

The MINISTER FOR EDUCATION: The Council struck out Subclauses (4) and (6) and the Assembly desire to reinstate them. The opinion of the Assembly seems to have been that we had a sinister motive in striking out these subclauses. They have made the court a board. In the earlier parts of the Bill it contains provisions in regard to the court which are superfluous in regard to the board. I have no objection, however, to their being repeated. I move—

That the Assembly's modification be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 37—Clause 71:

Council's amendment—Subclause (3), line 2—After "bona fide" insert "traveller or." Add a new subclause to stand as Subclause (3), as follows:—(3) Notwithstanding anything contained in this section or the next following section to the contrary, a licensee shall be entitled, during the hours when his premises are closed for the sale of liquor, to keep the same open for and conduct therein an eating-house: provided that this subsection shall not apply to any bar-room on his licensed premises or modify or affect the provisions of Subsections (1) and (2) of this section or Subsection (1) of Section 98 of the provisions of Sections 99 and 103 of this Act."

Assembly's modification—Strike out the following:—Add a new subclause, to stand as Subclause (3), as follows:—(3.) Notwithstanding anything contained in this section or the next following section to the contrary, a licensee shall be entitled, during the hours when his premises are closed for the sale of liquor, to keep the same open for and conduct therein an eating-house: Provided that this subsection shall not apply to any bar-room on his licensed premises or modify or affect the provisions of Subsections (1) and (2) of this section or Subsection (1) of Section 98 of the provisions of Sections 99 and 103 of this Act.

The MINISTER FOR EDUCATION: Clause 73 as it came to us contained this particular subclause, but it stood as Subclause 7. The Council decided that it properly belonged to Clause 71, and we lifted it from Clause 73 and put it in there. The Assembly have evidently regarded this as something we wanted, whereas it is their own subclause. If they do not want it I have no objection to its being struck out. I move—

That the Assembly's modification be agreed to.

Question put and passed; the Assembly's modification agreed to.

Resolutions reported and the report adopted.

House adjourned at 9.28 p.m.

Legislative Assembly,

Thursday, 14th December, 1922.

Obituary: Mr. J. Boyland Page 2240

The DEPUTY SPEAKER took the Chair at 2.30 p.m., and read prayers.

OBITUARY—MR. JOHN BOYLAND.

The PREMIER (Hon. Sir James Mitchell—Northam) [2.33]: Members will have learned with deep regret of the death of the member for Kalgoorlie (Mr. Boyland). We knew Mr. Boyland here for a period of only two sessions, but had learned to respect his sterling worth. His genial kindly nature appealed to us all. He followed the calling of a miner on the goldfields for some years, and his death was brought about as a result of miners' phthisis contracted in the course of his work. For some time he lived under uncomfortable conditions because of this dreadful disease, and his death has occurred at a comparatively early age. Members will agree that we ought to show some respect for the deceased gentleman. He was an obviously sincere man, and notwithstanding the state of his health, fulfilled his duties in this House in a painstaking manner. I propose to ask the House first to carry a motion of condolence, and then to adjourn over the sitting as a mark of respect to the late member. I move—

That this House places on record its deep regret at the death of John Boyland, Esq., M.L.A., and tenders to his family its sincerest sympathy in the loss it has sustained, and desires that the terms of this resolution be communicated to the widow and family of the late gentleman by Mr. Speaker.

Hon. P. COLLIER (Boulder) [2.34]: In seconding the motion I desire to join with the Premier and members generally in expressing regret at the death of Mr. Boyland. He was amongst us for only a short period, but during that time, although in a state of ill-health, he showed a marked application for and a desire to conscientiously discharge the duties of his Parliamentary life. The deceased gentleman was a prominent figure on the Eastern goldfields for the past quarter of a century, and more particularly in later years was he closely identified with the many and varied activities of life on the fields. At a comparatively early age he fell a victim to the dread disease of miners' complaint. I wish to express my deep regret at his loss, and to extend my sympathy and condolences, as well as those of members sitting with me, to his widow and relatives.

The MINISTER FOR AGRICULTURE (Hon. H. K. Maley—Greenough) [2.35]: I

Legislative Council,

Tuesday, 19th December, 1922.

join with the Premier and the Leader of the Opposition in paying a tribute of respect to the memory of the late hon. member for Kalgoorlie. In such sad circumstances as these, party interests must always be put aside. We can all join in paying a generous tribute to the many qualities possessed by the deceased, which in a sense endeared him so much to us all. The passing of the late member was perhaps hastened by his conscientious discharge of the public duties that devolved upon him, and, no doubt, the strain of the sittings here quickened his untimely end. I wish to associate myself and the party I represent with the deepest feelings of respect and sympathy for the relatives of the deceased in their hour of great sorrow and misfortune.

Mr. UNDERWOOD (Pilbara) [2.36]: I desire to express my very deep regret at the death of Mr. Boyland. Whatever political opinions we may hold, we have to admit as the Leader of the Opposition has done, that Mr. Boyland was a very vigorous citizen of Western Australia. He was one of our best pioneers, and always was a man of solid personal honesty and integrity. The loss of such a man is a loss to the State. He was once strong and vigorous, but when such a man becomes worked out, those of us who still retain their health cannot but have the utmost sympathy for the relatives who are left behind.

Mr. PICKERING (Sussex) [2.38]: During the time that the late Mr. Boyland was amongst us he showed a lively interest in any legislation dealing with miners' phthisis. It is a matter for sincere regret that the measure the House had in contemplation could not have been placed on the statute book before the late member passed away. I am sure he would have been highly gratified if he could have assisted to bring into being legislation to deal with sufferers from the dread disease from which he died. I join in the expressions of sincere sympathy for the family of the deceased gentleman.

Question put and passed; members standing.

The House adjourned at 2.40 p.m.

	PAGE
Select Committee, Fishing Industry, report presented	2241
Standing Orders Suspension	2241
Question: Railways, Spring frog crossing	2242
Bills: Dog Act Amendment, 2a.	2242
Agricultural Seeds, 2a.	2242
Land and Income Tax Assessment Amendment, 2a.	2243
Licensing Act Amendment, request for conference, conference manager's report	2250
Dairy Industry, Assembly's Message	2251
Dairy Cattle Improvement, Assembly's Message	2251

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

SELECT COMMITTEE—FISHING INDUSTRY.

Report presented.

Hon. F. A. Baglin presented the report of the select committee appointed to inquire into the fishing industry.

Ordered: That the report be received and printed.

MOTION—STANDING ORDERS SUSPENSION.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.35]: I move (without notice)—

That until the adjournment of the House over the Christmas holidays so much of the Standing Orders as is necessary be suspended to enable Bills to be taken through all stages at one sitting, and messages from the Legislative Assembly to be taken into consideration forthwith.

I understand it is the desire of members that we should adjourn as soon as possible for Christmas. If this motion is carried, I intend to use it only to facilitate the consideration of those Bills which it is necessary to deal with before we adjourn. I refer particularly to the Land and Income Tax Assessment Amendment Bill, the Land Tax and Income Tax Bill and the Licensing Act Amendment Bill. For instance, without such a motion as this, when we receive a message from the Assembly in regard to the Licensing Act Amendment Bill it will be necessary for us to defer it for a day, although we should probably be quite prepared to deal with it at once.

Hon. A. LOVEKIN (Metropolitan) [4.36]: I hope the motion will not be agreed to except under certain conditions. We have before us two very important Bills, namely, the two taxation Bills. These have been sent to us at the eleventh hour. The Assessment Bill was introduced in the Assembly in August last, but remained there until last week. It is an intricate Bill, and contains innovations