

gentleman deserving the honour of a commission of the peace; he is an upright man and an enterprising man, and one who is very intelligent, and against whom nothing can be said; but he has done nothing so far as I know to entitle him to the distinguished honour of being a justice of the peace for the whole State. The Attorney General cannot deny that, although Mr. McKlenzie Grant may have been absent from the State during the last elections, he is one of the Attorney General's strongest supporters.

The Attorney General: I am glad to say he is.

Mr. TROY: The Attorney General says he would have rather Mr. McKenzie Grant's support than mine. He may rest assured there is not the slightest possibility of his getting mine. I regret the Attorney General has not seen fit to accept the challenge he threw out. It stands to his utter discredit that he has not the courage or pluck to stand up and accept that which he invited.

The Attorney General: I have, if you move for the return I suggested.

Mr. TROY: It is an extraordinary thing that a great majority of the justices of the peace appointed have been during the last few years. In the electorates represented by hon. members on the Government side there are four justices of the peace to one in the electorates represented by members of the Opposition, showing undoubtedly the appointments are made for political purposes. I do not deny that some of those appointed are competent men and able men, but I want to know why able men and competent men and intelligent men have been struck off the roll, men against whose character nothing can be said. When such an extraordinary number of appointments have been made by the Minister and by those who follow them, it cannot be otherwise than for party purposes. I intend to push the motion standing in my name.

Question put, and a division taken with the following result:—

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

Majority against .. 3

## AYES.

Mr. Angwin	Mr. Swan
Mr. Collier	Mr. Troy
Mr. Gourley	Mr. Underwood
Mr. Heilmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Bolton
Mr. McDowall	(Teller).
Mr. O'Loghlen	

## NOES.

Mr. Brown	Mr. Mitchell
Mr. Carson	Mr. Monger
Mr. Cowcher	Sir N. J. Moore
Mr. Davies	Mr. S. F. Moore
Mr. Draper	Mr. Nanson
Mr. Gregory	Mr. Osborn
Mr. Hardwick	Mr. Plesse
Mr. Harper	Mr. F. Wilson
Mr. Jacoby	Mr. Gordon
Mr. Layman	(Teller).

Question thus negatived.

*House adjourned at 10.53 p.m.*

## Legislative Council,

*Thursday, 1st December, 1910.*

	Page
Question: Water Supply, Ora Banda	1949
Papers presented	1950
Bills: Perth Municipal Gas and Electric Lighting,	
Com. ....	1950
Licensing, 2a. ....	1950
York Mechanics' Institute Transfer, Select	
Com. report ....	1962
Fremantle Freemasons' Lodge, No. 2, Dis-	
position, 2a. ....	1962
Mount Lawley Reserves, 2a. ....	1962
Health, 2a. ....	1963

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

### QUESTIONS — WATER SUPPLY, ORA BANDA.

Hon. J. W. KIRWAN asked the Colonial Secretary: 1, Whether the attention of the Government has been drawn to the reports of very rich and important gold discoveries in the Ora Banda district? 2, Whether the Government is aware that there is now practically a water famine on the field, a famine that is likely to be-

come more accentuated in the height of summer, especially as the population is daily increasing and mining operations are extending! 3, Whether the Government will take the immediate steps that the urgency of the case demands to devise the best means for supplying the locality with water and such other conveniences that the recent development may warrant?

The COLONIAL SECRETARY replied: 1. Yes. 2. No complaints have recently been made about domestic supply. A lined and roofed tank was completed on September 30th, at a cost of £2,600, and as soon as rain falls there should be ample water for domestic requirements. 3. The Hon. R. D. McKenzie made arrangements last week with the Minister for Mines to visit the district at the end of this week for the purpose of inquiring into and deciding what further action was necessary to provide efficient water supplies.

#### PAPERS PRESENTED.

By the Colonial Secretary: Fremantle Public Hospital: Twelfth Annual Report of the board for year ended 30th June, 1910.

#### BILL—PERTH MUNICIPAL GAS AND ELECTRIC LIGHTING.

##### *Recommittal.*

Resumed from 29th November; Hon. W. Kingsmill in the Chair.

Clause 9—Votes of ratepayers, how taken:

The COLONIAL SECRETARY: When in Committee on the previous day he had moved to report progress in order that a certain proviso should be added to the clause so that there might be an appeal from the roll. He had had those amendments drafted. They were very lengthy, running into schedules, and he thought therefore it would be much better that they should be put upon the Notice Paper. That that might be done he would suggest that the clause be now passed, and he would have it again re-committed so that the amendments might

be considered after they had been placed on the Notice Paper.

Clause as previously amended put and passed.

Bill again reported with amendments.

#### BILL—LICENSING.

##### *Second Reading.*

Debate resumed from the previous day.

Hon. E. M. CLARKE (South-West): I had, in the first instance, no intention of speaking to the Bill, but it is one of those important measures that is likely to be carried further later on. I will give the temperance party credit for their persistence in this thing. They long clamoured for some measure to regulate the liquor traffic, and the Government have now brought in a measure which, to my mind, is the first instalment of a larger or more effective measure to come later on. When those measures appear they will be subject to the will of the people—I mean that in the Bill we are to get later on the people will be given the power of voting for and against the liquor traffic. This liquor traffic is a thing to which many of us have given considerable thought. I myself—and possibly, Mr. President, you scarcely knew it—for many years belonged to the temperance party, in that I was a Good Templar, and not only a Good Templar, but one of the principal officers among them; and I am in no way sorry for what happened in those days. Temperance work, if carried on judiciously, and not in a hot-headed manner, can result in a lot of good. Down in Bunbury, where I come from, there were three or four notorious tipplers, and I venture to say that the society to which I belonged in those days was the means of redeeming these men, of restoring them to be useful citizens of the State.

Hon. J. W. Hackett: But they lost you Hon. W. Kingsmill: The men died.

Hon. E. M. CLARKE: I like interjections, and I am not going to give the reasons why they lost me. As a matter of fact, they have not lost me, for my sympathies are with the temperance people. I am a believer in those who, whatever views they hold, see to it that those views

are temperate. And I cannot help saying that the so-called temperance people carry the thing a little too far and overshoot the mark; that is to say, they do not always take a temperate view of the question. Of course I need not remind the House that in facing this question we are facing a long established thing; I think I may say it goes back 2,000 or 3,000 years. As far as my memory serves, Noah was the first man who fell under the baneful influence of strong drink, and from that time forward it has done an immense amount of harm.

Hon. J. W. HACKETT: Noah planted a vineyard; it was the vineyard that did the mischief.

Hon. E. M. CLARKE: Noah planted a vineyard, yes; every school boy knows that. The question arises how best to deal with the problem. The thing is simply this: we regard it as next to impossible to absolutely abolish drink unless legislation can be enacted on such lines that the minority shall rule; that is to say, that rules shall be enacted whereby the minority say the drink traffic shall cease. Then and only then can it be accomplished. But this would be a Utopian condition of affairs, this total abolition of strong drink. Still, I fully believe laws can be enacted to regulate the drink traffic into a much better state or condition than it is at the present time. Many speakers have mentioned the fact that the existing Act is not administered. With that I agree. The reason why, is not for me to say. What is this great drink question? I am not going into the scientific aspect of it, but some have characterised it as a disease. I am not prepared to go that far. At the same time, from my own experience I may say I have seen it run from father to son, and right away to the second generation. Some may here interject and say I must be a very old man. The explanation is that I began to take notice of things when very young, and I have seen the evil run from the father to the son, and through to the grandsons, now living, though the grandfather is dead. The idea I draw from that is that it is not a disease, but a constitutional weakness. None can be fully acquainted with

the difficulty of overcoming it except those who have seen how it can actually pass from father to son, and to the grandchildren. Some will say "Keep it away from the children, and the man will be all right." But in the case I have in mind the man was a total abstainer, and you would have thought he had more sense than to take to it late in life. The grandsons lived to a mature age before they took to it, and it is this that leads me to believe it is a constitutional weakness. How we are going to deal with it, is not for me to say. Our work as a legislative body is to, as far as possible, minimise the evil we all know exists. To cure it absolutely and prevent any person from drinking is, of course, beyond our power. But let us by all means do what we can to minimise the evil prevailing all over the world. As I have said, it has been in existence all over the world for thousands of years past. The trouble is that we may enact laws that a man shall not do this or that, but when we come to face the question from a practical standpoint, what do we find? Here is a person in a condition which might justify a policeman in locking him up, but what are we to do with the respectable man who has taken too much? Are we going to imprison him? I would not like to see anyone belonging to me put in prison. Then when we come to talk of preventing children from taking drink, how are we to do that? I would not like to see one of my children yanked up by a constable to court and punished if he took a glass of anything. It would be just as ridiculous if we passed a law whereby one could not smoke a cigarette and a boy of mine was imprisoned for being caught smoking. These are some of the difficulties we encounter. We may enact laws, but these laws always interfere with the liberty of the subject; not only that, they are often very injurious, and if they were put in practice no community would tolerate them for any length of time. Various suggestions have been made with regard to doing away with the drink evil. Some suggest punishing those who drink, others suggest doing away with barmaids, others say stop it altogether. I say we may talk about stopping drinking, but it is a big

question. How many of the British race at the present time are engaged in the manufacture of drinks of various kinds? If it were possible with a stroke of the pen to prevent the use of liquors and prevent the drink traffic, what would become of the tens of thousands of people engaged in the trade? To narrow it down to something practical, what would become of the thousands and thousands who are engaged in Ireland at Guinness's brewery at the present time? What are we to give them to do? Hence I say, when one talks of the total abolition of strong drink, he is talking of something beyond the bounds of practical politics. The only thing we can do is to, as far as possible, minimise the evil by means of laws, and let those laws always be dealt with in a spirit of fairness. We know that vast sums of money are invested in buildings engaged in this trade. No matter how I would like to see temperance prevail, I would never be one to pass a law that would simply sweep all these things off the face of the earth. There are quite enough risks now for capitalists, outside such a drastic step as this. I venture to say there are many among hotel-keepers who are an honour to their profession as far as it may go. We find nothing wrong with them. Many of them conduct their hotels in a laudable manner. There are hotels I can go to where they study my comforts although I do not take a glass of spirits once in six months. It seems to me there must be some convenience for the travelling public, and I venture to say that in the generality of public houses one can feel at home. State hotels have been talked about. With all due respect I consider it is the duty of the Government to administer the law and that they will have quite enough to do to see that the laws are administered, more particularly those relating to the drink traffic, without going into the business of keeping hotels. I suppose the next thing they will begin to run our stores and our orchards and all that sort of thing; and goodness only knows where they will stop. There are several departments that should be under the control of the Government, such as the postal department and telegraphs and a few others like that; but

when they talk about running hotels I am not a bit with them. I think it would be stepping out of the true sphere for which Governments are in power. A section of the public some time ago asked for a Bill on the lines of the present Bill, and I rejoice to see there is a measure of local option in it. I have a journal which I have just opened. It seems to me that it would discourage sympathisers with the temperance cause, the strong phraseology they use and the way they denounce everything not just exactly in accord with their views. Such things as that are calculated to alienate the sympathies of those persons who are trying to do the best they can for them. These people cannot recognise any good that is being done unless it is being done exactly on the lines they want.

Hon. F. Connor: What are you quoting from; the *West Australian*?

Hon. E. M. CLARKE: No. This paper came into my hands just a few minutes ago. I cannot help thinking the extreme views some of these people take on the liquor question are calculated to alienate the sympathies of those who would work for them. And now I want to say something with regard to the Bill. I am most emphatic in saying that I think the clauses dealing with the constitution of licensing benches are most dangerous, clumsy, and cumbrous, and are very much calculated to be abused, so that I hope the Minister in Committee will agree to have them expunged. There has never been a word said against any licensing benches that I know of. These benches are generally composed of men who are in no way interested in the liquor traffic, and these are the men who generally do a fair thing by the applicants for publicans' licenses. There is another view that could be taken, if all comes to all—could not the members representing the districts in Parliament nominate or suggest to the Government the most fit and proper persons in their districts to sit on these licensing benches? I cannot help echoing what other hon. members have said that most of these courts, apart from the resident magistrates, will be composed of extremists on one side or

the other, and that would not be a wholesome state of affairs. These men should be chosen from the justices of the peace in the districts. That method has worked well so far, and I can see no reason why it should not work well in the future. In regard to the gallon license, candidly speaking I cannot help thinking the matter is so ridiculous as to need no argument at all. It is obvious that a person who wishes to wriggle out of the law at present in regard to the gallon license will be twice as much subject to it when having to deal with a two-gallon license. So I think it would be just as well to restore the one-gallon license. Mention was made last night by some hon. member about barmaids. It was thought at one time that possibly the Government would insert in the Bill some clause dealing with barmaids, but I think the Government recognised it was rather a ticklish job to tackle. The question would arise, if we did away with barmaids, what we could give them to do.

The Colonial Secretary: You do not propose to make it retrospective, do you?

Hon. E. M. CLARKE: I am with the hon. member there, but I say all honour is due to those ladies who have pluck enough to go out into the world and take positions that men ought to be filling, not only barmaids, but typists and a crowd of others, and I am sorry to say there are some who would do all they possibly can to prevent women doing anything. As an old man, I say it would be far better for the community if these splendid physical specimens of womanhood were simply mistresses of their own homes, for then they would be fulfilling the functions for which nature intended them. I want to be clearly understood, I do not say that a bar is a place for a girl. I should never like to see any girl of mine there, but I say if these maids choose to go there we have no fault to find with them, though at the same time it would be for the benefit of the community if they were fulfilling the functions for which nature intended them. I am not going into the various phases of this Bill, but as

I have talked to a great many people on temperance, I think it is my duty at this stage not to give a silent vote. If I have said anything that is of information to anyone, or that will help the Bill forward, I think I have done my duty. I can only say that I shall carefully watch the measure in its progress through Committee. I think the thanks of members are due to Mr. Moss for the information he gave us. We can almost say that the legal fraternity are the backbone of the House, because they have a practical knowledge of things and the power of analysing the various clauses that come before us; and the thanks of the House are due to Mr. Moss for the errors he pointed out in the measure. Except in regard to these few clauses I have mentioned, it will be my endeavour to support the Bill and have it placed on the statute-book in as workable and fair a manner, bearing in mind the claims of each part of the community, as it is possible for us to make it.

Hon. V. HAMERSLEY (East): I rise, not that I feel I have any new light to throw on the various portions of the Bill which has already received a fairly exhaustive inquiry from members of the Chamber, but because, more particularly than anything else, I wish to congratulate the Government on having brought forward a measure that has been promised to the country for many years. I also congratulate the Government on their earnest endeavour, and because this has not been made a party measure and because with all honesty of intention they have brought it forward for full and free discussion throughout the country with the one object, that of arriving at the best measure possible to be placed on the statute-book with regard to this very debatable subject that is full of pitfalls and rights and wrongs and which is of such great concern to everyone in the community. I think the Government have every right to the thanks of the community for having left a free discussion to all parties, and I am satisfied it is their earnest desire to see the best possible measure placed on the statute-book. It is with

that view the members of the House will treat the measure. If we are not prepared to accept the measure as placed before us I feel sure when the Bill gets into Committee it will receive earnest consideration, so as to arrive at the best possible results for the good of the country. It is very necessary this measure should be passed into law, because it is repealing no less than 16 Acts of Parliament which we have on the statute-book at the present time. It is very necessary from the fact that the last of these Acts I have always looked upon as an injustice to a great many centres where it is almost imperative that licenses should be granted. At the same time we have all recognised that it was in view of the fact that a measure was about to be placed before Parliament, that it was a good thing to pass that Act by which no further licenses could be granted until the various liquor laws were consolidated. We have reason to know that it will be almost necessary to repeal that Act if we do not pass some consolidating measure, because there are many places suffering from the want of hotel accommodation. The case of Bullfinch has already been mentioned where it is necessary to have a licensed house for the good of the community. There is the difficulty of people who travel finding a house where they can obtain such reasonable accommodation that the average human being expects to find. That, I understand, is one of the objects of licensing houses, to sell liquor and provide ordinary accommodation. Unfortunately, many places in the past have received licenses, and the owners get those licenses to enable them to supply accommodation to the public, but they seem to fall into the evil of believing that their licenses are granted to them for nothing else but for the sale of liquor. I have come into the City and have gone to places and required accommodation, and it has been denied me. The one idea the licensee had was that he did not want to encourage boarders or lodgers in his building, although the building was a palatial one, giving a person the idea that accommodation could be obtained; yet I

have found myself refused the accommodation because the hotelkeeper claimed that it did not pay him to accommodate lodgers.

Hon. J. W. Hackett: He is bound to accommodate them.

Hon. V. HAMERSLEY: I know, and I have received the accommodation I required, but, unfortunately, these things do occur. It is necessary to license places where the public have the right to demand the accommodation they require. It seems to me necessary that we should have places licensed to accommodate the travelling public, at the same time we do not want to give licensees the power to deny accommodation to lodgers while they obtain licenses, which will enable them to make profits which they cannot make out of lodgers. With regard to the Bill itself, I do not agree with the proposition of an elective bench. I am quite satisfied that it would give satisfaction to a few and that it would help to make this a very costly measure to control. The mere fact of these elections, in any case, will make the working of the Bill very expensive, much more expensive than we have ever experienced in the control of this trade in the past; and with these elections it seems to me there will be very little gain and a great deal of harm done. As far as the local option clauses are concerned, I believe the Bill concedes a great deal, and it will be a very costly procedure to carry out the poll. For that reason alone I think it is a very big step for us to take indeed. I realise that in the past, under the old Act, there has been a very good system; there has been in the past practically all we can get from this new Bill as regard local option, but everyone seems to have found fault with it, and we are all prepared to try a new scheme. I do not think we shall gain a great deal when we take into consideration the increased cost that it will entail on the community. So far as the clause is concerned in regard to taking the poll, I am glad it has not been fixed to have this election taken on a day when the ordinary election for Parliament is taking place. Where that has been tried I am satisfied

it has always confused the issue and has not been a success. We must commend the Bill in that respect. With regard to the closing hours, I look on 11 o'clock as late enough. I regret there is any idea of increasing the hours. I should be more in favour of seeing the closing hour fixed as 10.30 instead of 11 o'clock; to increase the time to 11.30 I do not think advisable, although I recognise even with these hours they are conflicting between large centres, or rather, between the metropolis and the country. I also recognise that these hours do not meet altogether with the wishes of the goldfields community, and it might not be wise altogether in fixing a definite time in the clause as the closing hours for hotels throughout the State. It would be preferable almost on the goldfields for hotels to close, perhaps, at 8 o'clock in the evening and reopen again probably at midnight, because we have many thousands of men working in shifts, and their work is being done at night as well as in the day. Many of these men, on leaving their work, would be glad to have the same opportunities of accommodation and refreshment as their brothers or mates have during the day time. These men are doing exactly the same class of work, but the hours of working are quite different from those of their mates. I take it for granted those working at night require the same accommodation as their mates have had in the day time. Although the hour is quite late enough for the ordinary closing of hotels, there are conflicting phases which the clause will debar from being considered by the licensing benches. It would be wise to give the licensing benches, under the circumstances, power to regulate the hours and make them more suitable to the communities with which they are dealing. With regard to Clause 46, when I first looked through the Bill a thought occurred to me, and I made a note against that clause, and I think it meets the case very clearly—I put that clause down as palm grease. It is bringing the country and Parliament down to a fairly low level when we have a clause such as that one, and I certainly think that amongst the amendments to be sug-

gested we should be doing a good thing to the State by deleting that clause. The idea of anyone applying for a license offering a premium seems foreign to a Bill of this nature.

The Colonial Secretary: Why should not the State get something out of it?

Hon. V. HAMERSLEY: What are we going to do? If three persons apply for a license, one offers a premium of £1,000 on a very paltry building, another offers a handsome building and £250 premium—

The Colonial Secretary: The benches would have to consider those things.

Hon. V. HAMERSLEY: It is an unfortunate position to place the benches in. It is more important to the community that the main consideration should be the qualifications of the man applying and the class of building likely to be put up. It is not a question of whether the revenue is likely to be increased by an extra £250; for, after all, when a license is granted it is likely to stand for a number of years.

The Colonial Secretary: The bench naturally would take these things into account.

Hon. V. HAMERSLEY: It seems to me it is placing unnecessary difficulties in the way of the bench coming to a decision.

The Colonial Secretary: What about a place like Bullfinch, where a license would be worth £10,000?

Hon. V. HAMERSLEY: I do not say that it should be put up to public auction. In a case like that the accommodation likely to be provided for the public would be good, and it is important that the £10,000 should be put into the building, for the community are entitled to the best accommodation. But that is an extreme instance. I might apply in this way, that for every license a person is likely to apply for he must feel in duty bound to offer a premium. It reminds me somewhat of that poor unfortunate woman who got into trouble because she sent £5 by way of a premium to the Public Service Commissioner in the hope that her husband might get the appointment that

he was applying for. It is very much the same thing.

The Colonial Secretary: That is an entirely different case.

Hon. V. HAMERSLEY: We are putting it forward that these applications are likely to be more favourably considered from the fact that the Government needs revenue, and that it is just as well to offer a premium. We are about to lay that down in the Bill.

Hon. B. C. O'Brien: It means that the licenses will go into the hands of the brewery companies.

Hon. V. HAMERSLEY: It appears to me that the money will go into the State revenue instead of into buildings, and I do not think that the public are going to benefit as much from money paid into revenue as if it were expended in the provision of accommodation. That is the risk we are taking upon ourselves in asking for premiums. With regard to the way-side licenses, I see that all of those beyond a 10-mile radius are to be swept overboard. So far as my reading of the clause goes, they are to be swept away altogether immediately, and I think that is likely to produce a good deal of hardship. I do not see what their remedy is under this Bill. They will have to apply for a license under one of the other forms and there is no guarantee that they will get it. They are likely to be cast out altogether, and that is rather a hardship on some of those places which are probably just within the 10-mile radius, and for that reason are going to lose their license without any chance of converting it into another form, although their accommodation is fairly necessary. One other point that struck me in regard to holding elections is with regard to the marking of the voting papers. I think that the provision in the Bill is likely to lead to confusion from the fact of requiring a cross to be put on the ballot slips. I wonder why the existing rule has not been adopted? I do not know whether it appeals to many people, but I know that whenever I go to record a vote I find the many forms of voting very confusing. Under the Federal Act we have one method of voting, and under the

State another. In some systems we have to strike out a name, and under our existing law we have to put a numeral opposite the candidate we are voting for; now, here is another form of voting paper on which we will have to make a cross, and to my mind every one of these alterations helps to make confusion worse confounded, with the result that in some of the other elections we will find the voters using a cross on the ballot papers. I think it highly desirable that we should have a uniform system of voting in all our elections. Sunday trading and the bona fide traveller clause are undoubtedly very important matters, which appeal to a great many people in different ways. I see that in South Australia they have just passed a measure doing away with the bona fide traveller clause.

Hon. M. L. Moss: Do you say they have done away with it?

Hon. V. HAMERSLEY: I understand so.

Hon. B. C. O'Brien: Oh, no.

Hon. V. HAMERSLEY: It may be news to some members of the House and may be a guide to us as to what to do in this matter. Personally I think that this clause has given rise to a great many questions in the past, but the principal difficulty in connection with the liquor traffic has been more in regard to the administration than the laws themselves. However, I recognise that the provision has been abused, but it is very hard that because some men abuse this very admirable clause other people have to suffer. I do not know that it will affect me personally very much, but I know a great many people whose calling necessitates that they shall be travelling from one place to another on Sundays just as much as on other days, and they require ordinary accommodation. It frequently occurs that people are travelling in the country and they must travel on Sunday, perhaps even more than on other days, and we must all realise that the climatic conditions in this country are such that it is necessary for them to quench their thirst. In those circumstances, it would be very much wiser to recognise that fact and to open the hotels for certain hours of the day. One of the defects in con-



nection with the bona fide travellers clause is that it is a menace to the licensees themselves; they are at the beck and call of the public on Sundays just as much as on any other days. I, as a traveller, have a right to demand accommodation night and day, and I know that a great many licensees throughout the country would like to see the bona fide traveller clause thrown overboard. At the same time there are a great many people who want accommodation on Sundays as on weekdays, and I can give an instance that appeals to me personally as to the reason why people should be able to get drink on Sundays. I employ a few hands and we know very well that these men go into the towns on Saturday nights with their money. My instruction to most of my hands is that they can go and drink to their hearts' content at the proper place where drinking is recognised, but they are not to bring any liquor on to my premises; and it seems to me that if Sunday trading is absolutely done away with and the men find they are not allowed to drink on the hotel premises, because of the fact that the licensee will be penalised, they will buy the liquor and bring it on to my farm.

Hon. J. W. Langsford: They are not bona fide travellers.

Hon. V. HAMERSLEY: They may be bona fide travellers. In fact many of them come in 10 and 15 miles, and I can quite understand that they want a drink at the end of the journey; but worse than bringing the liquor on to my farm is the fact that many of them in their good natured way would buy the drink on Saturday night and take it to the house of a friend who perhaps has a wife and family, and the drinking will take place in that home instead of at the recognised place where it could be under control. My contention is that a place is recognised where these men can get liquor on Saturday night, but under this clause they will not be able to drink it on the hotel premises on Sunday. I think that it is better to allow them to drink it on the hotel premises than that they should drink it in any other place, because, as I said before, the hotel is

a place where the drinking can be controlled. I believe that if this clause is agreed to, it will lead to more trouble than in the trading we have had in the past. I do not know that I particularly want the bona fide traveller clause to stop there so that the bona fide traveller shall be served with liquor; it has been abused so much in the past that it might be wise that it should not see a place in this Bill; but if it is deleted there should be in place of it a provision stipulating hours on Sunday during which hotels could be opened, so that anyone requiring liquor could get it at a hotel. Men will probably drink less under those conditions than if they have to lay in a store over Saturday night. These men have an opportunity on Saturday night to obtain drink, and at the hotel they will get word that it will soon be closing time, and that if they want liquor for the morrow they had better obtain it there and then. The result will be that they will buy liquor by the half dozen bottles and take it away with them. I prefer that they should not take it away, but that they should drink it on the premises where they can be looked after. There are certain clauses in regard to clubs, which possibly I have misread. Reading right through these clauses I have recognised, to my own satisfaction at any rate, that these clauses incorporate much more than I understand from the Minister was ever intended. He assures me that they do not include the ordinary clubs that we know of, such as racing clubs, bowling clubs, and various clubs of a like nature. I know very well that there are some of these clubs that have liquor on the premises.

The Colonial Secretary: These clubs can get licenses if they comply with the conditions.

Hon. W. Kingsmill: The clauses apply to all clubs; there are no exemptions.

Hon. V. HAMERSLEY: Very well; I think that is very severe.

The Colonial Secretary: If they keep liquor on the premises for their own private use and not to sell it, that does not constitute them a club; they can get a

license if they comply with the conditions.

Hon. V. HAMERSLEY: I understand that if they have liquor on the premises they will have to comply with all these rules with regard to the putting up of honorary members and visitors, and will all have to come into line as if they were registered clubs for the sale of liquor. It will be very awkward indeed for many of those clubs. If a club changes its secretary there will be a whole rigmarole of forms to go through in giving notice to the registrar, whoever he may be. It will confuse things; at any rate it appears to me they will be placed in a difficult position. It will not be worth while to pay big fees, and it will make the whole thing a costly process. With regard to the recognised registered clubs, there are several clauses dealing with honorary members and so on, which will materially affect country clubs. I hope these will be altered when we get into Committee. I have much pleasure in agreeing with the views of Mr. Connor in the direction of the abolition of barmaids. I think there is much harm done among the young men in connection with this liquor trade by reason of the fact that barmaids are employed in hotels. I recognise of course that those who have been barmaids up to the present have some vested interests, but I think it would be a good thing if they could all be registered, and in the future no more barmaids recognised. If anyone brings forward this proposal with regard to barmaids I shall have much pleasure in supporting it. I do not mind bringing it forward myself if no one else will do so. I recognise through living in the country that many parents have seen their sons take to liquor and have wondered why on earth these youths have done so. It must be recognised that parents want to do the best they can for their sons, and they get them employment in a bank or in the public service, and those in the service are sometimes given promotion by being sent to country districts or to the goldfields or among the farming communities. These young fellows do not know anyone in the local-

ities to which they are sent, and they proceed to reside at a hotel or somewhere near it, and having no means of occupying their time in the evening they devote their attention to the hotels and become friendly with the barmaids. This kind of thing gives them a real taste for liquor; this is the commencement in many instances of serious trouble for them in after life. I am satisfied that were men behind the bars the same young fellows would not be led off to acquire the taste for liquor. I do not desire to say anything further except that I have much pleasure in supporting the second reading the Bill.

Hon. W. MARWICK (East): I am not going to say very much on this important Bill. I am very pleased to see it introduced. In my travels around the country districts many requests were put to me to endeavour to bring about some reforms. The people who ask for these reforms in the liquor traffic, however, are people who to my mind are doing the least to bring them about in the proper way. I know from experience in the early goldfields days and even at the present time that there are those who could bring about the reforms that they speak of if they themselves were to take in hand and treat kindly those people who indulge too freely in liquor. I find it is those who have the most to say who do the least. I realise that it is necessary to bring about some reforms and hon. members have dealt very fully with the questions of reform and there is no desire on my part to go over the same ground. I merely wish to say that when the measure is in Committee I shall do everything I can in my humble way to assist in bringing about reforms which to my mind are necessary. I would, however, like to say that there is something lacking in connection with the administration of the present Act, which is a very good Act and which has worked admirably in the past: I do think that we want to be cautious with this Bill and not prevent the increase of licensed premises in the growing country districts. I know from travelling about that if we had to-day only the accommodation that existed 14 years ago people would have to carry tents with them or

have houses attached to their wagons to say nothing about the Bullfinch district and places which are springing up every day. We know that within the last few years some very fine hotels have been erected in the State and those who are engaged in them appear to be doing good business, but owing to the lack of supervision the licensing laws are abused; even in the city we know that there is considerable abuse going on. I know from experience of men who are addicted to drink that they do better work after they have had a drinking bout than when they have money in their pockets. A man with £25 or £30 in his pocket will often become a positive nuisance by reason of the fact that he is hungry to get away to go on a spree, and after having had his spree that man will go back to work quite content and without being concerned about the money he has spent. I do not think it is possible to prevent these men having drink; we might as well attempt to prevent them from earning money. I would, however, go so far as to say, and on this point I agree with Mr. Gawler, that something should be done to educate the children with regard to the evils of drinking. I am surprised to see that there is no provision in this Bill for checking the sale of liquor to youths. I would like to see it made an offence to supply liquor to youths under the age of 20 years. We know well that at the age of about 16 years boys have not settled down to work and this is the age at which boys are about to start in business and get away from their parents, and it is not difficult for them to find their way to the hotels and acquire evil habits. If we made it an offence for the supplying of liquor to youths under, say, 20 years of age, or even 18 years of age we would be doing a lot of good. In the country towns as well as everywhere else we notice boys of about 16 years of age learning to play billiards in hotels, and from the billiard table they drift to the bar; they have no one to control them and they get into bad habits. This is the age at which they should be looked after for they are hardly able to map out their own destinies.

Hon. F. Connor: Some of them have families at twenty.

Hon. W. MARWICK: Probably. With regard to the question of the bona fide traveller. I would like to see that clause reinstated in the Bill. I think it would be a hardship to eliminate it altogether. I do not know what will happen to suburban hotels if it is not reinstated, or even to pleasure seekers on Sundays, if they are not able to obtain some refreshment when they go to places like, say, Mundaring and elsewhere. The same thing applies in country districts; a man may go out on Sunday and a hotelkeeper is not allowed to serve him with liquor. This hotelkeeper is not going to serve a visitor with a meal if he cannot serve him with liquor. We know well that many hotelkeepers will not keep their premises open simply for the purpose of supplying meals. As to the hours of closing, I cannot see that an alteration is necessary. When the Bill is in Committee, however, I shall be prepared to agree on this matter with the majority. As to clubs, I think it will be a hardship if honorary members are to be registered, particularly in the country districts where social gatherings are often held at these clubs. One town might desire to send across to another town a team of bowlers and it will not be possible for them to enjoy their outing if all the members have to be registered when they are put up at the club. I would like to take the opportunity of congratulating Mr. Moss on the able way in which he put these clauses before the House. I hope when the Bill leaves this Chamber that it will be a workable measure, and that it will be in the interests of the whole of the community.

Hon. A. G. JENKINS (Metropolitan): I am afraid there is nothing I can add to the debate which has taken place on the second reading of this measure, or break fresh ground. I would just like to express the opinion that it seems a pity that the Government went to such a lot of trouble and expense by sending Mr. Carson to the other States to look into the liquor traffic from an unprejudiced point of view, and that a stronger stand was not made in embodying in the Bill the very excellent suggestions that Mr. Carson presented in his report. I think also it is a pity that when the Bill

was put before us a copy of that report was not supplied to every hon. member of the House.

The Colonial Secretary: They were supplied over twelve months ago.

Hon. A. G. JENKINS: That is so, but I do not suppose that even so methodical a gentleman as the Colonial Secretary has that report by him at the present time. The only point I desire to make is that the Government appear to have sent Mr. Carson round the Eastern States and New Zealand, to have printed his report, embodied the main principles of that report in the Bill, and when the Bill was before another place, allowed these principles to be thrown out without the slightest fight against it.

Hon. M. L. Moss: The report only contains the views of one man.

Hon. A. G. JENKINS: These views were evidently worthy of consideration and of being embodied in the Bill as introduced into another place; but the Government, without making the slightest fight to defend them, allowed these principles to be thrown out of the Bill. The only reason I mention this is because the main principle affected is one I advocated at my election, namely that of trade compensation. If it had been adopted in the Bill a good deal of the opposition shown by the temperance party would have been avoided.

The Colonial Secretary: The temperance party is against all compensation.

Hon. A. G. JENKINS: They are not against the principle of trade compensation. What they want is that the local option principle shall come into force as soon as possible; and the easiest way to bring that into force as early as possible is to have compensation provided by the trade. There would then be no necessity to postpone the operation of this local option principle for ten years. I have always been in favour of trade compensation, because I think it is the fairest. By all means let the trade provide their own insurances. With regard to the elective count, practically every member has spoken against it, and I am at one with my colleagues in this. Mr. Moss referred to the fact that the fees on licenses were

only a repetition of what was at the time a rough and ready method of raising additional revenue. I think the fairest principle would be that adopted in respect to the clubs, namely, to levy a percentage on the consumption or purchase of liquor, and I hope the Colonial Secretary will give that matter earnest consideration. There has been a good deal of talk about the bona fide traveller question. I think the whole trouble in this respect has arisen through the abuse to which the system has been subjected. The present definition of bona fide traveller invites abuse, and if the clause is going to be restored to the Bill I hope the distance limit will be made ten miles instead of three miles. This would be a fair definition and would enable many licensees who desire to close their houses on Sunday to do so, instead of, as at present, being compelled to keep open. Viewed in this regard three miles is, of course, only across the street; and whilst a man who travels ten miles may have some justification for requiring a drink there is no justification whatever in the case of a man who goes three miles only. I am at one with hon. members in thinking that the hour of eleven o'clock is quite late enough for the closing of hotels. There has been no demand for the extension of time to 11.30 p.m., and I cannot understand why the Government put it in the Bill. I hope also that as far as possible all discretion will be taken away from resident magistrates to extend the hours during which hotels may be kept open. This privilege has been abused in the past. I never could understand why on festive occasions such as Christmas, Easter, New Year, show week, and the like, licensing magistrates permitted hotels to keep open until 12 or 1 o'clock in the morning. That is just the time when if a man has any spare money he should take it home; but for years the magistrate in Perth has consistently allowed hotels to keep open till 12 and 1 in the morning on those occasions. I do not think it is right. Strong protests have been made against it by different classes of the community, but notwithstanding this the abuse—because I think it is an abuse—has still gone on. I hope

that power will be taken from the magistrates, or that at least very little discretion will be left to the magistrates to extend the closing time. There are various clauses requiring amendments in Committee, but now that the main principles in the Bill have been fully debated in the House I think there will not be much trouble in devising a measure that will be acceptable, not only to another place but to the general public as well.

The COLONIAL SECRETARY (in reply): I do not intend to reply at any length. It is essentially a Bill that can better be dealt with in Committee. In that connection I would like to remind hon. members that if they have any amendments to move it would be wise to get them on the Notice Paper. Then they could be submitted to the Parliamentary draftsman and put into proper form. I am reminded that we have on the Notice Paper at the present time two or more amendments on the same clauses. I would ask those members responsible for such amendments to confer among themselves so as to agree upon one amendment. The services of the assistant Parliamentary Draftsman are always at command, so members would be able to get the agreed upon amendment drawn up in a proper manner. It is always better, I think, to have an amendment drawn up by the man who drafted the Bill, rather than by, say, an outside solicitor. Certain hon. members, especially he who has just sat down, complained that the Government had not made this a party question.

Hon. A. G. Jenkins: I did not say a party question. I spoke of putting principles in the Bill and neglecting to stand by them.

The COLONIAL SECRETARY: The Bill was not made a party question, for obvious reasons. The liquor reform question has been before the country, and has been mentioned by successive Governments, for the last ten or twelve years, but this is the first time any real attempt has been made to bring it before Parliament. Many members in both Houses are pledged to the main principle in the Bill, namely, that of local option, but it would

be quite impossible for this or any other Government to carry any particular form of local option. There is so much diversity of opinion that everyone has his own ideas as to what form of local option should be adopted. True, the Government sent Mr. Carson to the Eastern States and New Zealand and that gentleman submitted an excellent report. That report was printed and distributed to every member of both Houses, so I do not think any fault lies with the Government, as indicated by the last speaker, who complained that the report was not made available. It was distributed twelve months ago, and more copies are available if hon. members desire them. But although Mr. Carson's report was a very excellent report it was only the opinions of one man. The Government considered it a very excellent report, and embodied its main principles in the Bill, and defended those principles. I think if anyone has taken the trouble to read the proceedings of another place he will find that this Bill has been debated there for weeks past, including several all-night sittings; if that is not trying to put a Bill through I do not know what is. I would remind hon. members how hard it is to put a Bill of this kind through Parliament. I thank hon. members for the reception they have given to the Bill. The debate has certainly been a very good one, and I am pleased that so many members should have spoken and indicated in what direction amendments are likely to be made. I again plead with hon. members to give the Bill fair consideration. It is a measure of a class of which it can be said the better the Bill the fewer number of people it will please. Because, on the one hand the trades-people expect it to run in one direction, while on the other hand the temperance people expect it to run all their way. Therefore, a liquor Bill which is a fair Bill will please no party. I do not intend to take the Bill into Committee to-day. We will allow it to stand over till Tuesday so that members will have plenty of time to consider the amendments on the Notice Paper.

Question put and passed.

Bill read a second time.

# **BILL (PRIVATE)—YORK MECHANICS' INSTITUTE TRANSFER.**

## *Select Committee's Report.*

Hon. A. G. JENKINS brought up the report of the select committee appointed to inquire into the Bill.

Report received, read and ordered to be printed.

# **BILL—FREMANTLE FREEMASONS' LODGE No. 2 DISPOSITION.**

## *Second Reading.*

Order of the Day for the resumption of the debate read.

Hon. J. W. HACKETT: I move—

*That the Order of the Day be postponed to the next sitting of the House.*

The PRESIDENT: As this is a private Bill I would point out there is a limit to the time.

Hon. J. W. Hackett: There will be ample time.

Motion passed, the Order postponed.

# **BILL—MOUNT LAWLEY RESERVES.**

## *Second Reading.*

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a Bill dealing with two small reserves on the Inglewood estate in the Mount Lawley district. This estate was formerly the property of Mrs. Slade, who resides in New South Wales. It was surveyed into allotments and the whole estate was disposed of with the exception of two reserves shown on the plan, one for recreation purposes and the other for school purposes. Mrs. Slade made it a condition in selling the land that these two particular pieces of land should be left as reserves for the purposes I have mentioned, and later on she surrendered these blocks to the Crown. It is now desired to change the purpose of these two reserves, that is to say, that the block reserved for recreation should be changed to a reserve for a school, and the reserve for a school changed to a reserve for recreation. They are both Class A reserves, hence the necessity for the Bill, because Class A reserves cannot be

dealt with except by Act of Parliament. The progress committee and the local authority approve of the change taking place and the member for the district in another place supports it. The reserve for a school situated between Central and Fifth avenues, contains 1 acre 1 rood 12 2/3rd perches. It is proposed to change this to recreation. The recreation reserve, between Third and Second avenues, contains 2 acres 2 roods 36 1/3rd perches. It is proposed to change this to school purposes.

Hon. M. L. Moss: Where are the plans deposited?

The COLONIAL SECRETARY: I understand that the plans were deposited in the ordinary way at the Titles Office, and these blocks were afterwards surrendered to the Crown. I move—

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

Hon. M. L. MOSS (West): I have no desire to oppose this measure, I only want to be satisfied that we are not again by an Act of Parliament depriving any person of property by this particular method. I want to know if this lady has surrendered this land to the Crown by some formal document. The Bill is an Act to vest certain reserves in His Majesty, and this seems to imply, as also does Clause 2, that the fee simple of the land still vest in this Mrs. Slade, and that by no documents has this lady given up the title to this property. Parliament cannot too carefully scrutinise these things. The happy-go-lucky method of vesting people's property in the Crown, or granting titles to public bodies or other persons who are dealing with property, we are not justified in following unless we have clear evidence on the point. I only want to know if there is any document by which this lady has given up this property.

The COLONIAL SECRETARY (in reply): My information on the matter is that Mrs. Slade has surrendered the reserves to the Crown, but I do not know in what form the surrender was taken. The information is from the Crown Law Office that she absolutely surrendered the title to the Crown and then these reserves were vested in His Majesty and constituted Class A reserves.

Hon. M. L. MOSS: There can be no possible objection to the second reading, but before the Committee stage, or the third reading, the Minister may find out if there is a document by which Mrs. Slade has given up her title. There should be some evidence on the point.

Question put and passed.

Bill read a second time.

*Sitting suspended from 6.10 to 7.30 p.m.*

## BILL—HEALTH.

### *Second Reading.*

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: In introducing this Bill to consolidate and amend the law relating to public health, hon. members will recognise in it an old acquaintance, and for that reason I do not think it is necessary for me to weary members with a long speech on this occasion, more particularly as this Bill has been before the House on three different occasions. As I have already mentioned, it is a Bill to consolidate and amend the law relating to public health. It not only amends the law, but it repeals six other Acts and consolidates them into one main Act. The main principle contained in the Bill is for the better protection of public health, and in saying that, members will readily recognise that a Bill which is twelve years old—for the principal Act was passed in 1898—naturally requires amendment, for I venture to say nothing has made such progress as the science of public health. What might have been considered an efficient and satisfactory Act twelve years ago, in no sense of the term can be held to be sufficient to guard our public health at the present time, hence the necessity for introducing this measure. This Bill, or a very similar Bill has been before either one or the other branch of the Legislature for the past six years, and this particular Bill has very little alteration, practically none from the last time it was here. The measure first made its appearance in the session of 1907; it was then referred to a select committee, and thanks to that select committee it was consider-

ably improved, because the members who occupied seats on that committee were those who had had considerable experience indeed in health matters. Two of those members were ex-Ministers of the Crown who had administered the Health Department. The Bill came back from that select committee, not altered in any principle, but improved in detail. At that time the session terminated rather suddenly, before the select committee's report could be adopted. There was a second session in 1907, and the Bill was again introduced, embodying the suggestions and recommendations of the select committee. It passed through all its stages in this House, but time did not permit of its being considered in another place. In the following year, 1908, it was not introduced as that was the year of the general election, and time was very limited. In 1909, that is, last year, the Bill passed all its stages in this House. It received very careful consideration in Committee, for it took many sittings to put it through. Finally it was sent on to another place and there passed the second reading stage and made some progress in Committee. However, it did not get through the Committee stage. The Bill under consideration is identically the same Bill as passed this House previously.

Hon. W. Kingsmill: The system of control is entirely different.

The COLONIAL SECRETARY: I am coming to that directly. I should have said that in order to try and get this very important measure through I took the opportunity of having it first introduced in another place so that there might be a chance of passing it, and I hope it will now get through this House. The Bill as introduced in another place was exactly similar to the Bill which passed this House during the last session, but during the progress of the Bill through the Assembly a number of amendments were made, not a great many, but two very important ones; one somewhat affecting the principle of the Bill, and I shall confine myself to dealing with the amendments made in another place. The most important change that has taken place in the Bill

is that of the alteration of the control by the central authority, that is, the Central Board of Health. Members are aware that the public health is controlled by local boards, the central board and the Minister. Practically no alteration of that has taken place. So far as the local boards and the Minister are concerned, there is no alteration, but the central board as it now consists of five members has by the amendment been abolished. The fault, if any, found with the central board is that it had no sympathy, or rather did not reflect in any way the wishes of the local boards. The main request to get over that difficulty was for an elective central board. That I resisted, because it would be impossible and the whole thing would be unworkable to have an elected central board, but in order to meet the wishes of those who desired to have an elected board, in the Bill it was provided that two members of the central board should be elected by the local bodies. Another place took a different view. They did not desire to have a board at all, but to have the administration purely departmental, therefore it was carried that the central board should be abolished and in lieu a commissioner of public health should be appointed. The commissioner as provided for in the Bill will be the present President of the Central Board of Health. It does not particularly lay it down that the president of the Central Board of Health shall be the commissioner, but the Bill says "a duly qualified medical practitioner," still it is my intention that the Principal Medical Officer shall be the commissioner. All the powers vested in the central board will be retained by the commissioner. The powers are not altered in any particular, only they are vested in the commissioner instead of in the board. He will have absolute authority in the administration of health matters as the central board has now, but he is subject, as set out in one part of the Bill beginning at Clause 33, to the Minister who can override any decision of the commissioner. In some of the Eastern States there is a central board, while in others there is a public health commissioner, as in Queensland,

the same as is provided for in this Bill. It was argued in another place, whether it was not better to leave the administration of the Bill, that is the central administration, to a professional man rather than to a board. It is questionable which is the better method for the central board has worked very well in the past.

Hon. W. Kingsmill: It depends on the man.

The COLONIAL SECRETARY: Yes, it depends on the man, but the central board has worked well. The present board has had a long experience and on it there are men of different professions, therefore you get the combined knowledge which you probably will not get with one man. On the other hand, with a commissioner you will get an expert in public health, who has all the necessary powers vested in him, and who in regard to expert advice, for instance, in regard to engineering, can obtain the assistance of the professional officers in other departments. In some respects, I think a public health commissioner preferable to a board. The only way in which it would not be more convenient to have an individual than a board is that the local boards are more likely to take a decision from a board than from an individual, but provided we can get the right man, and I think, in the present Principal Medical Officer, we have a good man, he has proved himself as having all the qualifications for the position professionally and in other respects, from my experience of him, I think he will carry out the duties equally as well as a board. That is the main alteration made in the Bill and in my opinion it does not materially affect the measure. I dare say both the Minister and the commissioner of public health would prefer to have a board so as to divide the responsibility, but the idea may work well, in some respects better than the present arrangement. In the division relating to the Minister, beginning at Clause 38, all the powers formerly vested in the Minister are still in force. The next alteration that has been made is in regard to the rating provisions, and to my mind it is a very important one, but one which



when the Bill is in Committee I shall seek to alter. The rating as introduced in the Bill was left optional, it could be either on the unimproved capital value or on the annual value. It was necessary to leave it optional for this reason: every municipality is a local board of health, and most roads boards are boards of health. The Municipal Institutions Act provides that the rating shall be on the annual value, while the Roads Act leaves it optional. Most of the roads boards rate on the capital unimproved value and, therefore, in order to save these bodies making two sets of valuations, it was provided in the Bill that the rating should be optional; but in another place an alteration was made making the rating for general health purposes on the unimproved capital value only. That, I consider, was a great mistake. By doing that we first of all forced every municipality to make a second valuation. The city of Perth rates on the annual value, and after the municipal valuations have been made the municipality will have to make a separate valuation in order to arrive at the unimproved values. That, I am assured by the Town Clerk, will cost at least £300 a year for the separate valuation. In making this alteration, although another place stipulated the capital unimproved value so far as the general health rate is concerned, the provision in Clause 40 that the sanitary rate should be on the annual value, was left unaltered, and, strange to say, though a second division was taken on that question, they still left the general health rate on the capital unimproved value and the sanitary rate on the annual value.

Hon. M. L. Moss: And under Clause 41 there is another supplementary rate, and it does not say which basis is to be adopted.

The COLONIAL SECRETARY: The thing is not workable at the present time. Another reason why it is not advisable to adhere to the rating on the unimproved value is that the health rate is struck for services rendered, and a hotel or a store which requires a regular service from a public health point of view, will

pay the same rate as a vacant block of land next door to which no service at all is given. For these reasons I intend when the Bill is in Committee to ask members to agree to an amendment bringing it back to its original form when it was introduced. The next important amendment that was made is in Clause 176, Subclause 3, where a provision was inserted giving power to make regulations for compensation by the local authority, with a recoup by the Government of a proportion, for the destruction of diseased dairy cattle. This is not compulsory, but power is taken to make regulations. Then further on a new section was added in the pure food division, to which I wish to draw hon. members' attention. I think it now stands as Clause 188. That clause provides a penalty on any person who publishes or advertises a medicine or appliance, the description of which is false or misleading, also a penalty upon the proprietor or publisher of a newspaper, who, after receiving warning from the Commissioner, continues to publish advertisements of the above. A further clause is added imposing the same restrictions regarding papers published outside of Western Australia, except that the agent is made responsible instead of the proprietor.

Hon. J. W. Hackett: Who is the Commissioner?

The COLONIAL SECRETARY: The commissioner of public health. Further on, at Clause 202, another amendment was inserted, also in the pure food section, providing that in addition to any other penalty the bench may insist upon the occupier of business premises who is convicted of adulterating food, posting a notice of his conviction in a conspicuous part of his premises for a term not exceeding three months. That, I understand is taken from the New Zealand Bill. I may say here that why this Bill is particularly wanted is that the present Act is very defective in regard to the adulteration of food. In some respects it is almost impossible to get a conviction, and that is the necessity for this Bill becoming law. Another important alteration is in Clause 229 which although not alto-

gether out of order, is rather foreign to the Bill. It provides for a conscience clause in regard to vaccination. That is to say, that instead of an amendment to the Vaccination Act, a Bill for which was introduced on one occasion and rejected by this House, I am glad to say, the amendment has been introduced here as Clause 229. It provides that any parents who have a conscientious objection need not have their child vaccinated. I regret very much that this clause has been inserted, but it seems to have been carried by an overwhelming majority in another place. Notwithstanding that, I intend to move an amendment in Committee to have that clause struck out. As Minister in charge of the public health I consider I would not be doing my duty if I did not try to have that clause deleted from the Public Health Act of the State. Personally, I have a certain amount of sympathy with any person who has a conscientious objection to vaccination, or, indeed, to any legislation.

Hon. Sir E. H. Wittenoom: It is not a conscientious objection, it is prejudice.

The COLONIAL SECRETARY: Well, putting the best construction on it, and not putting it down to prejudice or ignorance, I still say that I have a certain amount of sympathy with those people; but, at the same time, there must be a limit. There are some Acts in connection with which we can allow no conscientious objection. I have not the least doubt, that, if we were to allow it, there are some people who would find a conscientious objection to children receiving education. We have compulsory education, and no one would dream for a moment of allowing a conscientious clause in that respect. We would not listen to a person who would ask, "Why should I have my child educated if I think it may do harm?" The same thing applies in regard to vaccination. On this question there is a good deal of prejudice, but I maintain that if vaccination should be enforced anywhere in Australia it is in this State. We are so situated that we may receive smallpox by any of the two boats arriving every week from Colombo or Singapore, and, therefore, if the protec-

tion of vaccination is wanted anywhere in Australia it is most certainly in Western Australia. This aspect was forcibly brought to my mind when the Commonwealth took over the sea quarantine laws for the whole of Australia. When the chief quarantine officer, Dr. Morris, came here he was very particular because our Vaccination Act was not up to the standard he thought it should be; and in consequence a good deal of restriction has been thrown on the shipping here which we would not have had under stricter vaccination laws. A relaxation of the vaccination law would compel the Federal authorities to have stricter quarantine. I am not going to say anything more on the question at this moment, but when the measure is in Committee I will move that this portion of the Bill be struck out, and will give any number of reasons why that course should be adopted. A further amendment made in another place was that in regard to the registration of nurses in the division dealing with the protection of life.

Hon. W. Kingsmill: We will let that go.

The COLONIAL SECRETARY: No; we will not. When the Bill was introduced it provided for the registration of general nurses, and also midwifery nurses. So far as regards the registration of general nurses, that provision was deleted on the recommittal of the Bill, and a certain amendment was made in regard to the registration of midwifery nurses. I regret that the registration of general nurses was deleted, for this reason: We are training a great number of nurses in our hospitals, and there should be some statutory power under which certificates to them would be equal. The Bill provided for a minimum training of three or four years, so that it laid down very clearly that they could not be given a certificate below a certain standard. That did not in the least interfere with any other association that might require a higher standard of training. Other nurses could register under their own association, and could take any degree with that body. We simply provided statutory authority under which registra-

tion was given to the nurses trained in our own hospitals. As regards the midwifery nurses, I regret that an amendment was made which practically nullifies the object we have been aiming at for years. In this State it is particularly hard to get midwifery nurses at anything like a reasonable price, and there are numerous deaths in the country as well as in the town through this deficiency. One of the principal reasons why midwifery nurses are so scarce in the country is that there is no opportunity here of training them such as exists in the Eastern States. We have not yet proper establishments for training those nurses, but I hope we soon shall have. The ladies of Perth have now got this matter under consideration, and I am pleased to see by a notice in the public Press that they are doing well in the direction of obtaining subscriptions. The Government have offered them very liberal assistance, an annual subsidy, and half the amount of the cost of their building up to £1,500. A further request has been made, and I do not think that the Government will be found unwilling to give them every assistance that may be necessary. If it should be necessary to give them an increased amount that amount will be forthcoming, either for the building or to help towards the annual cost of the upkeep of the institution. During the years I have been Minister for Public Health I have recognised the necessity for that institution, and the movement is not going to fail for lack of Government assistance. In order to meet the difficulty as far as possible we have at Fremantle, in the same buildings as the Old Women's Home, initiated a class for the training of midwifery nurses, and to further enlarge the opportunities therein provided, arrangements have been made with the adjoining Salvation Army Maternity Home to allow the training to extend to that institution. Thus, with the two institutions combined, about 10 nurses are being trained at the present time. It is not intended to confine that arrangement, but to merge that establishment into the women's maternity hospital, and so form a good sized institution which will provide proper opportunities for

training. In this Bill it is provided that after a certain period, the 1st January, 1912, it shall be an offence for anyone to practice midwifery who has not the required certificate. We recognise it is essential that a nurse for midwifery practice should be properly trained. Many a poor woman has lost her life through an inexperienced and dirty midwife. At the same time training in connection with midwifery only is very simple. Hon. members may think it is a complicated process but such is not the case. The nurse has only one particular branch of the profession to acquire a knowledge of. It is laid down in England that a nurse who receives six months training, and has conducted a prescribed number of cases, shall get a certificate as a midwifery nurse. The object we have in view is to encourage girls to take out midwifery certificates without going in for a general training. In that way we hope to increase largely the number of midwifery nurses in the State, and settlers who are going on the land will be able to bring their children into the world without any danger. The period of six months was considered sufficient in England and we thought it would be sufficient here. I am aware that there are certain associations who do not consider that a sufficient period, and they rather insist that a nurse should have not only a midwifery certificate, but also a general training, which means three years in a big hospital, or four years in a small one, and then in addition 12 months training in a midwifery hospital. There are not many nurses who are disposed to go through that course of training in order to acquire a midwifery certificate.

Hon. W. Kingsmill: It is advisable to keep the two provisions separate.

The COLONIAL SECRETARY: I would be pleased to see them kept separate and that is what I am aiming at, but there are those who do not wish to keep them separate. If the students had to go through this long prescribed course, the midwifery nurses would be very few and in addition it would be very expensive to secure the services of one, and then if there were only a few of them they might

not care to go into the country to settlers' houses, where in the hot weather their lot would not be comfortable. In order to get over that difficulty we are trying to encourage, by the training we are giving at the women's hospital, to induce a good class of girls to go in for midwifery training, and after obtaining their certificates to establish themselves in the country, so as to be available in agricultural centres. The department has done as much as possible in that direction and we are subsidising midwifery nurses to remain in the country districts so that they may be available whenever their services are required. I regret to say that when the Bill was before another place the period of training was increased from six months to twelve months in a prescribed institution, and also a provision was inserted that there should be conducted a prescribed number of cases. That makes the position very difficult. If a six months' course is good enough in England, surely it is good enough in Australia. That is the minimum period of training and the board which is to be created under this Bill, consisting of three medical men and two qualified matrons, with the Commissioner of Health as chairman, can always be depended upon to see that not only have they the minimum amount of training, but that they are thoroughly efficient. I shall ask the Committee to strike out the twelve months provision and bring it back to the original period of six months. If that is not agreed to by another place I would much sooner have the whole of the provision in the Bill struck out because it would be better than to allow the position to remain as it is at the present time. Those are the main alterations in the Bill. I have not touched on all the provisions of the Bill because it is a very lengthy one, and because I have done so on three occasions already. With the exception of the amendments that I have mentioned, the Bill is exactly the same as the Bill which passed through this House last session. Let me repeat that among the principal provisions are those relating to the detection of adulterated foods, provisions which are a pressing necessity in order to deal with the adulterated foods, because,

as I have mentioned, the existing law is deficient in many respects.

Hon. W. Kingsmill: I think you put too much in the one Bill.

The COLONIAL SECRETARY: I do not agree with the hon. member. There are those who advocate a Pure Foods Bill and a Public Health Bill, but why should these matters be separated when they are administered by the same department? I think they might as well be in the one measure. We have now before us a Bill which, if the amendments that I propose are carried, I venture to say will be about as perfect as it can be made, and it will certainly be superior to any public health laws in the Commonwealth. I move—

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

Hon. Sir E. H. Wittenoom: Before the Colonial Secretary resumes his seat will he inform the House whether this Bill was submitted to a select committee of another place before it was discussed there?

The COLONIAL SECRETARY: I do not know whether the hon. member was in the Chamber when I first spoke; I stated then that the Bill had passed this House on previous occasions and had partially passed another place on one occasion. In 1907 the Bill was referred to a select committee of this House and the suggestions and amendments of that select committee were embodied in the Bill which passed through this House in 1907 and again in 1909. I think the Bill has been thoroughly digested as far as it relates to this House. The select committee of this House consisted of two members who had occupied Ministerial positions and administered the health laws, namely Mr. Randell and Mr. Kingsmill, and all the other members had experience in connection with local boards.

On motion by Hon. W. Kingsmill debate adjourned.

*House adjourned at 8.10 p.m.*