a long time. I sympathise with the Premier, and to an extent I agree with him that possibly he can get a little more revenue from the trade. It is impossible, however, to get that revenue from the trade in the country districts. He will have to look to the metropolitan area and to places where there are houses drawing £400 or £500 a week, for that increased taxation. I agree that the fairest basis for taxation is on the purchases of liquor. At the same time it is impossible to ask the trade to pay 12 per cent. It is ridiculous to ask the trade to pay 10 per cent, and on top of that to pay 2 per cent. extra for the compensation fund. I suggest as a fair and legitimate charge 4 per cent. plus 2 per cent. for compensation. If the Government will not agree to this, I will compromise by going 1 per cent. better, making it 5 per cent. and 2 per cent., but no further. If a higher rate is imposed, the trade will not be able to pay it. If the Premier is so desirous of raising revenue, why not impose a levy on a lot of the softgoods shops in the metropolitan area which are selling rags and finery of every description? Will the member for West Perth (Mrs. Cowan) say it is more injurious to health for a man to take a glass of beer or whisky than for old women and flappers to be wearing this finery in all sorts of weather? Which is the more injurious to health? Here is a chance for the Premier to impose a tax if he wishes to raise revenue. Why not charge something against these people who are making 100 to 150 per cent. on the cost of their goods? Let him tax some of these influential firms of the city who are thus bleeding the people day after day. We see the women rushing into these stores every day, and there is more crime committed there than behind any hotel bar. How many cases of theft from these shops are heard in the police court? The member for West Perth does not come here and tell us that so and so has been prosecuted for stealing a pair of stockings or some underwear. No, but the poor individual who has been locked up because he has had a little too much liquor is howled about from one end of the State to the other. We hear a lot of talk about prohibition. There is prohibition at present. Under the existing Act a man who is drinking to excess may be prohibited from receiving further liquor. What need is there for further laws; what need is there to amend the law? We have prohibition now if the Act were only administered. That is where the fault lies. Why does not the Premier get someone who will administer the law? We have Pussyfoot Johnson saying that prohibition is wanted here. Why should a majority dictate to me or to the member for Claremont (Mr. J. Thomson) if he wishes to have a whisky? Why should anyone dictate to the member for Pilbara (Mr. Underwood), to the Premier or to any other member who wishes to have a drink? Why deprive us of our privileges? Why should the Act be amended year after year? Is it fair to the community that we should be so frequently amending the Act, just because we have amongst us a lot of cranks who have stirred up a certain amount of public opinion? We have laws which, if they were only enforced, would be sufficient to meet the case of any man drinking to excess. I give a flat denial to the statement of the Premier that the trade have asked for the abolition of the bona fide traveller clause.

The Premier: I said it was the only thing I had been asked to do by the hotelkeepers.

Mr. J. H. SMITH: How many hotelkeepers? Who were the hotelkeepers?

The Premier: Several.

Mr. J. H. SMITH: The keepers of the big hotels in the city of Perth who control the trade?

The Premier: No.

Mr. J. H. SMITH: Those big hotelkeepers of the city who are jealous of the small man outside the city reaping a few paltry shillings or pounds on a Sunday. They would prevent the individuals living in their hotels from going out for pleasure on Sunday. They are adopting a dog-in-the-manger policy.

The Premier: Country hotelkeepers are asking for this.

Mr. J. H. SMITH: Well, they must be the hotelkeepers of Northam. The traveller provision must be retained, no matter what else comes or goes. I appeal to every member to support the traveller clause as it exists today. Perhaps it has been abused in the metropolitan area and perhaps it has been abused by a few houses just outside the metropolitan area.

Mr. Latham: What are the police doing?

Mr. J. H. SMITH: That is the point. The existing Act has not been administered. If the traveller provision has been abused in the city, why endeavour to deprive thousands of hard working men in the country areas of this privilege? The Premier does not know what he is talking about when he advocates the abolition of the bona fide traveller. It will create hardship in the country areas. The Premier is anxious to stop the drift to the cities and towns. If he is genuine in this desire, the traveller clause must be retained.

Mr. J. Thomson: No.

Mr. J. H. SMITH: I object to the interruption of the member for Claremont. Because the other side have secured his sympathies and support in the last day or two, he is endeavouring to harass me here to-day. I object to it. He is one of those who says one thing and does another. I hope the hon. member will not take offence at my saying so. The House must retain the traveller clause no matter what else is thrown out. Men in my electorate are working continuously throughout the week. On Sundays they have their sports and they go to the towns, distances up to seven or eight miles for their sports. Particularly does this apply to mill hands. After working the whole week and after chopping wood or growing vegetables on Saturday afternoons, surely they are entitled to have their Sunday sports and to enjoy whatever beverages they desire.

Hon. W. C. Angwin: How much better they would be to their wives if they went back without the beer.

Mr. J. H. SMITH: I do not agree with the hon. member; I assume he takes his pleasure in other ways. Men working in the country week after week are entitled to some little recreation on Sunday and to whatever beverages they desire. Why should we make criminals of them in this way? Their brothers living in the towns can get refreshments every day, but to these men in the country, the treat comes only on Sunday. I know men who walk in eight or nine miles for their mails. Who would begrudge people coming from Greenbushes to Bridgetown the right to have a drink? The Premier says they should go through the town in order to be travellers. Therefore, they must go on to Manjimup before they would be entitled to a drink. It is unreasonable to deny the people of Greenbushes this right when they journey to the beautiful Blackwood River for a day's fishing. There will be a terrific outcry if the traveller provision is not retained, and I shall get into serious trouble in my electorate. Provision is also made for the registration of bar attendants. This is a scandalous proposal. The Premier does not say whether they are to be registered the same as dogs or whether they will have to wear a disc. It it intended that the men shall wear discs around their necks to show that they are permitted to work in bars? Where will the girls wear their discs? It appears that the wowser element of this city have got to the Premier. To abolish barmaids is one of their pet aims. Some of the finest girls I know are girls working in bars. The wowsers have got the Premier to introduce this provision for the registration of bar attendants in the hope of eventually getting barmaids abolished.

The Premier: They are no more pleased with the measure than you are.

Mr. J. H. SMITH: Where did this recommendation come from? Did it come from the Commission?

Mr. Richardson: No.

Mr. J. H. SMITH: It is an absolute scandal. If the Premier insists on registering bar attendants, why not register every servant and get in revenue that way, because I presume it would be necessary to pay some registration fee. The Premier tries to camouflage the position by saying that he requires the attendants to take the responsibilities of the hotel-keepers. Who ever heard of an assistant taking the responsibilities of his employer? If a barman or barmaid does something contrary to the Act, what is the result? The guilty party receives the order of the sack immediately. This is only camouflage on the part of the Premier. He is toadying to one section of the community who aim at abolishing barmaids. To me it does not matter whether barmaids are abolished or not.

The Premier: Read what the Commission had to say.

Mr. J. H. SMITH: I have read the report of the Commission, but the Premier has ignored it and is now attempting to do something under the lap, something which the Commission do not appreciate. The Bill provides that billiard rooms must be closed at the time that hotels close. If the closing hour is 9 p.m., the hotel billiard room must close at 9 p.m. also. If we are successful in reverting to the old trading hours of 6 a.m. to 11 p.m., or 9 a.m. to 11 p.m., and the billiard rooms in the country are closed at 9 p.m., where are the people of country areas going to get their amusement? They will have to go into the city. In many country towns the only billiard room is that connected with the hotel. I know dozens of young men who frequent these billiard rooms have never tasted drink and I suppose they never will taste it. If they take my advice they will not, but if they wish to taste some of the joys of life, they will.

Mr. Richardson: Is not a radius provided?

Mr. J. H. SMITH: No, the billiard rooms must be closed at 9 p.m. other than to bona fide travellers, but just before that the Bill provides for the abolition of bona fide travellers. There is an inconsistency. If the billiard rooms in the country towns are to be closed a lot of people will be deprived of enjoyment, because there is no billiard table apart from that at the hotel. I do not know that a billiard room is of much good from the point of view of the hotel. Lights have to be kept burning and perhaps the billiard room does not pay. The hotel-keeper, however, must keep the billiard room open until 11 p.m.

Mr. Richardson: I think the Bill deals only with the metropolitan area.

Mr. J. H. SMITH: No, it does not. I would be prepared to compromise on this point. If the trade desire to abolish the bona fide traveller clause and close billiard rooms at 9 p.m., let it apply to Perth. If the evil exists in Perth, let us fix some radius from the city beyond which these billiard rooms may remain open. The same principle could be applied to the hours of closing. I would agree to the adoption of 9 to 9 as trading

hours for the metropolitan area, but outside of that we should be permitted to come into line with the goldfileds areas. We have a perfect right to claim this.

Mr. Richardson: The Bill provides for a radius of 12 miles with regard to billiard saloons.

Mr. J. H. SMITH: I apologise to the hon. member. I did not read the clause right through. If it does provide for a radius of 12 miles I will not oppose it, but if anyone moves in the direction of keeping these places open until 11 o'clock he will receive my support. There is another matter to which I wish to refer in this ridiculous Bill. I do not hesitate to say it is a ridiculous Bill. I do not know who framed it or who the Premier's legal adviser was. I do know, however, that there is a clause in the Bill which provides that no one under the age of 21 shall be allowed to enter a bar.

Mr. Gibson: Hear, hear!

Mr. J. H. SMITH: Who said "Hear, hear"??

Mr. J. Thomson: The member for Fremantle.

Mr. J. H. SMITH: And he poses as a patriot!

Mrs. Cowan: He is, too.

Mr. J. H. SMITH: The member for West Perth, I have no doubt, is one, and I presume she is one of those who a few years back said that a boy of 18 was the finest soldier and man in the country. Yet she will not allow him to enjoy the privileges of a man! I presume the member for Fremantle said the same thing. Both those hon. members were prepared to say that youths of 18 should be conscripted and should fight for their country. Now they wish to take away from those youths the right which certainly belongs to them! Those hon. members, I have no doubt, would also like to deny these youths the privilege of walking out with a young lady, and perhaps getting married before reaching the age of 21. Perhaps they will try to introduce legislation in that direction. In my opinion a youth of 18 or 19 is as much a man as anyone sitting in this Chamber. And have not many of them of that age proved themselves to be men? Then why should this amendment be introduced? Do we wish to put them on the same level as blackfellows, and say to them "You are not entitled to enjoy the privileges which your country gives to those who are over 21 years of age."

Hon. W. C. Angwin: It is to save the kids.

Mr. J. H. SMITH: Those youths perhaps have more sense than the hon. member or anyone in this Chamber. I deny the right of Parliament to vote against granting these privileges to youths of 18 or 19, and any member who dares to vote in this way will be a branded man in the future if I can work against him. Those patriots who sent the youth of our country to suffer the tortures of hell now declare that others of the same age should not mix with companions if they wish to do so.

Hon. W. C. Angwin: All those you are speaking of are over 21 now.

Mr. J. H. SMITH: But what about the present generation and the next generation? Who knows that to-morrow we may again require the services of youths of 18 and 19? But in the meantime some hon. members would wish to treat them as blackfellows in the country in which they have been reared. Are hon. members afraid of temptation being placed in the way of these youths? What are the temptations? No one asks them to have a drink.

Mrs. Cowan: They must be very different in the country towns.

Mr. J. H. SMITH: At any rate I have never yet enjoyed the privilege of being invited by the hon. member to have a drink. The privilege of good fellowship in Australia, where one can ask another to join him in this or that pleasure, must not be set aside. Australia is composed of goodfellowship and the finest men and women in the world live in Australia to-day. If we are to move on sanctimonious lines and endeavour to make people good by Act of Parliament, I assure the Premier that he will find himself very wide of the mark. Why does not the member for West Perth centre her efforts on Sunday schools, and take the youth into her fold and preach to them? Because she knows that that kind of thing is hypocrisy and half the individuals who pose as patriots, who are out to save their brothers and sisters are nothing but hypocrites. I know the member for West Perth is sincere, but a majority of those who run down that section of the community who do not agree with them are merely out to throw dust in the eyes. The Premier is being pushed forward by hook and by crook, with the result that we find the Government squirming and saying "we must toady to this section and we must toady to that section." Regarding the three-fifths majority which is provided for in the Bill, I do not consider it a democratic proposal and I view that portion of the Bill with a certain amount of suspicion. It was only last year that we had a vote on the subject of the liquor trade, and while some voted for continuance, others voted for reduction. Where reduction was carried some hotels have been delicensed, but the wine shops, in some instances, I am sorry to say, have been allowed to remain. I believe one was retained through the instrumentality of the member for Claremont.

Mr. J. Thomson: Hear, hear!

Mr. J. H. SMITH: And a beautiful hotel not far away from the hon. member's district was closed. I speak feelingly in regard to the closing of this hotel because I live in the vicinity of it, and as the locality is now dry, I miss the hotel very much. I wish to know from the Premier what is to be the result of the board which it is proposed to establish? Where reduction has been carried will the hotels in those localities be relicensed, and is it intended to de-license hotels in places where continuance has been carried? I view the proposal with suspicion.

I consider too, that there should be a compensation fund. You talk about a three-fifths majority! It is only fanatics who vote on a question such as this. We do not know when a catch vote is likely to be recorded. I believe that the recommendation made by the Royal Commission that there should be 85 per cent. of the votes cast, is a good one. But I would go even further. This is a democratic Chamber and it may declare for a three-fifths majority. Possibly so. The public mind is very fickle and I would agree that a vote of the majority of those on the roll should be the deciding factor as to whether a license should be held or abolished.

The Minister for Mines: That would not be democratic.

Mr. J. H. SMITH: Why?

The Minister for Mines: How would you elect members to this House? On the same basis?

Mr. J. H. SMITH: Which is the more important? I suggest that a majority of the electors should determine whether there should be reduction or continuance. If 50½ per cent. voted for reduction, then we should have reduction. The Licensing Commission declare that 85 per cent. of the votes should be cast and that the majority should be three-fifths.

Mr. Richardson: I objected to that.

Mr. J. H. SMITH: I wish to say a few words with regard to clubs. I look upon a club as a man's private home, and he has joined the club in order to receive some privilege or benefit from it. He spends his evenings there and meets companions. If the privileges which are granted to clubs are being abused by some clubs, then that is the funeral of those clubs. I distinctly object to police having the right to enter a club, and I also object to the hours being made similar to those of hotels. When hotels are closed there are many men who have nowhere else to go but to clubs, and women, too, for that matter. I understand that there are women's clubs. What would these women say if a policeman entered one of their clubs after nine o'clock and saw them playing a game of ping-pong or something like that for money? The law relating to clubs should not be altered. We can trust to clubs to look after their own welfare as well as that of their members. Members of clubs are jealous of the good name of the institution to which they belong, and if there should be at any time an unruly member he suffers at first a severe reprimand and for a second offence expulsion is the penalty. Why, therefore, should supervision over clubs be required? It becomes an encumbrance on the privileges enjoyed by a section of the community. I do not mind an investigation being conducted regarding the position of clubs. The Royal Commission enjoyed that privilege, but I do not know whether they exercised it. If they found that things were not working properly, they had the right to recommend that the club be closed.

Mr. Richardson: We did not have that power.

Mr. J. H. SMITH: Some of the recommendations that the Commission did make were ignored by the Government. If I had been a member of the Commission I would have felt hurt, even though, I suppose the members of the Commission did not pay all their own expenses when they went round making good fellows of themselves. I imagine that the members of the Commission partook of a fair amount of tea in the course of their inquiries in the country, and on the other hand I suppose in the evenings they were entertained and that they had to return the hospitality extended to them. What I do object to is that on top of all their deliberations, and all the evidence they took, and the many miles they travelled, mixing with every section of the community, being patted on the back by one section, and smoodged to by another, they presented their report and then received a slap in the face by the Premier, who ignores the recommendations made. That is the position. I have read the recommendations, and though I do not agree with the whole of them, I still recognise that they embody a great deal of common sense. Unfortunately, that common sense has not extended to the head of the Government. I sympathise with the Premier as regards this amending Bill to this extent: he is hard up against it for revenue. But why tax this one section of the community? Why not extend the taxation, if required, to other sections, some of which are making 100 per cent. profit? Why not impose taxation on such businesses? It will be said that they are reached through the income tax, but that is not so. My own view is that the increased taxation should extend throughout Western Australia. Why is this particular trade always singled out? In this connection I was somewhat taken aback by the wonderful prose of the member for Pilbara (Mr. Underwood). However, I have composed a little poem of my own, which runs—

> In the future as in the past
> We will see W.C.T.U.
> Rave and ramp and buck;
> But you will still hear the boys
> Crying, "Old man, here's luck! here's luck!"

That is the sort of friendship I like. The best men in the world are those who will say, "For company's sake, for good fellowship's sake, we'll have a drink." Who is to deny them that right? If a section of the community had their way, we would be denied the right of walking along the street. If a man has a glass of beer, they say of him that he has sold his soul for whisky. I hope that hon. members will view the Bill as it should be viewed, and that they will recall the number of times the trade has been tackled already. The liquor laws we have to-day, if properly administered, are all right. Existing legislation already controls the hotelkeeper

who sells liquor to a drunken man, or after hours to a man who is not a bona fide traveller or lodger. There is no need to tinker with the present Act if only it is properly administered. Last session the Premier told us that the whole question was one of revenue.

Mr. Mann: And of reform.

Mr. J. H. SMITH: It is not a question of reform. The member for Perth (Mr. Mann) has any amount of scope for reform in his own electorate of Perth, without tackling the liquor trade. I hope that in Committee members will show themselves democratic as to the trading hours, by making them the same throughout the State. Nine to nine may be all right in Perth, but in the country districts men leaving their homes after 7 p.m. to come into the township find themselves deprived of the opportunity of even getting a drink.

Mr. Mann: Do you object to 11 o'clock closing on the goldfields?

Mr. J. H. SMITH. I do not object to 11 o'clock closing anywhere, provided it is made universal. I consider that the hotels should be open from 9 o'clock this morning to 9 o'clock to-morrow morning. If there is an evil—which I do not admit—I would point out to hon. members that the more one attempts to strangle an evil by legislation, the greater it becomes. If every second house in this city were an hotel, and we were getting revenue from the sale of liquor, there would not be so much drunkenness.

Mr. Mann: What about Kalgoorlie?

Mr. J. H. SMITH: Let the goldfields members speak for Kalgoorlie. Thet leader of the member for East Perth has apparently not taken much heed of the hon. member's recommendations. Many of the most important recommendations of the Royal Commission have been simply ignored by the Government. Ministers treat the Royal Commission as a farcical appointment, one made merely to save the Government's face. I trust hon. members will support certain amendments which I propose to move in Committee, and which represent the life and soul of the trade as it is in my district. Regardless of what the Premier has told us about the trade asking him to abolish the bona fide traveller section—

The Premier: I said some hotelkeepers had asked that.

Mr. J. H. SMITH: The country districts are absolutely opposed to the abolition of the bona fide traveller section, or even to its amendment, unless it were to reduce the mileage from five to three. The Premier has said that this is a non-party measure, that we may vote on it as we feel, and that he will be content to abide by the opinion of the majority.

Mrs. COWAN (West Perth) [5.26]: I have listened with great interest to the previous speakers on this Bill, and in listening to them I have been extremely puzzled to know why a person who believes in local option should be considered so objectionable and such a wowser. It may be right to call such people wowsers. I am rapidly coming to the conclusion that to be called a wowser is something to be proud of. The object of all those women who take an interest in this question is to protect the young people of the community. It is rather painful to listen to some of the talk on the subject; for instance, with regard to the tyranny that is likely to be exercised over the people who are so anxious to help us to suffer from delirium tremens, misery, poverty, lunacy, sickness, and the many other evils which come in the train of drink. There are also the sufferings which come upon the race owing to the heredity which is passed on by drink. It puzzles me that speakers on this subject should be so forgetful of these facts as to say that we should not protect our young people and the generations to come. Even if they wish to continue to drink themselves, surely it is their duty to do what the Premier proposes in this Bill—accept the idea that our boys and girls under 21 years of age shall not be supplied with drink. That is a thing for which I consider the Premier is much to be commended, and the Commission are also to be commended. Surely any parent must realise that if it is good for publicans to prefer to employ sober people in their public houses, then it is good for us to keep our children sober, at any rate until they reach the age of 21. With regard to the extraordinary argument about a boy of 18 being sent to the war, and yet not being allowed to take a drink, I feel that one has the right to answer thus: At least women did not make the law that sent boys of 18 to the front. We women had no voice in that. If we desire to protect our sons up to the age of 21 years, both from war and from drink, I think we have a right as women to say that we desire that protection for them, and to get it. While on this phase of the question, I wish to mention that I recently received a letter from the National Council of Women, representing 33 organisations which send delegates to the council. This council represents some thousands of women, and large numbers of children. The resolution reads—

> That this meeting of the National Council of Women affirms the principle of local option with reference to the liquor traffic, and without compensation to the trade, as a 10-years limit was given.

I think most people are somewhat puzzled as to why it should be considered necessary to give the trade compensation, after having given it a 10-years limit in place of compensation. We must remember we have only tried the results of the existing Act for 10 months. There has been only one local option poll. We do not yet know what the results of local option will be. At least one can say that a local option poll is educative, if it is nothing else, and for that reason alone it is quite good and should be kept. Now, local option does not include compensation either for reduction or no license.

The Minister for Mines: Neither does the Bill.

Mrs. COWAN: But the Bill proposes instead a licenses reduction board with compensation. The opinions I have expressed are the opinions of women who have considered the matter very carefully. I may say that the W.C.T.U. and the Women's Service Guild do not belong to the National Council of Women, so that those two prohibition organisations will have to be reckoned with outside the 33 organisations which have not voted for straight out prohibition. One sometimes wonders, after listening to some members of this House, whether prohibition perhaps is not the wisest course, especially when one realises how difficult it is to deal with people who are not even willing to try to save the young from this evil. I only regret that in this Bill there is nothing making it compulsory to close wine shops altogether. Wine shops are far worse in their effects than are hotels. They should be prevented from doing the damage they are doing to our young people. No one can deny the serious effect they have had on our young people and many of our women. The reduction issue in this Bill is curiously put. We are to have reduction, but if there be no fund for compensation, then the reduction shall not take effect. Further than that, the reduction board is to exist for only six years. After that, I take it, if the traffic prove a satisfactory means of bringing in revenue to the Government, we shall have licenses issued in all directions. Some time ago this was found extremely unsatisfactory, and the issuing of licenses was stopped. The community has been none the worse for that. I sincerely hope the Bill will not make it possible that there shall be no reduction of licenses after six years.

The Premier: We shall wipe out the lot if the board remains long enough.

Mrs. COWAN: If the community wants to wipe out the lot, why should the community be prevented? I congratulate the Premier on the "bona fide traveller" clause in the Bill. There was no necessity for the existing provision. Most certainly Sunday should be a day of rest from drink; it would be a tremendous boon to the wives and sisters of drinkers. When I hear husbands talking of their right of freedom to drink, I often wonder how they would feel if their wives were one and two-bottle women per day. I will certainly support the Premier in getting any profits he can out of the trade, for the higher the price of drink, the more restricted will be its consumption. If we must have the traffic—I am not a prohibitionist, nor have I ever belonged to a temperance organisation, but would gladly help others to get away from temptation—then by all means let us do whatever we can to restrict it. The Bill contains no provision for appeal to the Supreme Court. I do not think that is wise. Certainly the experienced members of the past licensing benches would not support it. Sooner or later provision must be made for such appeals. The only appeal to the Supreme Court contemplated in the Bill is in connection with mortgages. Why should we always want to trouble about the monetary issue? Subclause 7 of Clause 7 strikes me as not being what it should be. In the past we have not delegated such powers to one man. It is to be possible for this body of three men to delegate their powers to one man. I question the wisdom of this. Certainly renewals should not be dealt with on those lines, whatever is to be said for transfers and the issue of temporary licenses. Again, we talk of not allowing boys and girls to be served with drink in hotels, but it is proposed to allow them to carry drink and supply it to others —surely a grave inconsistency! We should not allow our boys and girls to enter into such a business at all.

Mr. J. H. Smith: Is not a boy of 21 a man?

Mrs. COWAN: No, certainly not; neither physiologically nor in any other way. Another point to be looked into is the methods of some of our boating clubs. I understand that the youthful members of those clubs are freely served with whatever liquor they wish, and that they go on the river with it, frequently with calamitous results. If this be the case, that point should be dealt with in the Bill. I do not know whether the Bill provides for a rebate of duty on liquor for medical purposes in hospitals and charitable institutions; certainly that point might well be taken into account. We would be the better for the abolition of all railway bars, but if the House will not agree to that, the clause governing such bars is, I think, a fair one. Most men take a most unnecessary top up last thing at night at those bars. Many a home has been spoiled by that nightcap. I was interested in the dissertation on the billiard rooms. It is extraordinary that even in this dreadful city of Perth we have had at the Soldiers' Institute for some years a billiard room which is nearly always crowded, but where no drink is served. They do not require it. Surely if that institute can be run without drink, the serving of drink in hotel billiard rooms is also unnecessary! One of the main points to be stressed is that temptation should not be forced on children or women in any way. If one half at least of the race cannot be kept sober and women and children helped to become sober by the abolition of wine shops and the debarring of boys and girls from hotels, the outlook is pretty black, and the community will not have much to thank Parliament for. We are here for the good of those who come after us, and it is our duty to do what we can for the future of the race. I do not think local option has had a fair trial in this community. I came into the House on that issue, and I intend to stand by it and endeavour to get as near to it as possible.

Mr. MANN (Perth) [5.40]: I am glad the Premier has decided that this question shall not be a party one, for there are in the

Bill provisions which I could not honestly support. The work of the Royal Commission, extending over some months, served to enlighten the public as to the position of the liquor traffic. Prior to the sittings of that Commission we frequently heard allegations of chemicals in beers. The Commission had analysed every beer sold in the State, and the analyst, although making a special search for poisonous substances, reported his inability to find them.

Mr. Chesson: Where were the samples obtained?

Mr. MANN: They were purchased from various stores and hotels. The analyst found no chemicals, and was able to report that the beers were pure beers made from malt and hops.

The Minister for Mines: Did he try ginger ale and sarsaparilla?

Mr. MANN: Yes, and found there was certain alcohol in ginger ale, sarsaparilla and spot lager. For that reason the Commission recommended a section defining intoxicating liquors as being any liquor containing more than two per cent. of proof spirit. Spot lager, ginger ale and sarsaparilla were found to contain up to that percentage of proof spirit. The Commission discovered a general desire for light beers. We communicated with the various brewers and found they were able to brew a good beer with nine per cent. proof spirit. Other beers, brewed in the Eastern States, contain less than that, but on examination we learned that the conditions in the East are more favourable to light ales than are our local conditions. Therefore the Commission recommended to the Government the maximum of nine per cent. proof spirit for local beers. The conditions controlling the importation of whisky into the Commonwealth are more lax than they appear to be in any other part of the British Empire. We were shown a price list for whisky f.o.b. Scotland. Whisky was offered for sale from £2 a gallon down to 7s. a gallon. The price list was specially marked "This is a blended whisky which conforms to the requirements of the Commonwealth." Taking that and other things into consideration, the Commission contended that, though we could not prevent the importation of the spirits into this State, we could prevent their sale. We, therefore, recommended that no whisky should be sold in the State which had not been kept upwards of three years in the wood. In England the term is five years as well as in most other parts of the British Empire, and I think in New Zealand it is three years.

Member: How can you be sure of the period?

Mr. MANN: The bond certificates for two years have to be produced now, and it can easily be provided that the endorsement for the other year shall appear on the certificate. The whisky sold down to 7s. a gallon was patent still whisky. Both of the suggestions are made in the interests, not only of the trade, but of sobriety and the State as a whole. I am not able to understand Clause 7. I do not know whether the Bill intends there shall be a licensing court and a board embodied in one, or whether they will be two separate bodies.

The Premier: They will be exactly the same people.

Hon. T. Walker: It is really a court.

Mr. MANN: So long as it is clearly understood that the board and the court will be one and the same body, I do not mind.

Hon. T. Walker: Subject to the delegation of its powers.

Mr. MANN: It does not appear to me in that way.

The Premier: But that is so.

Mr. MANN: Provided it is one and the same body I do not mind. We do not desire to increase the cost of the administration of the Act. It is understood that the cost of the board and the administration will be borne from the two per cent. that the trade will contribute to the compensation fund.

The Premier: That is so.

Mr. MANN: If the licensing court and the board are one and the same body, the cost of the court will be no infliction upon the State. I agree with the Premier in regard to the two per cent. That is a necessity fund, and the cost of the board or court will be borne from that fund. The administration of the Act will, therefore, not be a burden upon the State. It will, in fact, represent a saving to the State.

Hon. W. C. Angwin: The licensing court would be a cost to the State.

Mr. MANN: It should not be so.

Hon. W. C. Angwin: It is only the reduction board that will not be a cost to the State.

Mr. MANN: I put that question to the Premier.

The Premier: The board will come within the two per cent.

Mr. MANN: I want to know if the licensing court and the board are to be one and the same body. I see no occasion for two bodies when one body can do the work without any cost to the State. Does the Premier contend that there shall be one body only.

The Premier: My idea is that there should be one set of men.

Mr. MANN: In Victoria one body does all the work.

The Premier: And it will do so here.

Hon. W. C. Angwin: The fund from the two per cent. will maintain the reduction board, but not the licensing court.

Mr. MANN: In Victoria the two bodies are paid from the fund irrespective of the work that is done.

The Premier: That will be so here.

Mr. MANN: I am afraid the Premier will not realise from the trade the revenue he expects to receive. I therefore want to save as much in the cost of administration as possible.

Hon. T. Walker: If he makes it 10 per cent. he will realise more.

Mr. MANN: I do not think he anticipates getting 10 per cent.

The Premier: I hope I will get it.

Mr. MANN: The trade cannot pay 10 per cent. and carry on business as it should be conducted.

The Premier: Why not reduce the strength of whisky?

Mr. MANN: The Premier would not agree to drink it if it were reduced much below the present standard.

The Premier: You have discovered that?

Mr. MANN: It does not work well.

The Premier: You should have taken the member for North-East Fremantle out to taste it.

Mr. MANN: With regard to the control of the trade, Clause 18 of the Bill prevents the establishment of any boarding house, eating house, or billiard room. That was not intended by the Commission. The clause reads:

> Subject to the provisions of Part VI. of this Act, every application for a license for premises not licensed at the commencement of this Act shall be granted or refused in the absolute discretion of the Court:
>
> But the number of licensed premises in a district shall not, except in pursuance of a special authority granted under the next following subsection, at any time exceed the number of licensed premises of the same description in the district on the 31st day of December, 1922:

It goes on to say—

> Provided that a brewer's license or spirit merchant's license may be granted to the holder of a two-gallon license or gallon license in lieu of such license; and a railway refreshment room license may be granted under this Act, in lieu of a license under subsection (2) of section fifty-nine of the Government Railways Act, 1904.

It excludes all licenses. I am sure it could not have been intended that no further brewers should start business, and that there should be an absolute monopoly for the present brewers; nor could it have been intended that there should be no other wine and spirit merchants starting in competition with the existing merchants, or that there should be no more boarding houses or eating houses. In Committee I intend to move an amendment to this clause.

The Premier: You are surely not going to try to amend the Bill?

Mr. MANN: Surely the Premier does not intend that there should be no more wine and spirit merchants, or boarding houses or eating houses.

The Premier: I contend it is a good Bill.

Mr. MANN: I am sure he does not intend this.

The Premier: That is the fault of the Commission.

Mr. MANN: It is the fault of the Parliamentary draftsman. The Commission suggested with regard to the bona-fide travellers, that the distance should be increased from five to 10 miles, and that within the metropolitan area the whole question should be optional. We were influenced in coming to this conclusion by the overwhelming evidence put before us that the bona-fide traveller clause was a necessity in the country districts. Two of the witnesses who gave evidence in support of the retention of the bona-fide traveller clause were ministers of religion. These gentlemen said that during their duties they were obliged to travel through various parts of the back country, and were convinced that teamsters and others who travelled long distances on Sunday required liquid refreshment to drink as well as food to eat. It will not be suggested that these witnesses were biassed or prejudiced in favour of the trade. They gave their evidence with the best of intentions, and as a result of their own observations. We had other evidence of various descriptions and from various sources, and the Commission, therefore, suggested the retention of the bona-fide traveller provision. In order that the city publicans who do not desire to serve drinks on Sunday should not be obliged to do so, we have suggested that it should be optional upon them within a radius of 10 miles from the city.

The Minister for Mines: Did they not say they did not desire it if it were made general?

Mr. MANN: We made it general outside the 10 mile radius.

Mr. McCallum: Some do not serve on Sundays.

Mr. MANN: Quite a number.

Hon. W. C. Angwin: You should have gone at least 20 miles.

Mr. MANN: The conditions here are different from those in the Eastern States.

Hon. W. C. Angwin: There is not much difference between Perth and Fremantle.

Mr. MANN: Fremantle would not be in the area under the zone system. In South Australia, the bona-fide traveller clause has been eliminated. I understand that in the country districts there it is not impossible to get liquor on Sundays. In Victoria the distance is 20 miles, in New South Wales, outside the county of Cumberland, it is 25 miles. In Western Australia people have to travel long distances through the bush where there is no other form of refreshment.

The Minister for Mines: There is not much bush between here and Nedlands.

Mr. MANN: That does not enter into the question. I am sorry this recommendation has been left out of the Bill. Subclause 2 of Clause 29 has apparently been badly drafted. It states—

> In the case of a spirit merchant's license the return to be furnished as aforesaid shall set forth the liquor sold or supplied by the licensee during the said period of twelve months to persons other than persons licensed to sell liquor; and from the return so furnished the Receiver of Revenue shall assess the fee payable for the license for the then current year (in addition to the minimum fee paid on the issue thereof) at a sum equal to Ten pounds per centum

of the amount paid or payable by the licensee for the liquor so sold.

It does not say whether he has to pay on the price in Scotland or the price in Western Australia, with freight added. If he has to pay on the invoice, it will be on the price that man has paid for the liquor in Scotland.

Mr. Lutey: Sometimes liquor is sold several times in transit.

Mr. MANN: I think this is a mistake, because it does not seem fair that a wine and spirit merchant should pay the tax simply on the price he pays for his liquor, while the publican has to pay his tax on an enhanced price as compared with that of the wine and spirit merchant. Then again the brewer has to pay his tax on the price he receives for liquor sold. Why this difference between the wine and spirit merchant and the brewer? The one has to pay taxation on the price at which he buys his liquor, while the brewer has to pay on his sales of liquor. I suggest that the wine and spirit merchant should be taxed on the same basis as the man who sells the liquor. Why tax the manufacturer more heavily than the importer?

Mr. Richardson: You are taxing his profits.

Mr. MANN: But we are taxing the brewer's profits.

Mr. Richardson: It is not the same thing.

Mr. MANN: At any rate, it does not appeal to me.

Mr. A. Thomson: It is a good point that you have raised.

Mr. MANN: I do not think that was ever intended and I believe the clause has been badly drafted.

Mr. Willcock: We will have a select committee to consider the Bill.

Mr. MANN: It may be necessary. Dealing with the taxation proposals in the Bill, it is suggested that a tax of 10 per cent. on the purchase price of liquor shall be levied. In some instances, that is more than the publican is receiving. Certainly very many of them are not making a profit of 10 per cent. It has been stated that in Victoria it is proposed to tax the publicans to an extent almost equalling the proposed tax in Western Australia. In Victoria the tax was imposed on duty and excise, as well as on the price of the liquor. When that tax was imposed, however, the duty on beer in 1913 was only 9s., so that the tax on duty did not affect the position very much. The Government did not receive any portion of that tax and nothing went into general revenue from it. The whole of it went into a fund to subsidise and compensate the trade with the exception of a small sum for a retiring fund in connection with the police force and another small fund as well. To-day the Licenses Reduction Board has a very large fund to its credit and I understand that the Victorian Government intend to bring in a Bill making the tax three per cent. Whereas the duty on beer was 9s. in 1913, it is £4 14s. 6d. to-day. It will readily be seen that the liquor trade, which has been accused of making big profits, has been up against it on account of increased duty charges. While the duty on beer has increased as I have indicated, the duty on spirits has increased from 10s. in 1913 to £1 6s. at the present time. If we desire to see our hotels run on clean, first-class lines, as up-to-date institutions, free from infringements of the liquor laws, it is no use overtaxing publicans. If we do that and impose a tax that these people cannot pay, they will simply have to resort to all kinds of breaches of the Act to get the money to pay the taxes.

Mrs. Cowan: They did that when they were under-taxed.

Mr. MANN: I will admit that some hotels have not been run as they should have been. I know there are publicans who run their businesses along the lines the Act compels them to do. Probably it is difficult for one man to conduct his business along first class lines, if the Act permits another to run his business along loose lines.

Mr. A. Thomson: It all depends where the hotel is situated.

Mr. MANN: On the recommendation of the Commission, the trade will be tightened up considerably. There are conditions under which a license may be forfeited. Under the old Act there were only two types of offences which made the licenses liable to forfeiture. Under the new Bill, quite a number of offences will make the licenses liable to forfeiture. Thus, it will be seen that the Act has been tightened up in many ways. With more experienced administration and under the altered system which will prevail, I am prepared to predict that there will be less drunkenness and that the hotels will be much better conducted in the future, than has been the experience in the past. We have suggested that it should be made more difficult to obtain licenses. The mere fact that a man has enough money to buy into an hotel should not be sufficient qualification to enable him to secure a license. The Commission were satisfied that a person desirous of securing a license should demonstrate that he is capable of running an hotel.

Mr. Harrison: Some of them are lessees.

Mr. MANN: Then the lessee is to hold the license. I am pleased to see that the Commission's suggestion has been embodied in the Bill, for it means that it will not be so easy to obtain a license as in the past.

Mrs. Cowan: If every country magistrate is to be allowed to renew licenses, it will be just as easy.

Mr. MANN: I do not think that it will have that effect.

Mrs. Cowan: The licensing court can delegate their powers.

Mr. Pickering: That does not necessarily mean that the effect will be as you suggest.

Mr. MANN: In addition to being a person of good character, it is proposed that the man seeking a license must show that he has the personality that will enable him to control an hotel. He must have experience in

the liquor and catering trades. We suggested that the catering portion of the trade should receive better attention than in the past. It is in connection with this aspect that it has been made an offence rendering the license liable to cancellation.

Hon. T. Walker: What is to cause forfeiture by inadequate catering?

Mr. MANN: If a person refuses to provide a meal and persists in that attitude. We make it necessary, under the Bill, that a dining room must be provided and all the necessary appointments to keep that dining room in operation. Further, we have given power to the licensing bench to arrange tariffs, so that no publican if a meal is demanded of him can provide cheese and a biscuit and charge half a crown or as much as he likes. Some have done that; under the new Bill that cannot be done. The licensing bench has power to arrange tariffs, and if a publican fails to comply with the order of the bench to supply the meals at the prices fixed, he can be dealt with.

Hon. T. Walker: Then it is to be a sort of Price Fixing Commission as well as a board!

Mr. MANN: It may be termed that, but we are endeavouring to compel the publican who is to-day flouting the law, to comply with it. There are certain publicans to-day who think it is only their duty to retail beer and whisky. This Bill will compel those publicans to provide for the requirements of the travelling public and of the public generally. If hon. members have read the Commission's report—I hope they have read it, because it is worth while doing so—they will see what suggestions were put forward, and the evidence will show what prompted us to make those recommendations.

Hon. T. Walker: The worst of it is that you cannot carry it all round with you. You want the evidence as well.

Mr. MANN: The Commission desired—and I want to see it included in the Bill—that the publicans should cater for those people who want to go to hotels but do not always wish to consume alcohol with their meals.

The Premier: They must have that in the measure.

Mr. MANN: It is not in the Bill.

The Premier: Yes, it is.

Mr. MANN: I must have missed it. I am anxious to see the Bill make provision that the licensee must provide a meal for a person who goes to an hotel at any time.

Mr. Harrison: What, after 7 p.m.?

Mr. MANN: Yes, if necessary, irrespective of whether he takes alcoholic liquor or not. I do not desire to see hotels closed up, as they are at present, immediately after the bar is closed at 9 o'clock.

Mr. Davies: Will that not conflict with the Arbitration Court awards?

Mr. MANN: That may be so, but that is a matter than can be adjusted. I want to see the hotels opened for any person who desires to be supplied with refreshments apart from alcoholic liquor, to have his wishes complied with. Australia is the only place that I know of where such conditions prevail and where, after 9 p.m., an hotel becomes more or less a prison. If I happen to be in an hotel for a legitimate purpose after hours, the onus is upon me to show that I am there for a lawful purpose.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. MANN: Before tea I mentioned that Clause 18 prohibited the granting of any further licenses such as boarding house, eating house or billiard table licenses. The Minister for Mines interjected that these licenses did not come under this measure. Clause 30 shows that they do come under this Bill. It states that the annual license fee to be paid for an eating house, lodging house, or boarding house license shall be £1, and then it goes on to refer to different licenses. It is clear that these licenses do come under this Bill. According to Sub-clause 2 of Clause 18, no further addition may be made to the number existing at December, 1922. I think that is an error; if it is the intention of the Bill, I think it would be unworkable. The endeavour of the Commission has been to tighten up the control of the liquor trade and to encourage a further reduction in the consumption of alcohol. Since 1915 there has been a great reduction in the consumption of liquor, not only in this State but throughout the Commonwealth. This is attributable to the tightening up of the liquor laws, the better control of the sale of liquor, and probably to the education of the public. Generally, the trade throughout the Commonwealth has been under much better control in late years than it was formerly. The trading hours in the other States are:—South Australia, 9 a.m. to 6 p.m.; Victoria, 9 a.m. to 6 p.m.; New South Wales, 6 a.m. to 6 p.m.; Queensland, which still retains the old hours, 6 a.m. to 11 p.m.; Tasmania, 6 a.m. to 6 p.m.

Mr. Underwood: Where did you get your figures?

Mr. MANN: The figures are taken from the official records of the Commonwealth. I suggest that the trade in this State do not desire to revert to the old hours of 6 a.m. to 11 p.m. The trade are satisfied with the hours of 9 a.m. to 9 p.m., and it seems to me that these hours have worked satisfactorily and that with them reasonable control can be exercised. On the goldfields we found that a different condition of affairs prevailed. The people there by ballot had decided that the hotels should remain open until 11 p.m., and we had it in evidence that owing to the change of shifts on the mines at midnight, it was advisable that men coming off and going on shift should be able to obtain liquor. It was stated that those who partook of liquor had not been so subject to miner's disease as those who did not.

Mr. Boyland: An absolute mis-statement all the same.

Mr. MANN: With this evidence before us, we did not desire to interfere with the

hours of closing, but we decided to recommend a shortening of three hours in the morning.

Mr. Underwood: I could have given you some evidence.

Mr. Boyland: Knowing the men, I am more than doubtful.

Mr. MANN: The number of cases of drunkenness in Western Australia has fallen from 4,836 in 1915 to 3,563 in 1921.

The Minister for Mines: Every man who gets drunk is not arrested.

Mr. MANN: The conditions of arrest to-day would be no different from those prevailing in 1915 so the figures stand, showing a reduction of 1,000 cases during that period. I am not a prohibitionist, but I favour tightening up and more effectively controlling the liquor trade. The liquor law may be viewed in much the same light as the Gaming Act. We have laws on the statute-book prohibiting betting and gaming, but we know it is impossible to prevent these things absolutely. Unless the people themselves desire prohibition, it would not be possible to carry it into effect. Rather should we control the trade so that it shall not be an encumbrance to the State or operate detrimentally to the citizens of the State. Several amendments have been suggested to this end. One of them was ridiculed by the member for Nelson (Mr. J. H. Smith) namely that no youth under 21 should be served with liquor. I think this is a very good suggestion. It is just between the ages of 17 and 20 that youths may be inclined to go wrong, and at that age liquor probably would not agree with them. When one reaches the age of manhood, he is better able to withstand the temptation of drink if it does not agree with him. Other amendments have been suggested and adopted which I think will tend towards further sobriety. A good deal of evidence was given regarding the conduct of railway refreshment rooms, and it was thought advisable to bring these refreshment rooms under the licensing court rather than permit the licenses to be issued by the Commissioner of Railways, and that no liquor be sold on the dining cars. With the exception of the Commissioner of Railways, all witnesses who appeared before the Commission agreed that it was advisable to abolish the sale of liquor on the dining cars. The Commissioner of Railways said it would mean a loss of probably £2,000 a year and he did not feel inclined to recommend it. The Royal Commission, however, felt that this did not justify the retention of the practice of selling liquor on dining cars.

The Minister for Mines: Do you prohibit passengers from taking liquor on the trains?

Mr. MANN: That would not be possible any more than it would be possible to prohibit people from taking liquor on the Trans train. Anyone who has travelled on that train will have noticed that an occasional passenger takes a bottle or two of whisky.

Mr. Latham: Some of them two dozen bottles.

Mr. MANN: The hon. member may take two dozen but when I went I was satisfied with one, which I found sufficient to last me for the three days I was on that train.

The Minister for Mines: You are Scotch.

Mr. MANN: I did not see anyone with two dozen.

Mr. Latham: I did.

Mr. Underwood: Suppose one passenger had two dozen, what then?

Mr. MANN: The conditions of travelling on the Trans train, where there is no bar, are better than where there is a free sale of alcoholic liquor.

Mr. Underwood: In my opinion they are worse.

Mr. MANN: That might be the hon. member's opinion.

Mr. Underwood: You did not take my evidence.

Mr. MANN: The hon. member can give his evidence here. The Bill proposes a method for raising revenue. Subclause 8 of Clause 29 reads: "For the purpose of this section——"

Mr. SPEAKER: I cannot permit the hon. member to read the clause. That is a matter for the Committee stage.

Mr. MANN: Under the Bill it is proposed to tax the sale of liquor for the present year. That is not quite fair because traders in liquor did not anticipate that this year they would be taxed on their sales. The Bill proposes that the payment be yearly and that the return be made for the year. I suggest that if a return were made in January of next year for the three months ended December of this year, the Crown would get the revenue quicker and as well as if traders were taxed on their sales for the year. That is that in January they would collect on the sales of liquor from September—I put in September so as to prevent any large purchases after that month—to December, and on the return of the sale of liquor during those four months, they should pay in the January following, and then pay in each three monthly periods, rather than that the return should be made annually and that the tax be paid annually. The hotel may change hands and it may be much more difficult to trace a former licensee in the longer period. Part 6 of the Bill deals with the question of prohibition—a vexed question. I have made it clear that I am not a prohibitionist and do not support prohibition, although I will support any effort to tighten up the trade and bring it under such control that it will not prove the menace it is suggested it now is. Under the proposed Bill it is recommended that there should be alterations to hotels, particularly those hotels within the metropolitan area, which will involve the expenditure of thousands of pounds. I am not suggesting that the licensees should not be so considered, because I think the hotels ought to have provided that accommodation long ago. The position, however, is that they must now make such additions to their hotels if they wish to retain their licenses, and these additions will involve heavy expenditure. At the present time an hotel in the

metropolitan area may have just two bedrooms and a sitting room.

Hon. W. C. Angwin: Do you not think that you have gone to extremes in providing for 12 rooms?

Mr. MANN: I do not think so. The Commission suggested that every hotel should have at least 12 bedrooms apart from those required by the household.

Mr. Underwood: Make it 100.

Mr. MANN: I would if I could. In Perth to-day most of the hotels are full. The Bill proposes that the poll should be taken in 1924. It seems to me that it is hardly fair to tell a publican at the next sitting of the Licensing Court that he must spend £10,000 on his premises and that he may lose his license in 1924. I consider that the Bill should be given a trial with a view to seeing its effect on the tightening up of the trade, and to see generally whether it will have the effect which we expect. If it does not do what we hope it will do, a vote may be taken at a later date, and that, in my belief, will be the proper time in which to secure the opinion of the people. The Bill should be allowed to remain in force for four or five years at least. I have here an article written by the Premier of the Province of Quebec, which illustrates the various phases the liquor question went through in that Province. It went through local option and other forms, but none was found so successful as the appointment of a board which controlled not only the licenses, but regulated the kind of liquor that had to be sold as well as the persons who sold the liquor. It is plain that that board proved very successful. I am going to suggest that the vote for prohibition, instead of taking place in 1924, should be cast in 1928.

Mr. Pickering: Hear, hear!

Mr. MANN: I regret that the Premier did not see fit to retain the simple majority with an 85 per cent. poll, because if it were then carried there would be a sufficient majority to see that it was brought into effect. I am informed by the member for South Fremantle (Mr. McCallum) that in Queensland a 93 per cent. poll was secured on this question.

Hon. P. Collier: On compulsory voting.

Mr. MANN: If they were able to get a 93 per cent. vote in Queensland, I see no reason why we should not get 85 per cent. here.

Mr. Corboy: They have better administration there.

Mr. MANN: The Commission suggested compulsory voting and a penalty for failure to record a vote. The Premier, however, has seen fit to revert to the three-fifths majority and a 30 per cent. poll, and I do not propose to take any serious exception to it.

Hon. W. C. Angwin: Surely you will stick to your recommendation.

Mr. MANN: If I thought there was any possibility of carrying it I would.

Mr. Richardson: We shall decide that in Committee.

Mr. MANN: I shall be prepared to stand by all the recommendations which the Commission made. I am certainly going to move that the proposed taxation be reduced considerably below 10 per cent., because in my opinion the trade cannot honestly bear it.

Hon. P. Collier: Even if they could, why should they?

Mr. MANN: There may be certain reasons why there should be some such taxation, but it should not be so heavy.

Mr. Underwood: Why?

Mr. MANN: The Federal Government have raised the taxation on beer from £63,000 in 1914 to £448,852 in 1920, while on spirits the increase has been from £10,000 to £40,000. The position is that the Federal Government have been getting revenue from the liquor trade all these years while the State has received scarcely anything. That, however, does not justify the State Government stepping in to-day with the 10 per cent. proposal, an amount which the trade really cannot pay. If it is carried it will mean that the trade will have to resort to illicit trafficking, selling after hours, and also selling deleterious liquors.

Mr. Latham: Would they not pass it on?

Mr. MANN: I do not think they would. I will conclude by saying that I intend to support all the recommendations made by the Commission and I shall certainly do my utmost to bring about a big reduction in the proposed taxation.

Mr. PICKERING (Sussex) [7.55]: I was a member of the Royal Commission which was appointed to investigate this question, and though I say it myself I regard the Commission as a worthy one which devoted considerable time and attention to the work entrusted to it. The result of the labours of the Commission is such that I consider that it deserves the commendation of the House. It would scarcely be possible to choose five members from this House more fitted to carry out this investigation than the hon. members who were selected.

Hon. P. Collier: Even though the work of some of them was duplicated on another Commission.

Mr. PICKERING: When one considers too that the duties of this Commission were carried out at some financial loss, the commendation should in a measure be enhanced.

Hon. P. Collier: Of course they had to neglect the work of the other Commission, which was a paid one.

Hon. W. C. Angwin: And they blocked the work of the Tramways Commission.

Mr. PICKERING: I am dubious about that, because the Tramways Commission did not make any genuine effort to start work.

Mr. SPEAKER: Order! The hon. member will deal with the Bill.

Mr. PICKERING: The Bill can be viewed from three aspects. There is the improvement of the trade which I take it is the view which actuated the Commission appointed by the Government. The Commission did their best to frame a Bill which should have

the approval of Parliament. Then there is the view of prohibition, and as expressed by the member for Perth, the point of view of prohibition is not one which in any way applied to the powers which were vested in the Commission. There is also the point of view of taxation, and I may be permitted to say, that is the view we find particularly instanced in the Bill under consideration. It is the outstanding feature that it is desired to get a very large revenue from the drink traffic. The Premier went to some pains to show that the Federal Government levied 36s. per head of the population in connection with the liquor trade in Western Australia. He said that the State received in return only 25s. per capita from the Commonwealth; and that is true. But he said further that the State Government collected only 2s. per capita. The contrast between the two amounts is startling. I take it the contrast was urged as an incentive that we should enter into the race for extortion from our people. Personally I can see no justification for the enormous Commonwealth collection, nor can I regard it as indicating any scope for similar exploitation by the State. If any adjustment is to be attained in the relation between the Commonwealth collection and the State collection, there should be an effort to bring the Commonwealth to an appreciation of the heaviness of the tax they impose upon the people of Western Australia in this respect. We should not seek to pile further taxation on our people. As the Premier has said, this measure is one peculiarly for the Committee stage. The Commission, in going carefully into the question of the basis for revenue, had no conception that the Premier would make the rate as high as 10 per cent. It was impossible for the Commission to arrive at a majority suggestion in this connection; but two members at least of the Commission were of opinion that 7 per cent. was quite adequate, and that a further two per cent. should be collected for the expenses of the reduction board. Dealing with this question last year, I said—

> Regarding compensation, if provision is made to collect the revenue on the basis I have suggested, namely, 8 per cent. on the revenue, and not on the revenue plus excise and Customs duty, it may be necessary to increase the amount by two per cent. for the purpose of compensation.

So that I consider I was consistent when, as a Commissioner, I recommended that the collection should be seven per cent. on the net purchases, and two per cent. for the purposes of the licenses reduction board. The Premier went on to show that Victoria collects six per cent. plus duty, which covers fees and contributions to the compensation fund. Victoria's fees, according to the Premier, totalled £164,134; and I understand that the Premier anticipates by way of annual revenue from this source of taxation a sum of £100,000 or thereabouts; in addition to which we are here confronted with a further collection of two per cent. for the licenses reduction board. We should contrast the population of Victoria with that of this State. Victoria has about 1½ millions of people, whilst Western Australia has approximately 353,000. Yet we are asked to pay in this State only £44,000 less than the amount paid by the Victorian people. I am not going to accept the 10 per cent., but shall stick to the recommendation I made in the Commission's report, namely, seven per cent.

Hon. P. Collier: The Commission did not recommend any percentage.

Mr. PICKERING: I thought there was a rate recommended.

Hon. P. Collier: No.

Mr. PICKERING: At any rate, that was the rate I recommended when the Commission were discussing the matter. In connection with the revenue as the basis of assessment, there is another point of disagreement between the Premier and the Commission. We considered that the fair basis of assessment was cost at port of shipment. The Premier holds that the basis should be the f.o.b. price at Fremantle. I have heard no argument from the Premier to lead me to change my opinion on the point. Another matter on which the Premier differs with the Commission is as regards the granting of power to the licenses reduction board to raise a loan. The reason why the Commission recommended the granting of such power was that they realised that unless provision was made in this direction it would be impossible for the licenses reduction board to operate at any reasonably early date. Members of the Assembly who know the conditions on the goldfields are well aware that a very large reduction in licenses should take place there as soon as possible. But it is impossible for any reduction to be made unless adequate funds are placed at the disposal of the board for that purpose. Personally I see no reason why the board should not be granted the power suggested. If we adopt the principle of compensation, we must grant the board power to pay compensation. I am satisfied that the principle which has been in force in Victoria for some years is the best principle.

The Minister for Works: But the trade had 10 years specially allowed them.

Mr. PICKERING: From a report furnished by the Victorian Licenses Reduction Board, and from personal investigation I made into the matter on the spot among people who have had considerable experience of the working of the Victorian system, I have come to that conclusion. The provision prohibiting the removal of liquor from hotels and clubs within one hour of closing has been excised by the Premier. The motive of the Commission was purely a desire to prevent, if possible, people from leaving hotels at the last moment loaded up with bottles of beer. I am at a loss to understand what is the Premier's objection to the excision of the wayside license, because it seems to me that when this Bill comes into force, the wayside license will be quite unnecessary, seeing that revenue is going to be collected on the amount of sales, and that the wayside license merely represents a reduction of the license fee. I

wish to impress upon the House the importance that the Commission place on hotel licenses. Many people have advocated that hotel licenses should be excised, but the Commission are of opinion that that form of license is one of the best that we have. I cannot agree with the Premier as to the deletion of the wine and bottle licenses. There are only 10 of these licenses, and probably a number of them would be cut out as wine licenses under this Bill. As to the exemption of the sale in two-gallon lots of wine grown within the State, the idea is that persons engaged in the manufacture of wine should not be debarred from buying grapes from their neighbours. Many of the neighbours might grow a considerably greater quantity of grapes had they an avenue for getting rid of them. But under the Bill as it stands it would be impossible for those small wine makers to make wine from grapes grown by their neighbours. I consider that, in order to prevent waste, they should have power to buy grapes from their neighbours. I shall oppose the excision of the bona fide traveller provision. I personally was in favour of a radius of 25 miles for the metropolitan area, but I agreed to a radius of 10 miles as a compromise. I consider it absolutely unfair, however, to impose on the country districts conditions which are quite unnecessary and quite unsuitable. I have no mandate from my electors to stand for the prohibition of the bona fide traveller, and I am quite convinced that in an electorate of the magnitude of mine, where people sometimes have to travel 60 miles without touching an hotel, travellers are entitled to a drink by the time they reach the end of their journey. It is the desire of a great number of people in the metropolitan area that the bona fide traveller provision should be cut out.

Mr. Underwood: Who expressed the desire?

Mr. PICKERING: That desire has been expressed in evidence as regards the metropolitan area, but not as regards the country districts. In behalf of the country districts, therefore, I shall stand for the maintenance of the bona fide traveller clause. The chairman of the Commission has recommended hon. members to have a look at the mass of evidence which came before the Commission. If hon. members will take my advice, they will not look at the evidence. The bulk of the evidence placed before a Commission of this nature is biassed one way or the other. I do not say that the whole of the evidence is biassed, but a great deal of it is. That applies particularly in the case of a Royal Commission on liquor. The expert evidence placed before the Commission is of great value, but the remainder of the evidence can very largely be dismissed. The members of the Commission felt themselves bound more by the scientific evidence, and by personal knowledge and experience, than by much of the testimony given by prohibitionists and free drinkers. The Commission recommended that clubs should be closed at 11 p.m. Personally I favoured 11.30 p.m., and I regret that the Premier has gone further, proposing to prevent club members from getting a drink on Sundays.

Mr. Mann: But you can get drink with your meals.

Mr. PICKERING: I do not like drink with my meals. It is ridiculous. One must recognise that a club is more or less the home of its members, and that therefore they should be entitled to get a drink on Sundays.

Hon. W. C. Angwin: If we are to open clubs, why not open pubs?

Mr. PICKERING: The hon. member does not know what a club is. If he belonged to a good residential club he would not sit there making biassed statements. A club is not there to make profit out of its drinks.

Capt. Carter: Oh, isn't it?

Mr. PICKERING: I hope the House will not agree to clubs being closed at the hours provided in the Bill.

Hon. W. C. Angwin: You move to extend those hours, and I will move to reduce them.

Mr. PICKERING: Of course you will. It is not fair that the same percentage should be levied on clubs as is to be levied on hotels. There is no analogy between the two institutions.

Hon. W. C. Angwin: No, the hotel is the better.

Mr. PICKERING: In a club, only the members are entitled to drink.

Hon. W. C. Angwin: They do not make any honorary members, do they?

Mr. PICKERING: If lodgers were compelled to sign a register it would be a deterrent to the dummying of people as lodgers. I cannot see why a register should not be signed. I should like to know, in the event of a dry vote being carried, what is to be done with the funds accrued under the licenses reduction board. It is prescribed in the Bill that no compensation shall be given for the closing of hotels by a local option vote. If there be an accumulation of funds at the casting of the dry vote, those funds should be distributed pro rata between the hotels affected.

Mr. Mann: The very next vote taken may be wet.

Mr. PICKERING: If the vote be taken on the basis laid down by the Premier, there is not much chance of Western Australia going dry. The member for West Perth (Mrs. Cowan) protested against billiard rooms in country hotels being allowed to remain open. In the country the avenues of amusement are very much restricted. So long as the law respecting the sale of drinks is observed in the hotels, I see no reason why country residents should be compelled to go to bed at nine o'clock. In my view the billiard room should be allowed to remain open. The member for North-East Fremantle (Hon. W. C. Angwin) was astounded that 12 bedrooms should be the fixed minimum for a metropolitan hotel. I was inclined to make the recommendation 50 bedrooms.

Hon. W. C. Angwin: Of course, you would be.

Mr. PICKERING: It is ridiculous that in a country of wide opportunities metropolitan hotels should contain only such meagre accommodation as is suggested in the Bill. The number of bedrooms prescribed for country hotels is inadequate.

Hon. W. C. Angwin: Metropolitan hotels have to provide too many bedrooms.

Mr. PICKERING: I think the recommendation of 12 rooms very modest indeed. Hon. members should read the evidence taken before the Commission on this point. It is only right that hotel accommodation in point of rooms and sanitary conveniences should be adequate. The building should afford all modern conveniences within reason. From the actual statistics, I admit, there appears to be more hotel bedrooms than are actually in use; but in a State like Western Australia where, largely, the people are migratory, the number of boarders fluctuate considerably, and consequently at times it is impossible to get hotel accommodation. Take Perth during Show week.

Hon. W. C. Angwin: You do not expect a man to build for a week!

Mr. PICKERING: The hon. member is like those people who object to hotels having bars, but who will not stay at first-class coffee palaces. I say that reasonable accommodation should be provided in every hotel.

Hon. W. C. Angwin: You have not shown that greater accommodation is required.

Mr. PICKERING: The license should not be granted unless the hotel itself is required. The licensing board, as composed in the Bill, will not grant hotel licenses unless they are necessary; indeed I am afraid the board will not be disposed to grant licenses even where they are shown to be necessary. There are in the State many places precluded from having hotels, places such as Dalwallinu and Denmark. Owing to the present state of the law, no license can be granted in those places. If it were possible to grant an application for an hotel in Denmark, a license would be applied for to-morrow.

The Minister for Mines: It has been applied for and granted, but the bench required too large a building.

Mr. PICKERING: Only six bedrooms are required in a country hotel. If the licensing magistrate for the Albany district requires more, it is time he was compelled to abide by the Act.

Hon. W. C. Angwin: And two sitting rooms.

Mr. PICKERING: Well, they are very necessary. The only way in which provision can be made for the growth of a district is by erecting a single storied building capable of being converted into a double storied structure. But it is very difficult to get an architect's client to agree to the necessary expenditure. If the licensing bench were reasonable in the accommodation demanded for the first year or so, provision for the future could be made by insisting upon adequate walls which would carry a second storey when required. I regret that in the drafting of the Bill the Premier has seen fit to cast aside so much of the data obtained by the Royal Commission. Still, I am glad that the House has in its possession that data on which we made our recommendations, and I trust the debate will result in a Bill entirely satisfactory to the people of the State.

On motion by Mr. McCallum, debate adjourned.

BILL—MARRIED WOMEN'S PROTECTION.

Second Reading.

Debate resumed from the 29th August.

Hon. T. WALKER (Kanowna) [8.30]: I wonder why this Bill was introduced——

The Premier: Because it was necessary.

Hon. T. WALKER: There is no special necessity for it. In 1896 there was passed an Act relating to the summary jurisdiction of magistrates in reference to married women. The Act and this Bill are practically on all fours. The Bill repeats, to a large extent, almost completely——

The Premier: No.

Hon. T. WALKER: It repeats completely the words provided in the Summary Jurisdiction (Married Women) Act with very little exception.

The Premier: There are important amendments.

Hon. T. WALKER: They are not so important as it appears. They will give no more relief than the Act gives now. The provision is simply that a woman can get an order for separation, maintenance and custody of the children without it being necessary to actually separate from her husband though she may live apart from him. The old Act says—

> Any married woman whose husband shall have been convicted of an aggravated assault upon her, within the meaning of the Imperial Statute 24 and 25 Victoria, cap. 100, Sec. 43 (adopted in Western Australia by Ordinance 29 Vic., No. 5), or whose husband shall have been convicted of an assault upon her and sentenced to a fine of more than five pounds, or to a term of imprisonment exceeding two months, or whose husband shall have been guilty of persistent cruelty to her, or wilful neglect to provide reasonable maintenance for her or her infant children whom he is legally liable to maintain, and shall by such cruelty or neglect have caused her to leave and live separately and apart from him, may apply to any two Justices of the Peace acting within the magisterial district in which such conviction has taken place, or in which the cause of complaint shall have wholly or partially arisen, for an order or orders under this Act: Provided that where a married woman is entitled to apply for an order or orders under this section on the ground of the conviction of her husband by the Supreme Court or any Court of

General or Quarter Sessions of the Peace, she may apply to the court before whom her husband has been convicted, and that court shall, for the purposes of this section, become a Court of Summary Jurisdiction, and shall have the power, without a jury, to hear an application and make the order or orders applied for.

It goes on to state what can be done. An order can be made when there is no further cohabitation, and there is provision for the custody of the children, and that the husband shall pay maintenance and costs. This Bill provides the same, with this difference—this is what may be considered by the Premier as the essential difference—namely, that without having to leave her husband and live apart a woman can ask the court for an order granting the rights or the relief given by the 1896 Act. In almost every court case there is very little of leaving and living apart. The law has already decided that a man and a woman living under such conditions, even under the same roof, when they are no longer man and wife, and fill none of the roles of man and wife, when they are at daggers drawn and are in effect living apart, even though they sit at the same table and have their meals together, can obtain an order under the Act of 1896. It is not necessary for them to live even in the next house or the next street to be considered apart from each other. If a woman has no feeling, no respect, and no marital obligation towards her husband, she is living apart, although living under the same roof as her husband. That is the decision given again and again in our courts, even in the High Court of Australia. It constitutes desertion under our law as it stands. If a man and wife will not fulfil their marital obligations one to the other, it is desertion. Consequently this Bill is unnecessary. If that is the only reason for its introduction, it is superfluous and we are wasting the time and money of the country in dealing with it. We are even asked to pass this Bill without repealing the old Act and to substitute this for it. The Act stands in our volume of law to-day.

The Premier: Clause 20 repeals it.

Hon. T. WALKER: Even so, all that is in this Bill is in the Act of 1896.

The Premier: Not all.

Hon. T. WALKER: Not quite all. Perhaps there is another reason, and it is that in the granting of maintenance there is a special limit to the weekly sum. In Section 5 of the Act I speak of, weekly payments can be ordered so that they shall not in any case exceed the weekly sum of £3. There is no necessity to prosecute for conviction under that Act, if the husband shall have been guilty of persistent cruelty to the wife, or wilful neglect to provide reasonable maintenance for her or her infant children whom he is legally liable to maintain, and shall by such cruelty of whatsoever kind or neglect have caused her to leave and live separately and apart from him. I have shown that the Bill does not alter that.

The Premier: I think you are wrong.

Hon. T. WALKER: I am not wrong. The section I have quoted deals with the case of two people who are no longer, as it were, man and wife, although living under the same roof. The woman can get an order for separation or maintenance, the custody of the children and costs. What more does this Bill give?

The Premier: Not much more than that, but you cannot do all that now. That is the trouble.

Hon. T. WALKER: The courts have been doing it all the time.

The Premier: The Bill simplifies the process.

Hon. T. WALKER: It simplifies the process in no case. The woman takes out a summons against her husband for cruelty and neglect. The case is heard by a Justice of the Peace, or by a resident magistrate, and if she proves her case an order is given; that is if she proves cruelty or neglect. It is reasonable that under such a condition of cruelty or neglect the order should be granted. The papers, when they are published, are full of cases of this kind, of those who prefer to take this course instead of going to the divorce court; it is the separation of the poor. If the Bill enabled the parties, notwithstanding the existence of an order of such a kind, at any time to apply to a higher court for complete relief instead of the relief granted here, I could have understood the Bill. If it had gone so far as to say, "You have been thus separated for a year or two and there is no chance of your coming together; you can get complete relief in the divorce court," there would be some justification for the measure. At present an order existing in this court, until discharged, is a bar to divorce. There is nothing of that kind proposed. Relief is to be given precisely the same as that which is now provided, with the exception of the amount of money the man is liable for by way of maintenance in the court of rights. The court cannot grant any sum exceeding £3. It is the poor people who go there and they cannot pay more than £3 now. When we consider the value of money in 1896 and the value now, I think this part of the Act might be amended and the amount fixed at a higher figure. Why have we not had a simple amendment to the Act instead of the measure as presented to this Chamber? A few brief amendments would have made the Act more workable and brought the measure more up-to-date. In the main and in principle, there is not one single advance made in this Bill on the measure passed into law as the Divorce and Matrimonial Causes Act Amendment Act, 1896. I object to this kind of legislation because it is supposed to be taking over some legislation from another State, whereas it is legislation that was taken from our own State and now we are getting it back.

The Premier: Are you quoting the 1896 Act or the 1902 Act?

Hon. T. WALKER: I have referred to the 1896 Act.

The Premier: I think you are wrong.

Hon. T. WALKER: I have read it again and again. The Premier insists upon the words "convicted of an assault." We have in our amending Divorce and Matrimonial Causes Act mention of a conviction for assault and we have mention of persistent cruelty and so forth. So it is here we have both conviction for assault, persistent cruelty and persistent neglect. That means to say that it is really covering the same grounds. These grounds provide for forcing people to live separate and apart. I suggest that the words I have quoted should not mislead the Premier, because the law is clear upon the point that when a couple can no longer live under the same roof or under a different roof as man and wife, they are living separate and apart. That is to say, they are not one in a married sense; they are apart. Persistent cruelty may come under the same provision. The wife may live under the same roof as her husband, because her children live there. The husband may insist upon living under the same roof and yet he will not perform the duties of a husband while living under the same roof. That is persistent cruelty and that is living apart in the eyes of the law. For that state of affairs, the Married Women's Judicial Separation (Summary) Act, 1896, gives full and ample relief. I have no objection, in a sense, to passing the Bill, but it seems to be foolish when we have a law already dealing with it. It looks as if we are hard up for legislation. I could understand a small amendment to the Act on the Statute books, but to be asked to pass another measure dealing with the same thing in somewhat similar phraseology seems to me to be a waste of money, a waste of time and a waste of intelligence.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 8—agreed to.

Clause 9—Orders not to affect marriage.

Hon. T. WALKER: I have not had time to draft an amendment, but I suggest that this clause should be amended so as to give effect to the only essential difference between it and the old Act. I suggest that the amendment should provide that "no such order shall be a bar to any proceedings for the dissolution of marriage in a court of competent jurisdiction in matrimonial causes." That is the point at which the existing law requires amending. There are cases where people have been living under an order of separation. The wife has patiently tolerated the condition of neglect by her husband for years. He has never paid a penny towards her support or towards the support of their children. I know of a case where the man has done that and has gone to prison time and again. He has simply made up his mind that he will not support his wife or his children. Yet we find that if that woman were to file a petition for divorce, this order may be brought against her and until that order is discharged, it stands. The difficulty is to get that order discharged. Why should that order be a bar to proceedings for divorce in circumstances such as I describe?

The Premier: But the order of the lower court would not affect the order of the higher court.

Hon. T. WALKER: That is the difficulty. The woman would not be free to go to the higher court until such time as that order was discharged. While that order of separation exists, the husband has not deserted the wife in the eyes of the law. Therefore, she cannot seek relief in the higher court. It has recently been held that such an order stands until discharged and even if it were discharged, the wife would have to wait another three years before she could proceed with her application for divorce. That is not fair.

The PREMIER: If the hon. member has not had time to draft an amendment to deal with the point he raises, I will recommit the Bill to reconsider Clause 9. I have no doubt the member for Kanowna knows more about the law, and particularly about the law relating to divorce, than I do. I do not wish to prevent a married woman getting a divorce in the circumstances mentioned by him. I want to give the married woman more protection generally than she has under the existing legislation.

Hon. T. Walker: I will bring the amendment forward to-morrow.

Clause put and passed.

Clauses 10 to 20—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—CLOSER SETTLEMENT.

Message.

Message from the Lieutenant Governor received and read recommending appropriation in connection with the Bill.

Second Reading.

Debate resumed from the 29th August,

Hon. P. COLLIER (Boulder) [9.0]: This measure is almost identical with the Bill which passed through this Chamber last year and I believe now as I did then that the measure does not provide the most effective or the most equitable method of acquiring land for closer settlement. There can be no doubt that there is an overwhelming consensus of opinion in this State to-day in favour of closer settlement, particularly closer settlement adjacent to existing railways, public works and other facilities. Hav-

ing regard especially to the finances of the State and the loss that has been incurred on the railways for some years past, it is incumbent on the House to place on the statute-book some laws which will effectively deal with the matter of closer settlement. This Bill does not provide for closer settlement at all.

Mr. Munsie: Under it the Government would not get an acre of land.

Hon. P. COLLIER: I venture to say that if the Bill becomes law, though it remains on the statute-book for any number of years and not merely for the period of two years stipulated in the Bill, it will not effect the purpose for which it is designed.

Mr. Davies: A pity we had not 12 months experience of it.

Hon. P. COLLIER: I suppose this time next year we shall be able to say we have had 12 months experience of it.

The Premier: Anyhow, we passed the Bill last year.

Hon. P. COLLIER: If we are going to pass legislation taking the right to acquire land for closer settlement, then we should have an absolute right to acquire land if it is thought to be in the interests of the community in general that it should be acquired for closer settlement. But this Bill has an alternative; it gives a choice to the owner. He may elect to subdivide the land himself and offer it for sale under conditions approved by the board, or he may elect to submit to the penalty imposed by the Bill and pay three times the amount of land tax. If he is agreeable to pay the penalty then this Bill cannot touch him at all and the land cannot be acquired.

The Premier: It has to be utilised.

Hon. P. COLLIER: No, it has not to be utilised if the owner elects to pay three times the tax. He has an absolute choice. There should be no such choice. If a land owner elects to pay three times the land tax—and it should be borne in mind that our land tax is a mere bagatelle, the smallest of any State in the Commonwealth—then under this Bill the land cannot be acquired. So long as he pays the increased taxation he may continue to hold any area of land out of use for all time. That is not closer settlement at all. No choice should remain in the Bill. If it is a bad thing for the State that any owner should be able to hold considerable areas out of use—and it is generally conceded to be a bad thing; the very fact of this Bill being before the House is evidence of that—then it is a bad thing that land should be so held out of use notwithstanding that the owner is willing to pay the penalty for so doing. Take a holding of 5,000 acres, the unimproved value of which is £1 per acre. There is a ring fence around it. It is improved sufficiently to enable the owner to secure the rebate so that he pays a tax of only one halfpenny in the pound. Five thousand acres are held largely out of use and the area may be capable of carrying half a dozen or in some parts of the State a dozen settlers. If the owner exercises the option provided in the Bill by refusing to subdivide and agrees to pay the penalty of three times the tax, what does it amount to? He would pay £31 per year, and by so doing would be able to retain possession of his holding and continue to keep it unutilised. If we assume that the land is not improved, to the extent that would enable him to obtain the rebate and the owner paid the full tax of 1d. in the pound, the treble amount would involve the payment of only £62 per year. There might be any number of owners in the State in a sufficiently good financial position to pay the penalty under the Bill and so continue to hold their land. There should be no such choice given in the Bill. If any man is holding out of use land within reasonable distance of a railway and it is considered desirable to acquire the land for closer settlement, then the State should have the absolute power to acquire it, and there should be no option for the holder to retain it so long as he is willing to merely pay the increased tax. That provision in itself entirely defeats the object of closer settlement. The interests of any owner in a matter of legislation dealing with the resumption of large estates for closer settlement, it is always assumed, are of secondary importance to those of the community; otherwise, legislation of this kind would not be justifiable. We would not be justified in taking away land, the freehold of which is possessed by any individual, unless it was considered that the community's interests were paramount. This being recognised, there should be no restrictions whatever to the power of resumption. I am opposed to that part of the Bill which gives the owner power to retain possession of his land by merely paying the penalty provided in the Bill. It would defeat the object of the Bill and any closer settlement that could be effected under its provisions would be very small indeed. I believe that the method of resumption, namely, full payment for improvements as provided under the Public Works Act, is not the best method of obtaining land for closer settlement. I have always considered and I still hold the view that the better way would be to impose such a measure of effective land tax as would force land into use. If the tax were sufficiently heavy to compel owners to utilise their land or make it available to others, nothing further would be required. We should have a tax sufficiently heavy to make it unprofitable for an owner to retain possession of land without utilising it to a reasonable extent. I do not know whether the Bill has been submitted to the executive or the conference of my friends on the cross benches. I am sorry the member for Gascoyne (Mr. Angelo) is not in his seat, because I recollect that at the conference two or three weeks ago, he gave an undertaking that a draft of the Bill would be submitted to a conference of the executive and the Country Party. I should like to know whether the Bill has been submitted to that conference.

The Premier: I should not think so. No one has had a draft .

Mr. Johnston: I have never seen a draft. I do not know how he can get them.

Mr. Pickering: Neither have I.

Hon. P. COLLIER: I am prepared to accept the word of the Premier that a draft of the Bill has not been made available to the executive, but the Bill has been on the Table for a week.

The Premier: It is a very old friend, too.

Hon. P. COLLIER: Yes, but it is not now in quite the form in which it appeared last year. I fancy I can see the hand of the executive in this Bill.

Mr. Munsie: It is reflected there all right.

Mr. Pickering: The executive is not at all in sympathy with it.

Hon. P. COLLIER: I know the executive and the Country Party are entirely opposed to any legislation which will force lands into use by means of effective and equitable tax.

Mr. Pickering: Equitable? You mean effective.

Hon. P. COLLIER: I mean effective and equitable; they are opposed to any legislation of that kind.

Mr. Pickering: Or any increased taxation at all.

Hon. P. COLLIER: They are opposed to any form of land taxation; but what right has an individual to hold considerable areas of land out of use and prevent them from being made available to other people, and not pay such taxation? The tax should be heavy enough to force land into use. This is a view in which I am supported by no less a person than the present Colonial Secretary. Of course, I acquit the Minister of any responsibility with regard to this Bill. No doubt it was drafted prior to his taking office, so that he now finds himself in the unfortunate position of having to support a Bill, to one of the main provisions of which he is opposed. I do not know whether Cabinet loyalty will compel the Minister to support the Bill or not.

The Minister for Works: You know the ways of Cabinets.

Hon. P. COLLIER: Yes; I sympathise with the Colonial Secretary that he finds himself compelled to support the Premier in this. On practically the first day on which he takes office in a Coalition Cabinet, he is compelled to go back on one of the main principles which he supported last year. Let me quote what the hon. member said, because it expresses very briefly the views I hold myself. Speaking on the second reading last year he said—

> I am rather surprised that the Bill has not gone further. I had hoped that some method of taxation, having for its object the forcing into use of those unutilised and unproductive lands within our State, would have been brought down.

The Bill before us has not gone any further; it is identical with the Bill of last year. There are no means by which we can force land into use by taxation. He goes on—

> If a vigorous policy in regard to the taxation of land, not at present utilised, were brought forward, much land would be forced into use. . . . . I suggest that the tax should be made sufficiently heavy to compel him to use the land or else part with it.

I entirely agree with the hon. member there. There is no need for the elaborate machinery provided for the resumption of properties, as the value can be assessed under the provisions of the Public Works Act. The hon. member continued—

> It is a disappointment to me because I had hoped from the statement I have heard since I have been in the House that a genuine effort to force these unutilised lands into use would have been made by the Government.

Probably the disappointment will not be quite so keen now that there are compensations so far as the hon. member is concerned. I regret that the method adopted is not that which was approved by the hon. member last year. Now, where do we stand in regard to the Bill. How can the Government put these provisions into effect? Before resuming large areas of land for closer settlement, we must know in advance what the land is going to cost. That is the sine qua non of the whole business. You cannot go blindly and say, "I am going to resume 10,000 acres in a certain area for closer settlement," at the same time having no knowledge of what that land is going to cost, and having no knowledge of the price that will have to be put on the land for those people who are to become possessed of it in small holdings.

The Premier: The taxation values.

Hon. P. COLLIER: That is only for the unimproved value; that is a small thing. In connection with the land resumed for soldier settlement, the deciding factor with regard to the purchase of any estate has always been the price. It is essential that before the Government can agree to resume or undertake the responsibilities of resuming land for closer settlement they must know what the cost is going to be, otherwise it may be assumed that it could be purchased for, say, £3 per acre. The land would be cut up and made available in small holdings and the price necessarily charged would not be excessed, and it would be a reasonable proposition for those who took up the blocks. It might then be that when the question went to the court under the provisions of the Public Works Act the Government would have to pay £6 per acre and that price would render the proposition an unprofitable one, in that the Government would have to write down the value of the land. Otherwise it would be left on the Government's hands as has been the case with so many large estates purchased in the past. The method provided in the Bill for resuming land, so far as the unimproved value is concerned, is fair. It is to be resumed at the value placed upon it for taxation purposes plus 10 per cent., but when it comes to a question of assessing the value

of improvements, that is left entirely to the discretion of the court.

Mr. Davies: That will always have to be faced.

Hon. P. COLLIER: Not necessarily. It would be a very easy matter to have some other form of assessing the value which would enable the Government to know what they were going to pay for the land before being committed to the purchase. Under the provisions of the Bill they must take the land and pay whatever amount is fixed by the court.

Mr. Davies: Not unless they negotiate for it.

Hon. P. COLLIER: If they negotiate for it, it will not come under the provisions of the Bill. If land is acquired by negotiation the Bill will not affect it. The Government are doing that now and two estates have been purchased during the past few weeks.

Mr. Davies: There is no other course.

Hon. P. COLLIER: I think there is another course. We will find ourselves placed in the same position as we occupy in connection with estates purchased in the past. Some were secured by the Government 10 or 12 or more years ago, and they have remained on the hands of the Government ever since. We also know in regard to other estates that the price has had to be written down considerably before any sales of blocks could be effected, and that will be the position under the Bill. I do not know whether the Bill applies to the lands of the Midland Railway Company. It is rather important that we should know this, and whether the Government have the power to make the Bill apply to the lands of that company.

The Premier: I think it applies to all lands.

Hon. P. COLLIER: I think it will apply to the lands of the Midland Railway Company unless there is anything in the concession obtained by the Company to prevent it. The Bill will apply to all freehold lands in the State whether owned by a company or by individuals. Another defect of the Bill, in my opinion, is that it makes no provision for the resumption of conditional purchase lands. I believe it is a fact that a considerable area of land unutilised to-day and lying alongside existing railways is held under conditional purchase terms, and I see no reason why the holders who are not making proper use of it should not be compelled to act in the same way as freeholders. I notice, too, that the managing trustee of the Agricultural Bank, Mr. McLarty, in giving evidence before the select committee appointed by another place to consider last session's Bill, expressed the view rather emphatically that the Bill should apply to conditional purchase lands as well as to freehold land. Being asked to express his views, Mr. McLarty said—

> It is intended purely for the resumption of freehold lands which are not being worked. The Bill is not a generally compulsory Bill inasmuch as it extends only to freehold lands which are not being worked to their full capacity. Personally I fail to see any difference between compulsorily acquiring freehold lands and compulsorily acquiring conditional purchase lands. There is no difference in principle.

Then he said in reply to this question, "There would be a large area of unutilised conditional purchase land alongside those railways"—

> Yes; within a distance of 12 miles, more conditional purchase than alienated land. That is especially so along the new lines south of Bridgetown for instance, the holdings would be practically all leaseholds. There would be very large estates in those districts. Most of the land is held in small areas of 1,000 or 2,000 acres, though even those areas are more than a man would require for intense culture in that district.

Mr. McLarty was next asked whether he thought it would be desirable for the Government to acquire such leasehold lands from the present lessees, and he answered—

> I certainly think that the Government should have power to acquire such land if it is wanted; that is to say, land within 12 miles of a railway and not being utilised. There would be no injustice at all as long as the interests of the owners were safeguarded. I fail to see why a man with a large area of leasehold land unutilised should not be subject to the same conditions as the freeholder.

Those are the views held by Mr. McLarty and they seem to me to be very sound. I know of no reason whatever why a man should be permitted to hold a considerable area of conditional purchase land out of use indefinitely, any more than a man who is the owner of freehold land. We know that men have acquired under conditional purchase terms holdings which are too large for them. It was somehow the weakness of land owners or those seeking land in the past to endeavour to obtain as large an area as possible. In fact I believe that many landowners in the State have been kept poor by reason of the fact that they had more land than they could properly handle.

The Premier: Conditional purchase land is held under contract.

Hon. P. COLLIER: Surely that is not more binding than is a contract with a man who buys land and pays for it straightout. To say that the conditional purchase holder should not come under the provisions of the Bill because he has a contract with the Government, seems to me to be illogical. His contract is not more binding than the contract of the man who has an absolute freehold. To the man who has paid only a portion of the purchase money, not the whole of it, we say, "We cannot touch your land because you have a contract with the Crown which in some mysterious way or other is more binding upon us than is the contract we made with the man who obtained the freehold." We know that in some States of the Commonwealth power has been taken in similar Acts to this to acquire leasehold or conditional purchase land.

The Premier: But the conditional purchase holder holds his land subject to the making of certain improvements.

Hon. P. COLLIER: I am afraid those improvements are a dead letter in a great many cases.

The Premier: Then the land is forfeited.

Hon. P. COLLIER: The improvement conditions are very small. I venture to say that, had the improvement conditions been enforced for years past, a very considerable number of holdings would have been forfeited. We know that the Government have not been severe in that respect; and perhaps it is right that they should not be severe, having regard to the difficulties experienced by many of the settlers in developing their holdings. But I see no reason whatever why the Bill should not apply to leaseholds as well as to freeholds. When a man of Mr. McLarty's standing in land settlement matters in this State expresses a similar view, I think the House need not hesitate to fall into line with that view and make the Bill apply to leaseholds as well. I shall support the second reading, although this is not the Bill I would like to see. Apparently there are not many members prepared to alter the attitude they adopted last year. To judge by the Colonial Secretary's attitude, we have gone back rather than gained ground, particularly as regards taxation. I suppose the Bill will emerge from the Committee stage on this occasion much in the same form as last year.

Mr. PICKERING (Sussex) [9.34]: I move—

That the debate be adjourned.

Motion put and negatived.

Mr. PICKERING: I regret very much that the Leader of the Opposition did not support the motion for the adjournment of the debate.

Hon. P. Collier: I did not oppose your motion for adjournment. The only support you got was from this side.

Mr. PICKERING: We always listen with interest to what falls from the lips of the Leader of the Opposition, and particularly on a subject of so much importance to the State as this one is. I am at one with the Leader of the Opposition in condemnation of the measure, though I do not condemn it on the same grounds as he. The basis of the Bill is really a breach of contract. The foundation is rotten, and on that rotten foundation the whole edifice is built. Therefore the measure cannot prove successful. The control and administration under the measure are entirely in the hands of Government nominees. We are told that a board, to be known as the land acquisition and closer settlement board, is to be appointed by the Governor and is to consist of three members. One member of the board is to be an officer of the Lands and Surveys Department, and one an officer of the Agricultural Bank. The third member, to be appointed from time to time, is to be a person having a local knowledge of the matters under inquiry at the time being. The number of the board in my opinion should be five, and certainly it should not be a Government board. I am prepared to agree that two members of the board should be as stated in the Bill. A third member should be a man with practical experience, but not in any way associated with the Public Service. The fourth member should, in my opinion, be a member of the Primary Producers' Association.

Hon. W. C. Angwin: Why? That is a political association.

Mr. PICKERING: In my opinion the fourth member should be a member of an organised body representing the primary producers of this State, with which body is linked the Pastoralists' Association. Therefore that organisation should be able to speak with authority on questions of land settlement. Then I suggest a fifth member, to be a nominee of the Associated Banks. I make that suggestion for the reason that the Associated Banks are intimately concerned with every phase of primary production from the land, and they find a great deal of the capital by which the agricultural and pastoral industries are operated.

Hon. W. C. Angwin: The banks may be glad to get their money in.

Mr. PICKERING: That will probably result from this measure. If the Bill passes, the banks will very likely call in their mortgages, in the same way as occurred at the time of what was called "the Bath blight." Are we to assume that the three members of the board representing the Government know everything connected with the land? What has been the practical experience of Government officers in the working of land? It is true that Mr. McLarty has been managing director of the Agricultural Bank for some considerable time, but in a question like this we want a board of eminently practical men such as I have suggested. Another important phase of the Bill is as to whether land is being put to reasonable use. If the board is composed as suggested by the Bill, two of its members will be civil servants more or less under the dictates of the Government, and the third member a nominee of the Government. Would such a board be fit to declare whether land was being put to reasonable use or not? I would also like to direct the attention of hon. members to the position illustrated on Thursday night in this Chamber by the member for Collie (Mr. Wilson). That hon. member showed pretty conclusively that disaster had followed in the train of soldier closer settlement. I believe the hon. member was in earnest as regards the instances he adduced; and from those, if substantiated, it must be inferred that a very serious position has arisen. We were told that the land purchased for the soldier settlement scheme had been purchased at a reasonable price. If in that regard there has been failure, it shows that the people responsible for the purchase of that land did not appreciate the best use to which it could be

put. I am personally acquainted with some of the areas repurchased; and I know that those properties, prior to being cut up and turned to different purposes, were profitable properties, profitable for the running of sheep, for example. I refer to the Brooklands estate at Balingup and other properties in the neighbourhood, which, prior to being cut up into dairying propositions, were eminently successful. If it should be demonstrated that Government officers, acting as a board to resume land for soldier settlement, have failed, the House will not feel much confidence in appointing similar men, a board for the purposes of this Bill. Questions have been raised as to the cost of clearing land in connection with soldier settlement. That brings up another aspect of the matter—who is going to judge of the value of the improvements effected on these freehold properties?

The Minister for Agriculture: It will be a matter for arbitration.

Mr. PICKERING: No doubt every case under the measure will have to go to arbitration. I very much fear that will prove so.

The Minister for Agriculture: Nearly every case of resumption has gone to arbitration.

Mr. PICKERING: On the question of improvements in the country, the factor of time is one of the most vital; and too little credit is given to the people developing this country for the time they necessarily spend on the work of development. I fear very much that in the assessing of improvements the factor of time is lost sight of altogether. As to the value of fencing, it must be borne in mind that fencing to-day could not be put up at anything like the cost before the war. What will be the value of fencing on properties resumed under this Bill?

Mr. Money: The value will be to-day's value, of course.

Mr. PICKERING: Not so. The cost of putting up fencing to-day is more than 100 per cent. greater than it was in 1914. In my opinion it is very doubtful whether a board, as proposed by the Bill, would be prepared to realise that fact. I guarantee that some of the fences on my property, which were put up 16 or 17 years ago, are worth to-day as much as they were when first erected, having been well cared for. There are various respects in which valuation is not made on the true basis. Take the case of sinking for wells. In very large areas of this State it is not possible to put down a well at the first boring. One may have to put down several bores before getting fresh water. But when it comes to assessing the value of a well, there is no consideration given to the cost which has devolved upon the owner and the time he has spent on that well. In one instance the water, which was surrounded by 100 acres of freehold land, was excised from the purchase and a reserve of 500 acres declared around it. So it became accessible to the surrounding settlers without cost, but also without recompense to the man who had put it down. I suggest that the principle for the repurchasing of estates shall be a fair one and not as embodied in the Bill. What are the arguments in favour of resuming the land on a taxation valuation? The argument is because it appertains to some other State. I do not agree with that.

The Minister for Agriculture: Do you not think the taxation valuation a good one?

Mr. PICKERING: No, because the taxation valuation is not its true value. For instance, a lot of unimproved land is of no value while it remains unimproved. It must be remembered that, as the Leader of the Opposition contended, the question of freehold is only a matter of time. Land which is freehold to-day was conditional purchase a few years ago, and that which is conditional purchase to-day will eventually become freehold. There may be just as good an argument for making the conditional purchase available for resumption as there is for resuming freehold. In my opinion it is a breach of contract in either case. If the land is to be resumed, it should be resumed at an equitable price. A lot of this land said to be of great value for other purposes, may lead to the same disappointment as did so much of that land resumed for soldier settlement. The settler on the land must know its value! It may be that in merely running stock on it he is using it to its full value. The true value is the price which a willing buyer will pay a willing seller. It is ridiculous to think that for taxation purposes people will put up such a value; the value they put up is that which they consider reasonable for taxation. People in the South-West have to operate on small areas. But if they are to carry on their work, they must have sufficient land for the running of their dry stock. Many of those men who have started dairying on restricted areas will be compelled to sell their young stock, for the reason that they have no accommodation for it. There is no provision in the Bill for the maximum or minimum area of land to be held. There should be some definition as to what a man may hold; it should not be left to the discretion of the board. In its provision of two years, Clause 4 is ridiculous. Suppose I had bought freehold two years ago, would it be reasonable to expect that under present conditions I should have it fully developed by this time? One of the biggest difficulties confronting our settlement policy is the difficulty of avoiding over-capitalisation. How many of us would only too readily go in for clearing and sub-division if we could do it at a cost which would not over-capitalise the land? Many people are living in houses to-day which they would reject if they could afford to build new homes at a price which would not mean over-capitalisation. I am going to move that the period in Clause 4 be extended to five years. Moreover at the proper time I shall move that the board shall clearly define in writing to the owner what is meant by reasonable use. Nearly every clause in the Bill will call for a board of appeal. The board of appeal, instead of being as set out in Clause

8, will require to be one of a general nature. There is also the question in Clause 7.

The DEPUTY SPEAKER: I cannot allow the hon. member to continue to deal with clauses. He has mentioned four or five.

Hon. P. Collier: And actually read some of them.

Mr. PICKERING: The Bill mentions 30 days as the period during which an owner may amend his return. That should be extended to 90 days. The Bill will affect settlers, taxpayers, land owners and mortgagees. Its effect will upset the security of all land owners, and will create a very serious position for the farming community. It strikes at the root of all land settlement. If members think it is an innocent measure, it is time we took it into consideration clause by clause and found out what it means.

Hon. P. Collier: So we shall, in Committee.

Mr. PICKERING: But I should like to see it thrown out on the second reading. It is not properly framed. It is ill-considered, and it aims at all the principles for which the Country party stands. I suggest the Bill be amended so that the unimproved value shall be the value arrived at by arbitration, that it shall not be a question of accepting any basis but that of arbitration. There are many points which I should like to illustrate, but in view of your ruling, Sir, I find it difficult. I am now dealing with the Bill in a general way. The measure is deserving of condemnation. Hon. members opposite favour the non-alienation of land, the perpetual leasehold. The Bill represents the thin end of the wedge. If there is anything which appals me in this Assembly it is the cry for taxation. We are taxed almost out of existence, and yet every member here says he wants more land taxation, more income taxation, and more liquor taxation. I do not know what more taxation the House does want. Although we are almost taxed to death in an indirect manner members apparently will not be satisfied until they have piled up such a burden as will submerge the people of the State. Members are appealing to all sides of the House for further land taxation. We should stand for development on sound and just lines, not for crushing the people out of existence. If there is any section of the community which stands for the advancement of Western Australia, it is the community represented by the Country Party, the people who are working on the land and developing this State.

Hon. P. Collier: What clause are you dealing with?

Mr. PICKERING: I am dealing with the general policy of the Bill. The principle of the Bill is bad. I am surprised that the Premier should introduce a measure which has been so ill-considered. I hope it will be thrown out on the second reading.

Hon. W. C. ANGWIN (North-East Fremantle) [10.2]: I am surprised at the hon. member's opposition to the Bill.

Mr. Pickering: It is not as hard as I meant to put it.

Hon. W. C. ANGWIN: I was under the impression he was a strong advocate of immigration.

Mr. Pickering: So I am, on sound lines.

Hon. W. C. ANGWIN: And that he desired to see this State populated.

Mr. Pickering: On equitable lines.

Hon. W. C. ANGWIN: And that the vacant portions of our State should be filled, and that Western Australia should produce a great deal more in the future than it has done in the past. We had the evidence of a prominent public officer of this State before a Royal Commission a little while ago, in which he stated that if he could not get 10,000 acres of land in the South-West there was no land he could offer to intending settlers. According to that evidence we are limited to 10,000 acres unless land is purchased from other people. If this Bill does not provide some means whereby we can settle the people we wish to settle, we must stop immigration. If we cannot open up the lands we have, that are not being utilised, for other people to use, and produce from, it is useless for us to have representatives in the old world continually advising people that there is any amount of land in Western Australia for them to settle on immediately they arrive. I am surprised that any member should oppose a measure of this description, as bad as it is. I said last year I thought the Bill was almost useless. That is my opinion today, with the exception that the Bill may induce some people through fear to place their land at the disposal of the Government, and so bring about increased production and cause a larger number of people to settle on the land.

Mr. Piesse: That has already happened.

Hon. W. C. ANGWIN: It has not happened in such a way as to satisfy the Government; it has not provided sufficient land for those who want it. Many people have difficulty in obtaining land within easy reach of a railway. They can go out 40 miles away, but we have thousands of acres of land adjacent to a railway which are not being used.

Mr. Piesse: Estates have been offered to the Government at a low figure.

Hon. W. C. ANGWIN: If the figure is suitable for the new arrivals the Government will no doubt avail themselves of the offer without a Bill of this kind, for they already possess power to do that. The member for Sussex (Mr. Pickering) said that if the Bill was passed it would constitute a breach of contract, and that it was based on a rotten foundation.

Hon. M. F. Troy: Confiscation.

Hon. W. C. ANGWIN: He did not say confiscation, and whether he implied that or not, I do not know. In conclusion, he said it would affect the security of all land owners. I should say that instead of damaging the security of a large number of land owners, it would have the effect of improving the security. If financial institutions advance money on areas of land which are not being

utilised and the Government come along under a Bill of this sort and resume it, the security is safe, because of the arbitration proceedings provided under the Public Works Act. If these owners are not satisfied with the price offered by the Government, they may arbitrate by means of that Act. Whereas the hon. member is afraid that the owners will not get the proper value of their land, my fears are in the other direction.

Mr. Munsie: Most decidedly.

Hon. W. C. ANGWIN: The experience of the Public Works Act is that more has been paid for the land than it was worth.

The Minister for Works: That is not my experience.

Hon. W. C. ANGWIN: Perhaps the Minister did not go to the Court.

The Minister for Works: I did and experienced some perjury there.

Hon. W. C. ANGWIN: One cannot get over that.

Mr. Davies: Have the Government power to resume agricultural lands under the Public Works Act?

Hon. W. C. ANGWIN: Only for public works. I have known land near Perth which prior to reclamation was valued at £1,000, and taxation was paid on that amount, but immediately the Government wanted it the price was put up to £10,000, and I believe the owner received £8,000. There are many instances of that sort. The price goes up immediately the Government show a desire to take the land.

Mr. Davies: Have the Government power to resume land in the country for closer settlement?

Hon. W. C. ANGWIN: Not to compulsorily resume it, but they can purchase land if they desire it under the Lands Purchase Act. The member for Sussex is dissatisfied with the board. I am not surprised at that. The Primary Producers' Association is a political body, but there are many farmers in the State not associated with it, and yet the desire of the hon. member apparently is that this association should have representation on the board. There is even yet a possibliity that the primary producers will have a representative on the board, for he may be recommended to the Governor. That I admit would be wrong. If labour organisations had demanded representation on a board of this kind, and the Government had introduced a Bill similar to this whereby one man in the district could value the property of the labour organisations there would have been a great outcry. The hon. member wants one person to represent the Government, two members of the board from outside, one representative of the primary producers, and another of the associated banks. I do not know what his reason is. Perhaps he desires to bleed the Government, which means bleeding the State, and taking money out of the pockets of the people. He went on to say that the man who represented the Government on the board would not know anything about land. One will be an officer of the Lands and Surveys Department. He must have a considerable knowledge of land values. These are the officers who first classified the land.

Hon. M. F. Troy: They classified very badly.

Hon. W. C. ANGWIN: That may have been the case in the past. There are large areas of land which have been classified and valued by private surveyors.

Hon. M. F. Troy: And indifferently, too.

Hon. W. C. ANGWIN: That is their work. When they survey they classify, and they have considerable knowledge of the value of land.

Mr. Pickering: A theoretical knowledge.

Hon. W. C. ANGWIN: A practical knowledge, too. In connection with the Lands Purchase Act, the Government took a man who spent years of his life in practical farming to advise them as to the value of land. We have here two officers, one representing the Agricultural Bank, which is finding the money, and one representing the Lands and Surveys Department, and then we have a local man in the district concerned.

Hon. P. Collier: Who I suppose should be a member of the Primary Producers' Association.

Hon. W. C. ANGWIN: So the hon. member desires.

Hon. M. F. Troy: What about the A.L.F., the W.C.T.U., the Y.M.C.A., the Pastoralists' Association, etc.?

Hon. W. C. ANGWIN: Surely these men have some idea of the value of land? Whether a man has been in a district or not, he will before valuing land ascertain from the various people of the district what the fertility of the land is.

Hon. M. F. Troy: That is the test.

Mr. Pickering: You ought to have listened to the member for Collie (Mr. Wilson.)

Hon. W. C. ANGWIN: His greatest complaint was in regard to clearing, not as to the value of land.

Mr. Davies: The value was pretty stiff in many cases.

Hon. W. C. ANGWIN: If the board has valued the land the person from whom it is supposed to be resumed may, if not satisfied with the valuation, go to arbitration under the Public Works Act. The hon. member also referred to the value for taxation purposes. The taxation forms provide not only for the unimproved value, but the improved value. The person who values his land for the Taxation Department does so as improved land as well as unimproved. The hon. member wants us to believe that there is a sentimental value attached to the land which may increase its value. The fear of the hon. member and some of his colleagues, particularly those outside of the House, is that land owners will be found to have undervalued their land instead of increasing its value. The consequence would be that they would get less for their land on their own valuation than they would get if it were valued by the board.

Mr. Chesson: But they have 30 days to re-value.

Hon. W. C. ANGWIN: Yes, and that is a wrong principle, which was inserted in last session's Bill as the result of a suggestion from a member on the Government cross benches. Thirty days is to be allowed to the dishonest man for the purpose of rectifying any under-valuation of his. There is no need to give the 30 days to an honest man who has valued his land correctly, for I assume there will be very few cases of reduction of the values submitted for taxation purposes. I do not say that the farmers as a body undervalue their land. But there may be a few dishonest men amongst them; and, if that is so, there must be some provision enabling the Government to take the land from such men, who should not be given five minutes. If the Bill provided for confiscation I would be against it, but it aims at nothing of the kind. The land is to be resumed at equitable prices. Every man whose land is resumed under this measure will get its equitable value.

Mr. Pickering: I doubt it.

Hon. W. C. ANGWIN: I agree with my leader that the Bill in respect of its taxation proposals is built on a wrong foundation. Three halfpence in the pound is the highest rate at which a man can be taxed unless there are no improvements whatever on the land, in which case the rate may be as much as threepence. As my leader stated just now, Western Australia has the lowest land tax in the Commonwealth. Unless something is done by our State Government, there will be complaints that the Federal authorities are taking all the taxation. However, the taxation provisions of this Bill are worthless for closer settlement purposes. We have in our South-West individuals holding larger areas of land than, having regard to its quality, they can individually utilise in the best interests of the State. Those areas were taken up many years ago. I am not one to say that we should not compensate such people for the land they are holding, if we take it; but I do say that those areas must be made productive, so as to enable us to increase the population of the State. Unless something is done to get that land made available for use, we shall not be able to increase our population materially. In all countries large holdings of land have been compulsorily broken up in order to meet the requirements of the people. No objection has ever been raised here to the breaking up of pastoral areas held in agricultural districts. Those areas were thrown open for selection, compensation being given only for improvements. Men who to-day hold millions of acres of pastoral country will have to come down to thousands of acres. Progress means that pastoral lands must be turned to the uses of agriculture. I regret that the Premier has not made the conditions as to conditional purchase land exactly similar to those applying in the case of freehold. Western Australia is suffering to-day because many people are holding areas of country too large for their pecuniary resources. If a person has 2,000 or 3,000 acres, and his financial position debars him from utilising more than 400 or 500 acres, then it is to the advantage of the State that 1,000 acres or so should be taken away from him and handed over to other people to be used. If he cannot use it, while other people are crying out for land, then he should be compensated and the land given to those other people. I know very well that some men have a sentimental feeling in regard to their holdings. For instance, the Minister for Works has put in a great deal of work on his holding at Brunswick, and has become attached to it.

The Minister for Works: If you will give me what I have spent on that holding, you can have the holding to-morrow; and God bless you!

Hon. W. C. ANGWIN: I am reminded of a rating case which came before the court some little time ago. The local authority had valued certain land at £300 per acre, being the same figure as applied to land immediately adjoining, which, in fact, was selling at £300 per acre. The owner said the value was £80 per acre. The magistrate said, "Mr. So-and-So has valued the land at so much, and he has a certain attachment for the land. I will fix the value at his figure." Private members have not the power to propose increased taxation, but I hope that when the Bill is in Committee the Premier will move to do so. I trust he will also include conditional purchase land in the Bill; and, further, I trust that the 30 days' proposal, which should not have been introduced into the Bill at all, will be eliminated. The 30-days' provision represents a means by which people who, under-valuing in the past, have robbed the Government of taxation will be enabled to secure higher prices from the Government.

Mr. PIESSE (Toodyay) [10.25]: In my remarks on the Address-in-reply, I expressed my feelings as regards this particular measure. There is a great deal of land offering to the Government to-day, and for the life of me I cannot understand why the Government do not make an effort to secure that land. The object of this Bill is to provide land for immigrant settlers.

Mr. Munsie: And for some of our own people as well.

Mr. PIESSE: Quite so. I assure the House that there are quite a number of estates, fairly well improved, and consisting of land highly suitable for subdivision, on the market to-day. I know at least a dozen of such estates, ranging in area up to 100,000 acres, quite close to the railways, and well situated from a railway point of view, available at cheap prices. I fail to see that the Bill, if it becomes law, will place the Government in any better position to acquire those estates than the Government are in to-day. The Lands Purchase Act provides all the machinery necessary for the Government to purchase estates, subdivide them, and put them up for selection. That being so, I fail

to see why we should pass a measure for compulsory purchase. Of course, if the Government advertise their willingness to purchase estates, prices will rise. But prices are bound to rise in the ordinary course of events; land must rise from year to year. Only six weeks ago an estate was placed under offer to the Government at £5 per acre. That estate comprised 2,200 acres highly improved, and 2,000 acres cleared. Just the other day the same estate was sold privately at £6 per acre. Values are increasing daily, and they will continue to increase. Unless the opportunity is taken to purchase the estates to which I have referred, their prices will be further enhanced. The estates are such as would yield all the blocks required for closer settlement purposes. I fear that under this Bill there is not full power of appeal from the decision of the board. Full provision must be made in that respect, in order that the measure may be on an equitable basis. I shall have something further to say in Committee, but meantime I express the hope that the Government will endeavour to secure—and that quickly—the estates which are to-day available at a low figure.

On motion by Mr. Willcock debate adjourned.

BILL—MINERS' PHTHISIS.

Second Reading.

Order of the Day read for the resumption of the debate from 30th August.

On motion by Hon. P. Collier, debate adjourned.

House adjourned at 10.32 p.m.

Legislative Council,

Wednesday, 6th September, 1922.

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

QUESTION—METALLIC CONTACT PROCESS.

Hon. H. STEWART asked the Minister for Education: Will he lay on the Table the report by Dr. Simpson on the Metallic Contact Process, owned by the Australian Minerals Recovery Company, Limited, and all papers relating thereto?

The MINISTER FOR EDUCATION replied: It is quite contrary to practice to do as suggested, unless requested by, or with the consent of, the company, firm, or person interested.

LEAVE OF ABSENCE.

On motion by Hon. H. Seddon, leave of absence for six consecutive sittings granted to Hon. J. W. Kirwan (South) on the ground of urgent private business.

MOTION—MACHINERY INSPECTION REGULATIONS.

To disallow.

Hon. E. H. HARRIS (North-East) [4.35]: I move—

> That the regulations of "The Inspection of Machinery Act, 1921," laid upon the Table of the House on the 1st day of August, 1922, be disallowed so far as regards the following: Regulation Charges—1, Boilers. 2, Digesters. 3, Vulcanisers. 4, Steam-jacketed vessels. 5, Receivers for compressed air or gas. 6, Machinery (not worked by steam). 7, Winding engines worked other than by steam. 8, Holman hoists. 9, Hoists, the cylinders of which exceed 6in. in diameter. 10, Extension certificates. 11, Machinery driven by steam. 12, Special work (boilers and machinery). 13, Testing pressure gauges. 14, Search fees. 15, All fees enumerated in the Seventh Schedule.

The motion is not without justification, and I am sure I shall have the support of all those called upon to pay the charges enumerated. Machinery is used both in primary production and in secondary industries. Those engaged in secondary industries will pass on the increased charges to the general public, but that cannot be done by those in primary production. In the North-East Province we have the greatest quantity of machinery to be found in any one district in the State. The mine owners in that province will be heavily penalised by the proposed increased charges, which in my view, have been devised by the department as extra taxation. When the Bill of last year was going through the House, the Government were charged with having withheld the schedule of fees in order that it might be put into operation during the recess, when members would not have an opportunity for discussing it. To meet that, the date was fixed for the proclamation of the Act. On looking up the records, I find that the first