

*In Committee, etc.*

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

*House adjourned at 6.6 p.m.*

## Legislative Assembly,

*Tuesday, 24th August, 1915.*

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

### PAPERS PRESENTED.

By the Minister for Mines: Regulations under the Mines Regulation Act, 1906—Amendment of General Rule 19.

By Hon. R. H. Underwood (Honorary Minister): Return showing number of members in each industrial union, registered under the Industrial Arbitration Act, 1912, as on 31st December, 1915.

By the Minister for Works: 1, Trading account, profit and loss account, and balance sheet of the Boya Quarry, as at 30th June, 1915, together with Auditor General's report. 2, Audit of accounts of Perth City Markets.

### QUESTION—FREEZING WORKS, WYNDHAM.

Hon. J. MITCHELL asked the Premier: 1, Does any agreement exist now between Nevanas or Nevanas & Co. and the Government? 2, If so, what is the nature of such agreement?

The PREMIER replied: 1, No. 2, Answered by No. 1.

Hon. J. Mitchell: What about the financial agreement?

### QUESTION—DISLOYAL UTTERANCES.

Mr. SMITH asked the Premier: 1, Have the police made any report concerning the disloyal utterances of a man named Reeves in Kalgoorlie which were antagonistic to recruiting. 2, What was the report? 3, What action has been taken?

The PREMIER replied: 1, 2, and 3. Yes; but it was considered undesirable for several reasons to take action in this particular instance. I think the hon. member will agree it is undesirable that I should mention the nature of the report. He can see the file, if necessary.

### QUESTION—STATE HOTEL, GWALIA, BEER STRIKE.

Mr. VERYARD asked the Attorney General: 1, Is it a fact that the beer strike at the Gwalia State Hotel has been declared off? 2, Has the strike been settled conditionally on the promise of the Government to—(a) reduce the price of beer; (b) supply a superior quality of beer at the reduced price; (c) reinstate a dismissed barman; (d) dismiss or remove the manager? 3, Is it also a fact that the Government, or the head of the department, had stated during the strike that the barman could not be reinstated on any condition? 4, Was the late manager of the Gwalia State Hotel transferred from the Wongan Hills State Hotel to Gwalia? 5, Is he still in the Government service? 6, If so, where?

The ATTORNEY GENERAL: replied: 1, Yes. 2, (a) The price and terms of sale were adjusted and somewhat reduced, the general manager being granted a free hand to make adjustments, having regard to the prices charged at other houses in the locality. (b) The department saw no objection to supplying the brands asked for by local consumers. (c) See answer to Question 3. (d) No undertaking to dismiss or remove the manager was given, but it was pointed out that any bona fide complaint as to the action of the manager or the conduct of the hotel would be duly investigated. 3, No. The Minister refused to consider this question in connection with the strike or to reinstate the barman as part of the condition of settlement. The barman's case was investigated and dealt with on its merits. 4, No. 5, Yes. 6, At Wongan Hills.

Mr. George: Did you give them bigger pint measures?

The ATTORNEY GENERAL: No.

#### JOINT SELECT COMMITTEE— HORSE RACING CONTROL.

*To adjourn from place to place.*

Hon. R. H. UNDERWOOD (Honorary Minister—Pilbara) [4.37]: I move, without notice—

*That in addition to the powers already conferred by the House, the Joint Select Committee appointed to consider the control of horse-racing be given power to adjourn from place to place.*

This should have been included in the original motion.

Mr. SPEAKER: I can only allow this motion by the House agreeing to adopt it without discussion.

Mr. O'Loughlen: May I ask a question?

Mr. SPEAKER: Yes.

Mr. O'Loughlen: Can the Honorary Minister indicate where the places are? I presume he refers to the goldfields and the coastal districts.

Hon. R. H. UNDERWOOD (Honorary Minister): The idea is to visit Kalgoorlie and inquire into racing on the Kalgoorlie goldfields.

Mr. SPEAKER: If the House agrees, the motion may be submitted. Are hon. members in agreement?

Members: Aye.

Question passed.

Mr. SPEAKER: So that hon. members may not be misled, the departure from the notice which is demanded in such cases is made on this occasion because the subject has not initiated any new matter for discussion. It merely deals with a matter which has already been discussed by this House.

#### BILL—HEALTH ACT AMENDMENT.

Introduced by the Hon. R. H. Underwood (Honorary Minister) and read a first time.

#### BILL—BREAD ACT AMENDMENT.

Read a third time and transmitted to the Legislative Council.

#### BILL—GOVERNMENT ELECTRIC WORKS AMENDMENT.

Report of Committee adopted.

#### BILL—ADOPTION OF CHILDREN AMENDMENT.

*Second Reading.*

Hon. R. H. UNDERWOOD (Honorary Minister—Pilbara) [4.40] in moving the second reading said: The necessity for this Bill is that when the original Act was printed, some words were dropped out of the definition of "adopted child." It is proposed by this Bill to insert those words again. I do not think any remarks are required from me to induce the House to pass the second reading of this measure. If hon. members look up the Act, they will find that the section does not read sensibly and it is necessary to the proper wording that these words should be inserted. I move—

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

Hon. H. B. LEFROY (Moore) [4.41]: In order that it might not appear that a Bill of this description was passed through the House without any reference being made to the second reading, I would point out that there is really nothing in the measure to interfere with the working of the Act. It is strange indeed that the words were omitted from the original Act which became law as far back as 1896. A whole line was omitted from the interpretation section, and the result is that the reading of it does not make sense. Consequently the Government have found it advisable to reinsert the line which was omitted. I can assure the House that there is nothing in the Bill which requires any further explanation.

Question put and passed.

Bill read a second time.

*In Committee.*

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

## BILL—WEIGHTS AND MEASURES.

*Second Reading.*

Hon. R. H. UNDERWOOD (Honorary Minister—Pilbara) [4.48]: In moving the second reading of this Bill, I desire to offer a few words in explanation of its principles and of the necessity for its introduction. Hon. members will agree, I think, that the measure is in accordance with the honourable undertaking given by the Government when Parliament met, that we would not introduce party legislation. I do not think this Bill can be considered a party measure. The necessity for its introduction is that there has been a large number of complaints received recently by the Health Department from country districts to the effect that some traders are not giving their customers full weight. The same thing applies, though to a lesser extent, in the City. I have personally been approached by several people who, although they did not give proof—and I was not looking for proof—certainly made statements to

the effect that some traders were not giving the amount of weight to which the purchaser was entitled. Further, there have been a few complaints as to the machines or measures by which weight is told. The Bill may be more necessary at present than in what might be termed prosperous times. When times are hard, competition becomes keen; and then we find that the unscrupulous trader, desiring to attract trade, cuts down prices and makes up the deficiency by giving short weight. I wish to say right here that I believe the traders of Western Australia to be as honest as the traders of any other part of the world, and perhaps a little bit more so; but, at the same time, there are among them, as there always must be, some who will cheat if the opportunity offers, especially if they can cheat with practically no risk of detection. Now, the Bill introduces an entirely new principle of administration. Under the existing Act, passed in 1899, municipalities have been empowered to administer the measure; and it has so worked out that, with the exception of one or two municipalities in the metropolitan area, and one or two of the centres of population on the goldfields, they have left the Act entirely inoperative. Unless a municipality determines to appoint an inspector and seriously to administer the Act, there is no administration whatever; and it appears that no attempt has been made to compel various traders to deal fairly by their customers. That, in my opinion, is a wrong principle, and one which will never give satisfaction, particularly in the back country. The present Bill proposes to take administration out of the hands of municipalities and place it in the hands of the police. The measure will be administered by the Commissioner of Police, and of course police constables will be appointed inspectors. It is anticipated that in the large centres of population there will be some men permanently engaged upon that work, but in the smaller towns police officers will do the work in conjunction with their other duties. This method of administration will, in my opinion, prove far more satisfactory than the one under

which we are at present working. The idea is not new, and therefore will be more likely to commend itself. This Bill has to a great extent been copied from the latest Act on the subject in Australia—that of New South Wales; and it also follows to a certain degree the English law. One other point worthy of notice in connection with the administration of the Bill is that half the fines inflicted under it will be paid into the Police Benefit Fund. The principle is one that can be discussed in Committee. It has at least two sides to it, but the idea is that the inspection will be perhaps more complete with this inducement for the inspectors to do their duty.

Mr. Gilehrst: Do they require bonuses to do their duty?

Hon. R. H. UNDERWOOD (Honorary Minister): Not as a rule. I have found the police a remarkably fine body of men, taking them altogether, so far as my experience of them is concerned. It is not necessary for me, in a second reading speech, to go through the various clauses of the Bill; but I can assure the House that an endeavour has been made to frame a measure which will protect the people against unscrupulous traders, and also a measure that will not inflict hardship on scrupulous traders. The clauses are reasonably stringent—sufficiently so to protect the people—and yet they will not, in my opinion, prove unnecessarily harsh on those traders who have no desire to act in any way unfairly. As I have said, the provisions of this measure will be administered by the police; and, reverting to that, I wish to say that a man who gives short weight appears to me to be something of the same class as a pickpocket or a burglar. Seeing that the police are appointed to protect us against those two classes, they should also be appointed—and I think their appointment will prove a success—to protect us against this class of dishonesty. Some clauses of the Bill will possibly require a small amount of explanation, particularly the clause which provides that, if goods are sold and delivered, an invoice giving the weight must accompany them.

Hon. H. B. Lefroy: What clause is that?

Hon. R. H. UNDERWOOD (Honorary Minister): Clause 20. Of course, if goods are sold over the counter, no invoice is necessary. It is further provided that any goods sold in packets or tins shall have the net weight clearly marked on packet or tin. That, I think, is a necessary precaution to enable the inspectors to sheet home charges if they are warranted. One or two other provisions of Clause 20 may be remarked on. There is one which allows a slight margin of weight. The amount of margin to be allowed will be fixed by regulation. Another provision is that goods sold in packages or tins may be allowed under the marked weights if it is proved that the contents may have decreased in weight through climatic influences and that when the package or tin was originally put up the weight as stated was contained therein. If it can be shown to the magistrate or justices hearing the case that the contents have deteriorated in weight, the prosecution will fail. In regard to Clause 20, I desire to point out that, ordinarily speaking, this may inflict a hardship on those people who have stocks on hand at the present time. People have bought goods in packets in all good faith and are now holding the stocks, and to introduce a Bill of this description without due warning may, in fact would, I think, act as a hardship in many cases. To avoid that, we have provided that the provisions in this clause shall not be enforced until twelve months after the coming into operation of the Act. We have also endeavoured to make provision for the protection of people buying firewood and coal. Hitherto there has been little opportunity of preventing some traders in these goods from giving less weight than they should have given.

Mr. George: Firewood is not included in the interpretation.

Hon. R. H. UNDERWOOD (Honorary Minister): Then we shall have to put it in. I can assure the hon. member that I have overlooked it. The intention of the clause is to apply to firewood as well as coal, coke, and charcoal.

Mr. George: Would it not be a hardship in country districts?

Hon. R. H. UNDERWOOD (Honorary Minister): All people selling firewood and coal in the metropolitan area have scales of their own and should weigh the wood before sending it to the customer. Therefore, it will be no hardship to those people running a woodyard. It is further provided that the firewood shall not be sold except by weight or except with a certificate from the purchaser that certain other conditions have been agreed upon.

Mr. George: Purchasing by the cord.

Hon. R. H. UNDERWOOD (Honorary Minister): This clause does not apply, I think, outside the metropolitan area. As most members know, there is a very large amount of wood sold by the cord, particularly on the goldfields, and it would be rather a hardship on the wood carter to have to carry a certificate from the buyer saying that he was prepared to take the wood at the cord measurement. In that case it would be a matter of arrangement with the purchaser.

Mr. George: What is a cord?

Hon. R. H. UNDERWOOD (Honorary Minister): I presume if a man were selling by the cord and it came to a case in court, the magistrate would decide that a cord was 132 feet.

Mr. George. No, 128.

Hon. R. H. UNDERWOOD (Honorary Minister): You see, I am giving four feet. In regard to the clause I am referring to now, there would be little opportunity for fraud, because the person purchasing the wood would measure it in the vehicle or in the stack.

Mr. George: Are you not protecting the small consumer and not the large buyer?

Hon. R. H. UNDERWOOD (Honorary Minister): We want to protect the users of fuel in the metropolitan area, the small people.

Mr. George: Then you do not want to consider the man who buys by the cord.

Hon. J. D. Connolly: How would you get on if the wood was wet or green?

Hon. R. H. UNDERWOOD (Honorary Minister): It is provided in the Bill that no person shall deliberately wet wood or coal with a view to increasing its weight. The object is to protect the people in the large centres, where the wood is purchased generally in small quantities. It is provided that the inspector can stop any vehicle delivering firewood and find out the amount he is supposed to deliver and weigh it before it gets to the purchaser. This, in my opinion, will act almost as an entire preventative against giving short weight. I do not think there is much more to be explained in introducing this Bill. It is a very clear issue. The principle involved in the Bill is removing the control or administration of the Act from municipalities to the Commissioner of Police. That is the essential question the House has to vote on the second reading. The various clauses can be discussed and will, no doubt be discussed when we come to them in Committee. I move—

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

On motion by Hon. H. B. Lefroy debate adjourned.

## BILL—SALE OF LIQUOR REGULATION.

### *Second Reading.*

The ATTORNEY GENERAL (Hon. T. Walker—Kanowna) [5.8] in moving the second reading, said: It will be remembered by hon. members that, during the course of last session, there was great public agitation with a view of obtaining some decision on the part of the general public as to the restriction or otherwise of the sale of liquor during war time. It will also be fresh in the minds of hon. members that in the last Parliament we introduced a measure, in 1914, giving to the Executive power, in case of any trouble arising distinctly out of the war and of disturbances taking place, to restrict the sale of liquor either partially or completely over the whole State or any particular district. Large and in-

fluent deputations waited on me and waited also on the Premier with a view of getting that law of 1914 put into operation. It was pointed out then that it would be unfair to take advantage of a pure emergency measure dealing with extraordinary events requiring prompt and immediate treatment. It would be unwise to put that measure into operation, and it was also felt that, it being distinctly an emergency measure, it would be unfair to make it a pretext for introducing a more or less permanent regulation. Notwithstanding the view taken then, the agitation has continued for the restriction of the sale of liquor to the public during these trying times.

Mr. O'Loughlen: It has died down recently.

The ATTORNEY GENERAL: If it has died down recently, it is more evident there is need for it, that is to say that the public recognising of their own free will and choice that there should be a diminution in the indulgence in intoxicants at the present time—

Mr. Hudson: Cannot you trust them?

The ATTORNEY GENERAL: We are always bringing in laws to curtail the rights of the public. If we had a condition of perfect humanity we could always trust the people, but whilst there are imperfections in human nature we are obliged to bring in laws which restrict more or less individual liberty, and this Bill is one of them. It is not introduced for the first time as an innovation. It is a law put into operation in some form or other in almost every civilised nation affected by the war; even the neutral countries of the world have made some modifications in their liquor laws in consequence of the stressful times that have fallen upon them. We know what has been done in England in places where liquor has been practically prohibited during excitement, especially where munitions are being manufactured, and, as one member says, it is quite right there should be a limitation in the appetites and lusts of the people in these emergencies.

Mr. Male: They did not ask for the will of the people but that the Government should do it of their own initiative.

The ATTORNEY GENERAL: I am going to show members where it is done. Even in Austro-Hungary itself and in Germany there are restrictions; in Russia too, and in France.

Mr. Hudson: Not in New South Wales.

The ATTORNEY GENERAL: What does that matter? It is being done in Victoria and in other parts of the Commonwealth. What does it matter if there are some States that lag behind? Is that any reason why we should lag behind?

Mr. Male: We have given you the power already to do it.

The ATTORNEY GENERAL: I have pointed out that the hon. member has given us power to do a certain thing; he has given executive power to altogether close licensed premises or to diminish sales by executive authority. But the hon. member must remember that when that Bill was introduced to this Chamber a distinct understanding was present in the minds of all that the Bill would not be put into operation as a substitute for any local option.

Mr. Male: Is this merely a local Bill and not a war-time Bill?

The ATTORNEY GENERAL: It is a local option Bill to apply during war time, with provision to extend it to a subsequent date if Parliament so desires. I do not wish to weary hon. members by citing what has been done in other parts of the world, but even in Austria-Hungary, affected by the old notions of conservatism, the Ambassador wrote to the Foreign Office:—

With reference to my despatch No. 207 of this series of the 28th ultimo, I have the honour to report that His Majesty's vice-consul at Venice has made enquiries locally with a view to ascertaining whether any restrictions have, since the outbreak of the war, been imposed on the sale and consumption of intoxicating liquors in Austria-Hungary. The only restriction which so far has been reported to him is that

the hours of sale have been limited, on ordinary days to between 9 a.m. and 5 p.m., and on Sundays and holidays all "pottererie" (shops in which liquors are sold) are closed.

In Germany, also, restrictions have been made.

Mr. Smith: Why take notice of Germany?

The ATTORNEY GENERAL: I propose to follow every wise example wherever it comes from, and I would advise the hon. member to do the same.

Mr. Hudson: Then why do you bring in a Bill for the purpose of reducing hours? Why not leave it to the people?

The ATTORNEY GENERAL: I am leaving it to the people.

Mr. Hudson: You said just now you could not trust them.

The ATTORNEY GENERAL: I did not say I would not be guided by them. In this I am prepared to accept their advice. In France the sale of absinthe has been completely prohibited, and other reforms of like measure have been introduced.

Mr. Robinson: Have you the English hours there?

Mr. SPEAKER: Order! These interruptions are altogether too frequent.

The ATTORNEY GENERAL: I do not mind answering any objections, but I would like to get a sentence finished before I have a second interjection thrown at me. I wish to read what the effect of the war has had on Russia in this respect:—

With reference to Sir E. Grey's telegram, No. 325 Commercial, of 13th November, requesting full details of temperance measures which have been adopted since the commencement of the war, the following information is available: With the publication of the order for a general mobilisation of the land and sea forces of the Empire, all wine-shops, beer-saloons and Government vodka shops were closed, and the sale of all intoxicants absolutely prohibited, except in first-class restaurants and hotels, until completion of mobilisation. This order, with varying modifications, has been prolonged from

time to time and remains in force at the present moment. By an Order of the Council of Ministers published 3 and 16 September, it was notified that His Imperial Majesty had been pleased on 22 August and 4 September to prohibit the sale of spirits and vodka until the end of the war. In the *Bulletin of Laws*, No. 275 (Series No. 1), dated 10 and 23 October, the Council of Ministers, on the authority of Article 87 of the Fundamental Laws, empowered local municipal and provincial administrative bodies to petition in prescribed form for a prohibition of the sale of all strong drinks. Upon receipt of these petitions the local excise officials, working conjointly with the administrative (Government) authorities, must order the cessation of all trade in intoxicants in the district in question within at latest a period of three months. When the order of prohibition takes effect previous to expiry of the license granted, licensees will be refunded a proportionate amount of all dues they have paid for the right to retail beer or spirits. In the future no trade license will be granted for a longer period than one year, and all licenses which were granted previous to the publication of this Order of the Council of Ministers will cease to have force on 31st December of this year (O.S.). The powers given by this order to local public bodies have been largely exercised and the Press daily report from all parts of the country of the closure by local option of wine shops, beer-saloons, etc. In many places the prohibition is for all time, but in the majority of cases provisionally until the end of the war. The Municipal Council of Petrograd has restricted the sale of beer and wine to 49 first-class hotels and restaurants, and it is rumoured that this number is shortly to be reduced to 20. Light red and white wine (16 per cent. strength) and champagne may be sold by wine merchants daily from 10 a.m. to 6 p.m., except on Saturdays and the eve of festivals, when the hours are from 10

a.m. until 2 p.m. On Sundays and feast days the sale of all intoxicants (except in the 49 hotels and restaurants above mentioned) is forbidden, and the shops remain closed throughout the day. The sale of any drink is prohibited after 11 p.m., at which hour all hotels and restaurants, without exception, must close. The sale of all spirits is absolutely forbidden. Vodka is unobtainable, and the existing Government monopoly for its manufacture and sale is to cease. The illegal sale of beer, porter, wine and spirits is punishable by a fine not exceeding 3,000 roubles or three months imprisonment, closure of the restaurant or saloon and perpetual disqualification to hold a license. Similar liability is incurred by the supply of drink to persons already in an evident state of insobriety.

I do not think I need say more to show that this is a general movement, that it does not concern this State in particular. Apart altogether from the usual discussion as to the ill-effects of intemperance, apart from all questions of temperance reform, the emergency is such as to make a measure of this kind desirable. It is not only a time when we require every grain of sense, every fortitude in our health and nerves, but when we require every possible economy, when we ought to close every source of waste of every kind; and I take it no member of the House will deny that there is no more wasteful source of expenditure than in the indulgence, and especially in the over indulgence, in intoxicants. No matter what temporary pleasure it may be to indulge in alcohol as a beverage, there can be no doubt, taken in any species of excess, it is not a justifiable expenditure. The profits made by the hotels, the vast amount of wealth invested in this source of so-called legitimate business, and the vast ruin financially to more than scores of our citizens is a testimony to the wastefulness of this form of spending money. The hour is coming when we shall require every penny to carry us through the dark times ahead. An hon. member says

the time is already here. That is true; at all events approaching dark days are making their shadows felt. But, take us on the whole, we are in a fairly opulent condition at the present moment.

Mr. George: In Western Australia?

The ATTORNEY GENERAL: Yes, in comparison with other countries which have suffered by the war; even in comparison with some neutrals which have suffered by the war we are well off. There are few citizens in regular employment who are commencing to practice systematic economy. The calls made upon them for the purpose of sustaining this war have not been heavily felt. I am proud of this State, proud of what it has done in the way of charity, proud of the great funds it has raised for the purpose of affording relief to those who are fighting the Empire's battles. I am proud, too, of what has been done for our own wounded, and what has been done to relieve the temporary distress here and there showing itself. But the bulk of all that has been voluntary. There has been no taxation so far, which is worth calling taxation, of the public to meet the demands of the Empire. Those times are ahead of us. We know they are coming. We shall have to pay very heavily to carry our share of the burden through to its end, and the knowledge that those times are approaching should warn us against waste of money in any direction. I have no objection to the people remaining happy as long as they can, and though I am fully aware that every one of us should feel the seriousness of the times we are in, I am glad to see that some people can carry the darkness which is within their breasts with a light in their eyes and a smile on their lips. I like to welcome that spirit among the people, that heroic carriage of the sufferings that have come upon them; but at the same time we must sound a note of warning. And we must allow the people to speak at a time like this. There are, unfortunately, men who are thoughtless, both public men and business men, and who do not inquire as to what will be the effect of



merely indulging a temporary appetite, a thirst for the moment, and of spending their money through that channel. They do not have a single thought for what may come after. Here in Australia for the most part we live from day to day. We may have our little sufferings but we never have had a very severe lesson taught us as a nation of what poverty may lead to when dire want comes into every household. We have not had that experience in this young nation and we should be thankful for it. There is, however, in these times grave possibility of such a thing happening.

Mr. Taylor: Will this Bill stop all that?

The ATTORNEY GENERAL: This Bill will do something towards it.

Mr. Taylor: Then it is a pity it was not brought in 20 years ago.

The ATTORNEY GENERAL: It is a pity. I know the hon. member will admit that he has spent many a shilling foolishly.

Mr. Taylor: I am sorry not to have a few more to spend.

The ATTORNEY GENERAL: His appetite may be stronger than his judgment. It is undoubtedly a sad thing that we have not always been an absolutely teetotal nation. Although no one admires the hon. member's vitality more than I do, or delights more to see him in his full and fiery exuberance of life, I can only wonder what he would have been had he been a life-long teetotaller. Joking aside, I do think that there is a tremendous amount of waste going on in regard to the consumption of liquor. I am taking it for granted that this expenditure is wasteful, and that had we but a check that we could immediately apply upon the drinking habits of the community, and had we the power to say from this day forth that there can be purchased neither a glass of beer, or of spirit, or an intoxicant of any kind as a beverage, the savings of the people would be enormously increased. There can be no question about that.

Mr. B. J. Stubbs: We have seen what has happened in Russia.

The ATTORNEY GENERAL: The experience of Russia has absolutely demonstrated that. The savings of the people have been marvellous since the sale of intoxicants was restricted.

Mr. George: Crime has gone down.

The ATTORNEY GENERAL: That is quite true. I have no desire of course to give a lecture on the effect of alcohol on the human system. There is one thing certain, namely, that the first portion of human nature affected by alcohol is the moral nerve centre. The intellectual nerve centres are subsequently affected, and no man has his full mental vigour who is in the slightest degree affected by alcohol. The taking of spirits may have a temporary stimulus, but a man's full mental clearness of vision is not present when he is to the slightest extent under the influence of alcohol. The light, in its clearest sense, is blotted out from him. A man under the influence of alcohol will act stupidly and sometimes criminally. By restricting the sale of drink we not only save that waste of wealth, but we save the mental vigour of our citizens during the time when they want full possession of it all. We have not yet commenced to realise what this war means even to Australia. As our soldiers return to us, shipload after shipload of physical wrecks, as family after family is bereaved by the loss of its dear ones, we shall begin to realise that we shall have something to bear as a nation as our share in the war, and that we must give yet more and more to that great Empire which is risking so much and spending so much for the cause of all that is dear to the Britisher. We shall, I say, realise that. We do not want intoxicants which blunt our physical feelings or our nobler parts, even to a modified or slight extent. We want to be able to feel naturally as men and women, not polluted by any perturbing influence outside of what nature demands of us in our misfortune. Therefore, I say, with every respect, that I advocate during war time the utmost sobriety on all sides. As I have told the hon. member for Kimberley (Mr. Male) we cannot fully realise this ideal under our existing legislation. We cannot put

a sudden check upon the evil, nor can we utilise past legislation for, strictly speaking, emergency purposes.

Mr. Male: Why not?

The ATTORNEY GENERAL: A promise was given to the House that we would not do this. We are, therefore, bringing this legislation forward in furtherance of what is everywhere believed in a democratic country to be the democratic spirit. That is to say, we desire to let the people have a chance of saying what they desire, and to get the views of the public of the State, and so obviate any argument afterwards on the score that a certain portion was over-voted by the strength of another portion of the community. The Bill proposes that the whole of the State shall be divided into four districts.

Mr. Taylor: Do you think it is a fair and democratic way of voting?

The ATTORNEY GENERAL: I think a district has a right to vote when its interests are particularly concerned. We cannot say that the people of the gold-fields take the same interest in the question as the people on the coast. I do not say it would be fair of us to override the people of Kalgoorlie by the opinions of the people on the coast.

Mr. Heitmann: The same thing applies to the coastal district where the minority will give way to the majority.

The ATTORNEY GENERAL: If we can divide the interests, and allow those who have matters in common to decide for themselves I see no harm in the application of that principle. This is only a suggestion for the purpose of trying to arrive at solutions of very difficult problems, so that we cannot be accused of allowing one section of the community to override the will of another section. The Government, however, are not wedded to it. If hon. members desire that the vote should be taken as in the whole of the State they can of course have it that way. I am not saying that this would not be acting in a democratic manner. We had divided the State into the metropolitan district, going right down to Fremantle and including the electorates which members will find desig-

nated in Section 3 of the Bill, and we have also given the agricultural districts—we cannot have perfect consistency even in this—a combination of certain electorates.

Mr. S. Stubbs: Will these polls be taken on the same day?

The ATTORNEY GENERAL: The polls will be on the same day, but the State will be divided into districts. These districts can decide their own hour at which the closing shall take place. I will take the House into the confidence of the Government, and inform them that it is our intention to have the local option vote taken simultaneously with the reference of the Federal referenda to the people.

Hon. J. D. Connolly: Next December?

The ATTORNEY GENERAL: Yes, and it is designed to give full notification to the people of what is on the carpet and what is going to be done.

Hon. J. D. Connolly: What do you estimate this will cost?

The ATTORNEY GENERAL: I am putting down on the Estimates a sum of something like £3,000, and providing there for the taking of the poll. We can do it more cheaply on an occasion like that than we would be able to do if we started *de novo*, and had to make entirely separate provision.

Mr. E. B. Johnston: And you will get a much better poll.

The ATTORNEY GENERAL: Yes.

Mr. Foley: Have you approached the W.A. Alliance with a view to their defraying the whole of the expense?

The ATTORNEY GENERAL: I have never approached them. I will leave that to the hon. member.

Mr. Foley interjected.

Mr. SPEAKER: Order! These interjections must cease.

The ATTORNEY GENERAL: We have provided too that the votes shall affect all licenses. The draughtsman is responsible for an omission from the Bill, but an amendment will be inserted when the measure is in Committee to include even clubs.

Mr. George: Does that apply here?

The ATTORNEY GENERAL: The Bill provides that starting at 6 o'clock at night we shall go up in separate hours to 7, 8, 9, 10 and 11 o'clock, and that each of the hours shall be, as it were, candidates for the vote. That is to say, those voting for 6 o'clock will be taken to desire that hotels shall close at 6 o'clock in the afternoon. The hour of 7 o'clock will be treated in the same way, and so on. The Bill provides that the votes shall be transferable. If 6 o'clock has not an absolute majority of the votes then the 6 o'clock shall be transferred to the 7 o'clock votes, and if there be then not a majority both the 6 o'clock and 7 o'clock votes shall be transferred to 8 o'clock, and so on.

Mr. S. Stubbs: That is fair.

The ATTORNEY GENERAL: This transference will go on until a complete majority is obtained. When that majority has been obtained, it will be incumbent upon the Executive to allow no more delay than is possible for the declaration of the hour of closing. Then, if licensed premises, or other places where drink is sold, do not close at that particular time they will render themselves liable to a penalty of £100.

Mr. Taylor: Will the vote be taken for 6 o'clock first?

The ATTORNEY GENERAL: It will go on from the first hour. It does not matter where a start is made. The same result will be achieved whether a start is made from the top or the bottom. One of the hours must have an absolute majority when the transferred votes are applied. Therefore, we will start at 6 o'clock and transfer the votes upwards. During the conduct of the poll the penalties provided for in the Electoral Act will apply. That is to say, anyone voting twice or in the event of any misrepresentation on the part of the voter, such breach of the Act will be visited with the penalties provided in it.

Mr. George: Will there be compulsory voting?

The ATTORNEY GENERAL: No, it is not compulsory voting.

Mr. George: That is a pity.

The ATTORNEY GENERAL: That might be a pity. I would not have any objection to trying the experiment if hon. members think it could be carried out.

Mr. S. Stubbs: It would not be possible to carry it out at harvest time.

The ATTORNEY GENERAL: I suppose the poll will be taken during a portion of harvest time. I am reminded that if it is taken during the submission to the people of the Federal referenda there will be compulsory voting so far as that submission is concerned. Every voter will be at the poll. It is not necessary, however, to compel people to vote on this liquor referendum unless this is desired. It would not be our law unless we applied it here. The measure does not propose to make any difference so far as the amending Act of 1914 is concerned. The Executive will retain the same power, notwithstanding this Bill, to diminish the sale of liquor in any portion of the State should occasion arise. There has also been taken into consideration the point submitted to this Chamber some time ago in regard to compensation, and we make some provision for it. The landlord is not entitled to the same rent under this Bill as he would be under other circumstances. The Bill provides that if we close at 10 o'clock there shall be a proportionate diminution in the rent; if the hotels close at nine there shall be a little more diminution, and so on if the hotels are to close at eight, seven or six o'clock. It will, of course, be for the House to consider whether it approves of that principle or not.

Mr. Hudson: What about the man who has recently purchased a property?

Mr. O'Loughlen: He will come off pretty badly.

The ATTORNEY GENERAL: The Bill does not go into previous sales.

Mr. Male: Do you think it will be fair, under these conditions, for the Government to stick to the whole of the license fees?

The ATTORNEY GENERAL: The license fees will help the country in these times of stress, but that matter is so trivial that I do not think it is worth considering.

Mr. Hudson: They are considering it in Victoria.

The ATTORNEY GENERAL: The State needs as much money as it can get and I have no compunction in taking as much as I can get from that agency. That, however, is not the object of the Bill.

Hon. J. D. Connolly: This Bill does not affect the opening hours of the hotels.

The ATTORNEY GENERAL: Even there I will have no objection to an amendment. The only difficulty in connection with the increasing of the number of hours is that we might possibly create some confusion. We shall have a fair number of candidates, so to speak, to vote for. At all events, I feel justified in submitting this Bill as a Bill for war time. The measure provides that the Act, if it becomes such dies of itself in December, 1916, unless it is given further vitality by a resolution of both Houses, and so from time to time the duration of the measure may be extended, and if at any stage during its operation, it may be deemed advisable that the public shall again be consulted, we make provision for again referring the matter to the people. That will be done at the instance of a resolution of this Chamber and of the other Chamber. I think the Bill is commendable as a democratic measure. It is commendable, further, as one of the means we have for trying to keep a hand upon our resources during this troublesome period. It is a measure intended to prevent the waste of wealth, and to protect physical health and mental vigour. It is a measure that asks the people to come to their own rescue in a case like this, and to say voluntarily, and of their own free will, that the indulgence in intoxicants is a luxury in times of national disaster, and that we can well do without them, and that, therefore, they will vote for the closing of hotels at six o'clock. I move—

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

Mr. Robinson: Before you resume your seat, will you tell the House the English hours for the closing of hotels?

The ATTORNEY GENERAL: I am not quite sure what they are. I know there are local differences.

Mr. Hudson: They are different in various localities.

Mr. Robinson: I only wondered whether you had them.

The ATTORNEY GENERAL: I tried to get them but unfortunately I was not able to secure them in time to bring them to the House.

Hon. J. D. Connolly: Does the Act of 1914 stand?

The ATTORNEY GENERAL: Yes.

On motion by Mr. Robinson debate adjourned.

*House adjourned at 5.52 p.m.*

## Legislative Council,

*Wednesday, 25th August, 1915.*

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

## PAPERS PRESENTED.

By the Colonial Secretary: 1, Industrial Arbitration Act, 1912, amendment of regulations. 2, Prisons Act, 1903, amendment of regulation 25. 3, Health Act, 1911-12—(a) Cue-Day Dawn road board by-law, (b) Weston local board of health by-law.