

5,000 sheep, and cannot carry more than 7,000. Friends of mine who inspected that property would not bid for it because of its poor carrying capacity.

The Minister for Lands: We will agree to the amendment.

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That in paragraph (b) of Subclause 1, after "wool," in line 10, there be inserted "produced in Western Australia."

There is some doubt as to where the Government Statistician should get his information from; hence this amendment.

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That in paragraph (b) of Subclause 1, after "wool," appearing in lines 20 and 22, there be inserted "aforesaid."

This is consequential.

Amendment put and passed.

Hon. M. F. TROY: I move an amendment—

That in the proviso to Subclause 1, paragraph (d), after "North-West," line 3, there be inserted "South-West."

This is consequential on my previous amendment.

Amendment put and passed; the clause, as amended, agreed to.

Clause 3—Preference to agricultural students:

Hon. M. F. TROY: This clause should be struck out. I gave reasons yesterday.

The MINISTER FOR LANDS: I shall not object to the deletion of the clause.

Clause put and negatived.

Clause 4, Title—agreed to.

Bill reported with amendments.

House adjourned at 10.40 p.m.

Legislative Assembly,

Thursday, 12th November, 1931.

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

QUESTION—AGRICULTURAL PRODUCTS ACT.

Sale of Immature Fruit

Mr. SAMPSON asked the Minister for Agriculture: 1, Are the provisions of the Agricultural Products Act being administered? 2, Is he aware that immature stone fruit is being offered for sale at the metropolitan markets? 3, In view of the injury thereby done to the sale of fruit suitable for consumption, will he take steps to protect the public and the more careful growers?

The MINISTER FOR AGRICULTURE replied: 1, Yes. 2, Yes. As is usual, at the beginning of the season, a small quantity has been marketed. 3, The Act is administered by the Department with the object of protecting the public and growers, but it also provides that the purchaser himself may proceed against the seller for any offence under the Act.

QUESTION—RAILWAYS, COLLIE COAL SUPPLIES.

Mr. WILSON asked the Minister for Railways: 1, What was the total of the coal orders given by the Railway Department to the several coal companies operating in Collië for the weeks ended the 31st October and

the 7th November, 1931, giving each week separately? 2, What was the total quantity of coal supplied by the coal companies for the weeks ended the 31st October and the 7th November, 1931, giving each week separately? 3, Has the Railway Department suffered any inconvenience from the operations of the so-called "darg"? 4, If so, to what extent?

The MINISTER FOR RAILWAYS replied: 1, The Railway orders for the weeks ended 31st October and 7th November were: 4,459 tons and 4,496 tons, respectively. 2, The coal supplied for the two weeks was as follows:—Week ended 31st October, 4,459 tons; week ended 7th November, 4,471 tons. 3 and 4, Answered by Nos. 1 and 2.

QUESTION—BUTLER'S SWAMP, DRAINAGE.

Mr. NORTH asked the Minister for Works: 1, Has he records of plans and estimates for the drainage of Butler's Swamp, Claremont? 2, If so, what is the estimated cost of the work? 3, Would it be profitable to resume the land and deal with it as at Herdsman Lake? 4, Is a work of this nature suitable for absorbing the unemployed?

The MINISTER FOR WORKS replied: 1, Yes. 2, Between £26,000 and £35,000. 3, Further investigations would be necessary before a reply could be given. 4, Yes.

QUESTION—RENT REDUCTION, COUNTRY APPEALS.

Mr. WITHERS asked the Attorney General: Is it his intention to appoint in country districts where there are Resident Magistrates, commissioners under the Reduction of Rents Act, so that appeals may be heard locally? 2, If so, when?

The ATTORNEY GENERAL replied: 1, No. 2, Answered by 1. These applications can be made on affidavit, and there is therefore no necessity to have commissioners on the spot.

ASSENT TO BILLS.

Message from the Administrator received and read, notifying assent to the undermentioned Bills:—

- 1, Reserves (No. 2).
- 2, Roads Closure (No. 2).

ANNUAL ESTIMATES, 1931-32.

Report of Committee of Supply adopted.

In Committee of Ways and Means.

The House having resolved into Committee of Ways and Means, Mr. Panton in the Chair,

THE PREMIER (Hon. Sir James Mitchell—Northam) [4.40]: I move—

That towards making good the Supply granted to His Majesty for the service of the year ending the 30th June, 1932, a sum not exceeding £5,770,798 be granted from the Consolidated Revenue Fund and £105,027 from the Sale of Government Property Trust Account.

Question put and passed.

Resolution reported.

BILLS (3)—FIRST READING.

1, Land and Income Tax Assessment Act Amendment (No. 3).

Introduced by the Premier.

2, Electric Lighting Act Amendment.

3, Companies Act Amendment.

Introduced by the Attorney General.

BILL—LAND ACT AMENDMENT (No. 2).

Recommittal.

On motion by the Minister for Lands, Bill recommitted for the further consideration of the Title.

In Committee, etc.

Mr. Panton in the Chair; the Minister for Lands in charge of the Bill.

The MINISTER FOR LANDS: I move an amendment—

That in lines 3 and 4 of the Title the words "and also to provide for the giving of preference to agricultural students selecting land" be struck out.

Amendment put and passed; the Title, as amended, agreed to.

Bill again reported.

Standing Orders Suspension.

On motion by the Minister for Lands, so much of the Standing Orders were sus-

pending as was necessary to enable the Bill to pass its remaining stages at the one sitting.

Report.

Report of Committee adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—SWANBOURNE RESERVE.

Second Reading.

Debate resumed from the 4th November.

HON. A. McCALLUM (South Fremantle) [4.47]: I have no objection to the passing of the Bill. It is identical with certain provisions in a Bill brought down by a previous Minister for Lands. On that occasion some objection was taken in another place, but I think the subsequent examination of the position has shown that the suspicions entertained by some people against this proposal were groundless, and that the projected transfer is a straightforward one. I think there can be no objection to the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Standing Orders Suspension.

On motion by the Minister for Lands, so much of the Standing Orders were suspended as was necessary to enable the Bill to pass its remaining stage at the one sitting.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—LICENSING ACT AMENDMENT
(No. 5).

Second Reading—Defeated.

HON. J. C. WILLCOCK (Geraldton) [4.51] in moving the second reading said: This is a small Bill to bring our law into

conformity with that in the Eastern States and in Great Britain. The Act provides a penalty for the sale of spirits more than 25 per cent. underproof, except gin. The Bill will permit of other spirits being sold as gin is sold to-day. Several firms that break down liquor desire to establish small plants for the purpose, so that instead of importing all whisky in bottles from the United Kingdom or from the Eastern States, it can be brought here in bulk and then treated and bottled. At present most of our whisky is imported in bottles.

The Premier: Some of it is broken down here now.

HON. J. C. WILLCOCK: Yes, some of it, but a great deal of it comes here in bottles and in the authorised strength. If we bring our law into conformity with that in the Eastern States it will mean that the bottles used for whisky will be made in Western Australia and so will the cases. Moreover, the packing will be done locally, and all the necessary paraphernalia will be obtained locally. This will give a certain amount of employment and will render us independent of the Eastern States.

Mr. H. W. Mann: And probably the whisky will be sold at a lesser price. In the Eastern States one pays only 10d. for a whisky.

HON. J. C. WILLCOCK: Yes, no doubt it will be cheaper, if only because the spirit will be weaker. However, I do not think there will be very much difference in the quantity sold retail.

The Minister for Works: There will be less whisky and more water in each bottle.

HON. J. C. WILLCOCK: Yes, and the water is not quite so dear as the whisky. Certain local firms have made arrangements to do the bottling for a number of the best known brands of whisky. Another aspect worth mentioning is that ships coming to Western Australia short of these supplies will be able to purchase spirits here. At present, on account of the increased strength and increased price of the whisky sold in Western Australia they do not purchase it here, but wait until they reach the Eastern States, where whisky can be obtained at a lower price owing to its reduced strength. I do not think there is any more to be said in support of the Bill. It will provide certain employment and will place merchants

of this State on a par with those of the Eastern States. I move—

That the Bill be now read a second time.

THE PREMIER (Hon. Sir James Mitchell—Northam) [4.57]: This is a liquor Bill and therefore it should be considered strictly on a non-party basis. As a matter of fact, if a Minister were introducing a Bill of this sort he might be left stranded, because even his own colleagues might be found voting against it. For my own part I propose to support the Bill, for it will bring the strength of spirits in this State into conformity with the standard in the other States of the Commonwealth. Moreover, under this Bill whisky must be sold at a cheaper rate, because there will be less of it in a bottle. I am not very much impressed by the fact that it is to be bottled here, because already it is broken down here to a large extent. Of course merchants in the Eastern States cannot ship whisky here until the strength is reduced. The price of whisky in Western Australia is far too dear at 1s. per glass, and its strength is unnecessarily great. Whisky sold in Melbourne is weaker than whisky sold in Perth, and I think in London it is weaker still. There it is very weak indeed, and very dear. In London the bottle carries a printed direction that the whisky must be sold at 12s. 6d., notwithstanding which the vendors often charge 17s. 6d. for it.

Hon. P. Collier: And the recent British Budget has increased the excise on liquor. So London is no place to go to now.

The PREMIER: The consumption of whisky in Western Australia has fallen off tremendously. Unfortunately a good deal of beer is being imported into Western Australia. One wonders why and one regrets it, for beer can be made in this State, whereas whisky is not made here. I will support the Bill. I would have introduced it years ago, but I felt that the proposal would not find support. Now we are a little accustomed to the idea. If the Bill be passed, the retail price of whisky must be reduced, because a bottle will not then contain the same quantity of whisky.

THE MINISTER FOR WORKS (Hon. J. Lindsay—Mt. Marshall) [5.1]: I oppose the Bill.

Hon. P. Collier: A real non-party Bill!

The MINISTER FOR WORKS: My opposing it proves that it is a non-party Bill. I have yet to learn of any sound reason for altering the law. The member for Geraldton referred to the strength of spirits in Britain. I am given to understand that in Britain whisky is sold at 25 degrees under-proof.

The Premier: No fear.

The MINISTER FOR WORKS: That is the information I have received.

The Premier: I had some of the whisky.

Hon. J. C. Willcock: The strength of whisky in England has been decreased.

The MINISTER FOR WORKS: The information was given to me by a publican last week. He informed me that whisky in England is sold at 25 degrees under-proof, and he argued that, from his experience of the trade, the aroma and bouquet of the whisky would suffer if additional water were added to it. Reference has been made to reducing the retail price of whisky. That is a matter for the publicans themselves. I assume that the Bill has been introduced at the request of the Licensed Victuallers' Association, whose committee carried a motion in favour of the measure.

Hon. J. C. Willcock: It has been introduced at the request of manufacturers of whisky.

The MINISTER FOR WORKS: The question is, what reduction will be made in the retail price of whisky? I am told that the strength will be reduced by 10 degrees and the price by 1d. per nobbler. It was suggested if a customer took water with his whisky, the price would be 10d., and if he took soda he would be charged 11d., but as some difficulty might arise from the variation of prices, it has been decided to charge 11d. all round.

Mr. Raphael: A man will have to take more whisky in order to get drunk.

The MINISTER FOR WORKS: That is the point.

Mr. Parker: The member for Victoria Park might then find the "3 per cents" restored.

Mr. Raphael: Perhaps.

The MINISTER FOR WORKS: Why should a reduction of strength lead to merchants bottling whisky in this State? Whisky is imported in bulk and a good deal of it is already bottled here. I cannot see that the passing of this measure will

have any tendency to increase the quantity bottled locally. I cannot see why it should.

Hon. J. C. Willcock: Because it will be done here.

The MINISTER FOR WORKS: Why cannot it be done here now?

Hon. J. C. Willcock: Because the strength is different from that obtaining in the other States.

The MINISTER FOR WORKS: When whisky is imported in bulk, it is over-proof, and it is broken down here. The publican buys, say, 10 gallons of whisky, and breaks it down in his own hotel.

Hon. J. C. Willcock: Not the bottled whisky.

The MINISTER FOR WORKS: No, the bulk whisky. It is part of a publican's business to break it down. I cannot see that legislation will make any difference to the quantity of whisky bottled in Western Australia or to the amount of labour required. At the present time it can be and is imported in bulk, and bottled here. Consequently there seems no necessity for the Bill. Consumers of whisky should have some say in the matter. If I want water with my whisky, I can add it myself. I do not see why I should have—

Hon. A. McCallum: To pay for the water?

The MINISTER FOR WORKS: Precisely.

Hon. P. Collier: It might be bad water.

The MINISTER FOR WORKS: And some of the whisky might be bad. If the strength is reduced, and a customer requires a certain quantity of whisky, he will have to buy more nobblers, and probably more barmen will be required.

Hon. J. C. Willcock: It would be an advantage if all the bottles were made in Western Australia.

The MINISTER FOR WORKS: I fail to see why they are not made here now.

Hon. J. C. Willcock: They are not.

The MINISTER FOR WORKS: How will a reduction of the strength of whisky lead to more bottles being made here?

Hon. J. C. Willcock: To have uniformity of strength will be an advantage.

The MINISTER FOR WORKS: If whisky is to be bottled in Western Australia, it will be for use in Western Australia only. The whisky can be imported in bulk to-day, and broken down here. Every hotel sells bulk whisky and that is not pur-

chased at 25 degrees under-proof. A considerable quantity of distilled water is added to reduce it to the strength at which it is sold. Palates may differ, but I prefer to add whatever water I require to my whisky.

HON. A. McCALLUM (South Fremantle) [5.8]: I cannot see how any reasonable person could expect me, having the name I bear, to support a Bill of this description.

Hon. J. C. Willcock: And with Alexander as a Christian name, too.

The Minister for Agriculture: It would not be typical of the clan.

Hon. A. McCALLUM: Like the Premier, I have had experience of whisky in the Old Country from a consumer's point of view, and I say it is weaker than ours. Instead of the Bill having the effect of reducing the amount one has to spend on whisky, it will double the outlay. When a person orders whisky, he does so in order to get a bit of a kick out of it, but to get a kick out of whisky broken down to the extent mentioned in the Bill would be impossible. If a whisky drinker wants to get an extra kick, he orders a double whisky. Instead of having to spend 1s. to get a decent drink of whisky, it would cost just twice as much. I cannot see any force in the argument that the breaking down of the strength of whisky would lead to its being bottled here. Certain brands of whisky are imported, broken down and bottled here. All bulk whisky is broken down here. Whisky sold in the refreshment room at Parliament House is broken down on the premises.

The Premier: I thought so.

Hon. A. McCALLUM: I consider that the whisky sold at Parliament House is as good bulk as can be obtained in the State. Standard brands are imported in bulk and broken down in bond.

Mr. Sampson: Some distillers will not allow their bottles to be interfered with.

Hon. A. McCALLUM: That is so. If there is any reason for establishing separate bottling plants here, it should exist when the standard of Western Australian whisky is higher. Under existing conditions, special arrangements are required to cater for this State as compared with the Eastern States. Consequently any force in the argument of having work done here would depend upon Western Australia having a different standard from

that of the Eastern States. The argument about having the work done here has been put up by the merchants merely to catch support. If there was any desire to do the work locally, it would be done now when whisky of a higher strength is sold in this State. If there was provision for one strength throughout the Commonwealth, would it not pay the merchants to do all the work in one centre? That would be the natural thing to do. Such argument is only a sprat to catch a mackerel. I have not the figures with me, but I have been supplied with information showing that if whisky of reduced strength is retailed to the public at 1d. per nobbler less than at present, the merchants will make an additional and substantial profit, the licensed victuallers will gain about half as much as the merchants make, and only an infinitesimal advantage will accrue to the public.

The Attorney General: What advantage would there be to the general public?

Hon. A. McCALLUM: If I pay for whisky, I want whisky. If I want water, I am quite capable of adding all I want. I have no wish to pay for the water that I add to whisky. Generally I can find all the water I want in the whisky. I do not propose to support the Bill, because it will permit of my being charged for extra water added to the whisky. There is no force behind the contention that we should have one standard of whisky throughout Australia. The member for Perth (Mr. H. W. Mann) will recollect that when the Royal Commission, of which we were members, inquired into the licensing laws several years ago, it was suggested that the strength of whisky should be reduced, but all sorts of technical and professional information was advanced to prove to the commission that it would be impossible to alter the standard. We were told that it was idle to think of the proposal; it simply could not be done. Obviously it did not suit the merchants to have the strength reduced at that time. This Bill appears to be purely a move by manufacturers and merchants to make bigger profits and to pass on to the public more water, giving very little reduction in the retail price. I am strongly opposed to the Bill. If a man wants a whisky he is entitled to get what he is paying for. If it is necessary to add water he is a poor man who is not competent enough to add all

the water that is requisite. We have for years been charged more for whisky in this State than is charged in any other part of Australia. When they had the higher standards over there they still sold their whisky for 9d. and we were charging the higher figure here. I understand the idea is to reduce the price by 1d., and slightly increase the size of the measure.

The Minister for Lands: How long will that last?

Hon. A. McCALLUM: No one can say. I do not think the whisky sold here now is too strong. When a person buys whisky he is entitled to get the purest and the best.

Mr. J. I. Mann: Sometimes it is very weak now.

Hon. A. McCALLUM: I know the price one has to pay for whisky in England. Every Australian buys a double whisky there.

The Minister for Lands: As soon as an Australian lands in England he is served with a double whisky and charged 1s. 6d.

Hon. A. McCALLUM: In Cairo one can buy a bottle of any of the standard whiskies for 7s. 6d.

Hon. P. Collier: What price is it in Aberdeen?

The Attorney General: It is a free issue there.

Hon. P. Collier: There is nothing free in Aberdeen.

Hon. A. McCALLUM: Everything depends on whom one meets there. All the Scottish blood that reticulates through my veins revolts against a man having to pay for putting water into his whisky. I do not drink much but when I do I want to have the best. I have a strong objection to paying other people for putting water into my whisky.

MR. H. W. MANN (Perth) [5.20]: I support the Bill. The member for South Fremantle has drawn attention to the commission which investigated our licensing laws. It is true the whisky merchants opposed a reduction in the strength of whisky for technical reasons. They said it would interfere with the bouquet of the whisky. I have never noticed any difference in the bouquet of the whisky when I have had it in Sydney, Adelaide, Melbourne or Perth. I think for probably 10 or 12 years in the Eastern States whisky has been broken down to 35 degrees. New South

Wales and Victoria brought their standard into line a year or two ago, so that all the other States break the whisky down to 35 degrees. I remember when the licensing commission was sitting they investigated the strength of local beers. We found a difference of upwards of 3 per cent. in the alcoholic strength. Some of the beers were only 6 per cent. alcoholic strength, while others were 9½ per cent. alcoholic strength.

Hon. P. Collier: In this State?

Mr. H. W. MANN: Yes. One does not notice much difference about a pot of beer, whether it is 6 per cent. or 9 per cent. of alcoholic strength. That, however, was the report of the analyst. We were going to make a recommendation that all beer and stout sold in the State should not exceed 9 per cent. of alcoholic strength, but when we found that stout went up to 16 per cent. we refrained from making the recommendation. There are several reasons why the measure could be supported. When the Commonwealth Government issued their increased tariff on whisky, they also increased the excise on local whisky, but provision was made whereby whisky bottled at the distillery would be exempt from excise. All colonial whisky is now bottled at the distillery. There is no bulk Old Court or Brind's whisky; those whiskies are all bottled at the distilleries and sold in that form.

Hon. P. Collier: Is there no bulk Brind's?

Mr. H. W. MANN: No. If it were sold in bulk, excise would have to be paid. I understand it will make a considerable difference in the cost of whisky to the public if the proposed standard is adopted. It will mean one bulk breaking down. Better results are said to be obtained from a big bulk breaking down than from a small breaking down of spirit. This would mean a considerable reduction in the cost of whisky sold in this State. It is suggested there will be a considerable reduction in the price. In Melbourne and Sydney imported whiskies are sold at 10d. a nobbler and local whiskies at 6d. On my return from the Eastern States I inquired why I could buy a bottle of King George or Dewars in Sydney for 12s., but had to pay 15s. for it here. One can buy other whiskies there for 10s. 6d., but cannot do so here under 14s. The reason given was that there was a difference in the standard of breaking down. If we could break down whisky

here, as is done in the Eastern States, it could be sold here for 10s. a bottle.

Mr. Marshall: That is only because they are putting so much more water into the whisky. They are not selling so much whisky.

Mr. H. W. MANN: I found that I appreciated my whisky in Melbourne as much as I do here. I did not notice any particular difference.

Mr. Marshall: There are different palates.

Mr. H. W. MANN: I think it will be to the interest of the public that they should be able to buy their whisky 2d. cheaper than they can now. Local whisky will, I understand, be sold for 6d. instead of 9d. I am informed that those who are controlling the whisky trade intend to insist that publicans shall sell at the lower price.

Mr. Marshall: How much whisky will they sell for that price? They have got us down to a thimbleful now.

Mr. H. W. MANN: This is the only State in Australia where the measure is handed out. There are no measures in the Eastern States. In the hotels the bottle is put in front of the customer.

Mr. Withers: The licensed victuallers are trying to enforce the measure in Melbourne.

Mr. H. W. MANN: The Bill is a move in the right direction, and I intend to support it.

HON. M. F. TROY (Mount Magnet) [5.24]: I intend to oppose the Bill. I can only attribute the action of my colleague, the member for Geraldton, in introducing this Bill to his good nature. It is evident that he brought it down thinking it would be a useful measure for this State. My feeling is that if we pass legislation of this kind we shall be establishing a precedent that will not be in the interest of the country. If I may say so without being unduly harsh, this Bill appears to me to be an attempt to legalise something in the nature of an imposition. Whisky is to be sold as whisky when in reality it is not whisky.

Hon. J. C. Willcock: That is done now.

Hon. M. F. TROY: But we are asked to legalise it.

Hon. J. C. Willcock: It is already legalised. The only difference is in the percentage of water.

Hon. M. F. TROY: It is now proposed to permit of a more liberal admixture of

water, and to legalise it. That is not desirable. I am not much concerned about what will happen with respect to the selling of whisky, for I do not drink much of it myself. When, however, people purchase whisky, they do not want to pay out their money for a large percentage of water. Another thing is that whisky is used to a great extent for medicinal purposes. A doctor prescribes whisky for a sick room because it contains certain elements and healing qualities. When, however, it is administered in a form in which it was not intended to administer it, the results may be positively dangerous. What would be said if an attempt were made by legislation to force the manufacturers of butter to mix with their commodity a certain percentage of margarine?

Hon. J. C. Willcock: Margarine and butter are two different things.

Hon. M. F. TROY: But they are used for similar purposes.

Hon. P. Collier: There is water in whisky now.

Hon. M. F. TROY: Could there be anything more ridiculous than a body of men, unless they are prohibitionists or strong temperance people, suggesting that they are conferring a benefit upon humanity by watering down the whisky? Is it contended by those who support this Bill that the liquor that is sold is too strong and ought to be watered down before it is sold? To tell us that this Bill will give us better liquor, cheaper liquor, and more of it is to attempt to impose upon our credulity. I should like to have voted with my colleague, the member for Geraldton, but in this case I am unable to support the Bill.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York) [5.28]: I oppose the Bill. I have tried to work out the extra water that will have to be added to whisky under this measure. It comes to roughly 40 per cent. I am not talking of whisky in bulk, but in bottles. Approximately 40 per cent. more water will have to be added to the quantity of whisky sold, and there will be 13½ per cent. less whisky sold. In Melbourne, where the 35 per cent. standard is in existence, whisky costs 1s. 3d. a nobbler in the saloons. This does not bear out what the member for Perth suggests, namely, that it will reduce the price of whisky here. That will not be the case. A person may

pay a little less in price, but he will have considerably more water added to his whisky; in other words he will be buying less whisky.

Mr. Marshall: You are only paying for the additional water.

The MINISTER FOR LANDS: The statement was made by the member for Geraldton that in all probability there would be a reduction of 1d. in the price of a nobbler of whisky.

Hon. J. C. Willcock: I did not make any statement about that.

Mr. H. W. Mann: Twopence cheaper.

The MINISTER FOR LANDS: Whisky is not 2d. cheaper, as the charge in Melbourne saloons is 1s. 3d. a nobbler. According to the value of whisky to-day, the charge ought to be reduced to 10d. I hope the House will not believe that through the passage of this Bill whisky will become cheaper and better. I warn the outback man that the water put into the whisky has to be paid for. If we want to do anything for the outback man, we should enable the licensed victuallers to buy at less under-proof than at present, 25 per cent. Most publicans are experts at breaking down spirits.

Hon. J. C. Willcock: There is bad water in the country.

The MINISTER FOR LANDS: Distilled water is used for breaking down. This Bill can only gull the unsophisticated member, and subsequently the unsophisticated public. I trust the House will turn the measure down, as it only means handing over more money to the importers of spirits.

THE MINISTER FOR AGRICULTURE (Hon. P. D. Ferguson—Irwin-Moore) [5.33]: I support the Bill. I am unable to understand the misguided logic that has emanated from the front Ministerial bench. I support the measure for reasons entirely different from those actuating hon. members who have already spoken. So that there may be no misapprehension, I wish to say that I am not the owner of a vineyard, nor am I a shareholder in any vineyard, in Western Australia. I support the Bill purely and simply in the interests of the viticultural industry of this State. In that industry Western Australians have invested something like a million pounds, a consider-

able proportion of that amount having been provided by the State. It is in the interests of the State and in the interests of all who are engaged in wine making in Western Australia that the strength of whisky should be broken down to a still greater extent than that proposed in the Bill.

Mr. Parker: That is the point. Wine will be drunk instead of whisky.

The MINISTER FOR AGRICULTURE: My desire is that people who want a drink with strength in it should drink Western Australian wine instead of Scotch or Irish whisky. I am prepared to do anything I can to assist the viticultural industry, which means so much to Western Australia.

The Minister for Lands: You want to prevent the sale of spirits.

The MINISTER FOR AGRICULTURE: Not at all. Every member should be interested in every Western Australian industry, and therefore every member should support the Bill.

MR. BROWN (Pingelly) [5.36]: I support the Bill. Although not a whisky drinker myself, I think it is in the interests of the community to reduce the strength of spirits. Whisky is the most popular drink in the nature of spirits. It has a certain strength, and if that strength is reduced by water, the drink will not have the same effect on a man. I have seen no less than eight to ten rounds of whisky drunk in a bar. If whisky is strong, it works on a man's brain and causes him to want more drink. If whisky is diluted with water, the drinker will say "This stuff is no good, and I will have no more of it." For that reason alone much good will result from the measure; presently we shall all become teetotallers. We see such advertisements as "Drink this beer and you will never get a headache." One drinks beer because one is thirsty, not because one wants a stimulant. Considerably more money is spent in strong drink than is advantageous either to the drinker or to his family. If the strength of whisky is reduced as proposed by the Bill, in all probability it will be reduced still further; and finally we shall discover that we can do without whisky altogether. America is a dry country.

Mr. Marshall: What?

Mr. BROWN: As far as we know.

Mr. Marshall: Nothing of the sort. The United States have stronger drink than we have here.

Mr. BROWN: Yes, poison. It has been suggested that reduction in the strength of alcoholic liquors will do more good than making the United States dry. The more one takes of a really strong drink, the more one wants of it. If the strength of whisky is reduced under this measure, the price should come down. Suppose it were brought down to 6d. per nobbler, would consumption be greater than it is now?

Members: Of course.

Mr. BROWN: Stimulants may be necessary for some individuals. I fail to see why there should be opposition to the Bill. To a whisky drinker the liquor is a drug, and eventually he cannot do without it. I do not believe that Australia will ever be a wine-drinking country, although it produces some of the finest wines in the world. Our climatic conditions do not permit us to drink largely of wine. I have seen a man go mad after a few drinks of pinky, or unmatured wine. Some of the finest wine I have ever tasted was made in the Swan Valley. I support the Bill because I believe it represents a step in the right direction.

MR. PARKER (North-East Fremantle) [5.41]: In my opinion, the Bill is a move in the wrong direction. Suppose there were an accident, and one wanted to give the injured man a stimulant; what would be the use of giving him a glass of water? Under the Bill, the man would not get brandy, but something 35 per cent. under-proof. The argument of the Minister for Agriculture was really that we would be drinking Eastern States water, because we are told that the spirit is all broken down in the Eastern States before being sent here. The Bill, it seems to me, will not in any way assist local industry, because at present whisky is broken down in Sydney by the combine, who have to take special precautions not to send to this State spirit that is meant for other States, because it would be under-proof here. At present there is an encouragement to get the bottling done here, and that is done by many firms. If the Bill passes, we shall get the English idea of asking for double whiskies. One sees very little whisky in one's glass, unless the specially deceptive glass with a thick glass bottom is being used. The quantity of whisky sold for 1s. cannot

be reduced, irrespective of what the proof is. If the quality is lowered by making the whisky more under-proof, we shall not taste anything for one nobbler, and shall be compelled to pay 1s. 6d. for two. If the price of the nobbler is 9d., we shall be compelled to ask for two nobblers, costing 1s. 6d. Then the temperance people will be advertising around the country the enormous number of gallons of whisky sold, whilst in fact there will be at least 10 per cent. more water sold. If, as has been suggested, we should be gradually getting it reduced, it will probably eventually become 10 per cent. spirit and we shall then be paying not for the spirit, but for the water. It is only right that the consumers themselves should be able to add the water they require. We are a free country; we are not prohibitionists. Therefore, why break down the spirits at all? It would not do for one publican to sell proof spirit and another considerably underproof spirit. One would not know how much water to add when consuming it in a hotel. The net result will be that a great deal more money will be spent in liquor. I see great danger in reducing the strength of brandy and other spirits below the present level which is quite a reasonable thing. Even now, when one gets a nobbler for which he pays 1s. he can only add a quantity of water equivalent to the whisky that the glass contains. If the strength is reduced any lower people will be drinking it neat.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	25

Majority against 11

AYES.	
Mr. Brown	Sir James Mitchell
Mr. Collier	Mr. Munroe
Mr. Corboy	Mr. Pantou
Mr. Ferguson	Mr. Scaddan
Mr. Hegney	Mr. Willcock
Mr. H. W. Mann	Mr. Withers
Mr. Millington	Mr. Griffiths

(Teller.)

NOES.	
Mr. Angelo	Mr. Parker
Mr. Barnard	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Doney	Mr. Raphael
Mr. Keenan	Mr. Richardson
Mr. Kenneally	Mr. Sampson
Mr. Lamond	Mr. Sleeman
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Troy
Mr. J. I. Mann	Mr. Wells
Mr. Marshall	Mr. Wilson
Mr. McCallum	Mr. North
Mr. McLarty	

(Teller.)

Question thus negatived; Bill defeated.

BILL—LAND AGENTS ACT AMENDMENT.

In Committee.

Resumed from the previous day. Mr. Richardson in the Chair; the Attorney General in charge of the Bill.

Clause 2—Amendment of Subsection 3 of Section 4 of the principal Act:

The ATTORNEY GENERAL: I move an amendment—

That in Sub-paragraph (ii.) of Paragraph (c) the following words be struck out:—“or at the expiration of such further period as the Treasurer may fix not exceeding 12 calendar months from the date of receipt.”

We have to hold the money for reasonable claims for six months and at the end of the time the Government “may,” not “shall” make a refund of any balance left after payment of compensation.

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That the following paragraphs be added to the clause to stand as (e) and (f):—

(e) A fidelity bond given under this Act may, if so provided therein, enure not only during the term of the license in which it is originally given, but during the term of any license to the same person issued in renewal of a license under this Act.

(f) If a fidelity bond is so given as to enure in respect of the renewal or further renewal of a license, it shall be lawful for the surety or sureties by notice in writing addressed to the clerk of court of petty sessions at any time to determine his or their liability under the bond in respect of any act or default that may be done or made after the 31st day of December next following the date of such notice, and in any such case the court shall not issue a license in renewal until another approved bond has been lodged by the applicant.”

As the clause stands at present there must be a new bond every year. That seems entirely unnecessary and so, following the New Zealand Act, I propose to enable the bond to carry on from year to year as long as the license is renewed. If the license is not renewed, the bond will lapse.

Amendment put and passed; the clause, as amended, agreed to.

Clause 3—New form of bond:

The ATTORNEY GENERAL: I move an amendment—

That at the end of the form of bond after the words "Land Agents Act, 1921-1931," the following be added:—"During the currency of the said license, and during the currency of every license granted to him in renewal of such license."

This is consequential on the two paragraphs that were added to the previous clause.

Amendment put and passed; the clause, as amended, agreed to.

Clause 4, Title—agreed to.

Bill reported with amendments.

BILL—TENANTS' PROTECTION.

Second Reading—Defeated.

Debate resumed from the 4th November.

MR. H. W. MANN (Perth) [6.0]: I do not intend to cast a silent vote on the Bill, nor do I intend to vote against it. In the circumstances, I deem it necessary to give reasons why I shall support the measure. There are many features of the Bill with which I do not agree, and I think it will require to be amended considerably in Committee. On the other hand, my experience in my electorate during last winter compels me to realise that something should be done to relieve the position that has existed. The argument is logical and difficult to oppose that one person should not suffer to benefit another. It has been argued that a baker is not asked to give his bread away or to reduce the price below cost, nor is a draper asked to supply clothes at less than cost price, and, therefore, the question has been asked: Why should owners of buildings be asked to give tenancy to people, without fee or reward? The position was so acute that the Attorney General realised that some relief was necessary, and he introduced legislation that went part of the way. The commissioner appointed to administer the provisions of the Tenants, Purchasers and Mortgagees' Relief Act has acted wisely in carrying out his duties. Following the cases that have been presented to him and the remarks he has made from time to time, it occurred to me that he would have liked to give greater assistance to people at times, but was unable to give effect to his desires. The essence of the case presented by the

member for Fremantle (Mr. Sleeman) is to be found in Subclause 2 of Clause 7, under which the commissioner is given the sole responsibility of exercising the powers outlined. The member for Fremantle has included an extreme clause in the Bill, and I think it should be amended. I have probably had experiences such as few other members of this Chamber have had during the winter months. I represent an electorate in which between 80 and 85 per cent. of the constituents are tenants. Some of the people have been living under conditions that no member of Parliament would like continued, if the circumstances were brought under his notice. Those who represent country electorates, or many suburban constituencies, do not come into touch with the seamy side of life as I am compelled to do. The member for Fremantle represents a like electorate, and doubtless encounters similar instances. A Melbourne newspaper featured one episode, and I could mention a number of similar cases in Perth. The report contained the following:—

Many Families Are In Need . . . Pitiful Cases . . . Turned out of their home in Fitzroy into the driving rain, a man, his wife and their three children were soaked through to the skin before they reached the temporary shelter of a friendly storekeeper's verandah. Their "home" was one furnished room for the five of them. The eldest child is three years old, and the youngest a baby in arms. And when this family had to leave their room owing £2 rent, their only possessions were the clothes they stood up in. You can see that this family, and many others like them, are not left to shiver in the cold in rain-soaked garments, by giving quickly to "The Sun News Pictorial" Clothing Fund.

I could tell harrowing stories of evictions and instances of hardship that have come under my notice, not monthly or weekly, but almost daily. If it were not for the secretary of the Premier's Department, Mr. Shapecott, many more would have been in a similar position. That gentleman has been able, from time to time, to give men two or three days' work in the parks in order to help them to pay their rents. That has given them relief and enabled them to get over their most difficult times. I know of one instance in which two families lived in a house, each drawing sustenance. They pooled the sustenance, and sold portion of their supplies to a neighbour in order to enable them to pay the rent. So as to achieve that end, they went short of rations.

Mr. Sleeman: That is quite a common occurrence.

Mr. H. W. MANN: I know several such instances. I realise that the Government cannot pay rent for everyone. If the Government did so, probably a great many people would have no desire to pay rent themselves. While it is probably considered by many that it is not right for one to suffer to give relief to another, there is another side to the question. A man through no fault of his own, probably owing to illness, is not possessed of the means to pay his rent. He and his family may be dumped into the street or their few chattels sold. I realise that I will not make my case the better by delivering a long speech, or narrating many stories, but I shall give the House particulars of one or two instances to impress the fact upon them that I am influenced in this matter by the possession of genuine evidence. In one instance, the bread-winner had been out of work for a long time, but had been able to secure a road job in the country. His first pay was due and he had £8 10s. to draw. I had been the means of procuring the job for him. I do not mention the fact from the standpoint of self-praise, but, in view of what I had done, his wife came to me with the information that the landlord was demanding £9 from her, the total amount of the rent owing. I told her to see the agent and ascertain what was the least he would take. While her husband had been absent in the country on a job, she had been off rations for a fortnight. When she returned to me, she said that the agent would take £4 10s. but she could not manage to provide the full amount. I telephoned to the agent and he told me that if £4 10s. were paid off the rent, he would wait until the next pay for the balance. The lady was able to provide £2 10s., and I arranged for the additional £2 to be forthcoming. I hold the receipt for that amount. The full £4 10s. was paid at 11 o'clock, and at 5 o'clock the woman came to me in a state of extreme excitement to say that the agent had put the bailiffs into her house on account of the balance of £4 10s. still owing.

Mr. Withers: Shame!

Hon. H. W. MANN: That was done by the agent after he had assured me that he would be content to wait for the balance until the next pay day! When I rang the agent up, he was impudent to me and said

that it was his business, not mine. She signed a document under which she became her own bailiff, but, at the risk of being sent to prison, she secured the services of a carrier, and shifted her furniture from the house during the night. The following day she told the agent what she had done. She has since paid the balance of the rent in small amounts. Had the woman not taken that action, the chances are that in a few days all that she possessed would have been sold and she would have been left without a home, and without anything with which to make a home. In another instance, a woman and her son went to church on Sunday morning and when they returned home, they found that their clothes and goods had been bundled out of the premises and placed on the footpath, the house having been locked up in the meantime. They had no place where they could put their belongings. I can give many other instances to illustrate what has happened during the winter months. I do not altogether blame the agents for what they have done because they have been pressed by their principals, but I have to ask myself the question, "What will be the position of very many people during the coming winter?" I do not desire to be confronted by similar harrowing experiences to those I have passed through during the winter months of this year. For that reason, I feel I am honestly bound to support the Bill with a view to endeavouring to amend some of the clauses during the Committee stage. If the Bill had been introduced earlier in the session, I would have moved to refer it to a select committee in order to secure evidence from the commissioner who has been dealing with matters arising out of the Tenants, Purchasers and Mortgagors' Relief Act, and from agents and others interested with a view to determining whether or not a measure could not be framed that would be more equitable to those concerned. It is too late in the session to adopt that course, and therefore I feel it my duty to support the second reading of the Bill.

MR. KENNEALLY (East Perth) [6.11]: I regard the Bill as the natural corollary of the Tenants, Purchasers and Mortgagors' Relief Act. When that measure was before this Chamber, exception was taken—rightly so, in my opinion—to the inclusion of power for tenants to contract themselves outside the

legislation. That section has proved harmful in many instances to tenants who have not been able to pay their rent. It was mentioned by the sponsor of the Act that it represented a new departure in legislation, and it was necessary to give it a trial before determining what its defects were. In my opinion the phase dealt with by the Bill constitutes one of the defects of the Act. I do not wish to set up a position under which people who are able to pay, will be allowed to avoid the necessity to pay rent. No member of this Chamber would desire to secure that end. On the other hand, I wish to protect those people who, through no fault of their own, are unable to pay their rent and, under the conditions obtaining to-day, are thrown out into the streets. The Bill will go a long way towards achieving that objective. The main opposition to the Bill so far has been the contention that we set up a dangerous precedent when we say that a man in receipt of less than the basic wage shall be exempt from the payment of rent. That may be so, but it must be appreciated that the man who is in receipt of less than the basic wage is not in a position to pay his rent. That, however, is a phase that can be dealt with during the Committee stage.

Mr. H. W. Mann: That is what I said.

Mr. KENNEALLY: If some hon. members think the Bill contains provisions that should not appear in the clauses, then they should be given an opportunity to modify them in Committee. That is no justification for throwing out the Bill at the second reading stage. The Bill contains a clause that will enable the commissioner to exercise his discretion in granting the relief that will be afforded by the Bill. Under the Tenants, Purchasers and Mortgagors' Relief Act, the commissioner has no power to grant relief to a tenant if he has signed a document contracting himself outside the provisions of that legislation. In many instances I know of, the commissioner has been sympathetically inclined to the applicant, but, as the landlord or his agent has been able to produce a document signed by the tenant which placed the latter outside the ambit of the law, he was unable to grant further assistance.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. KENNEALLY: I have not much more to add, for the Bill is one to be discussed in Committee rather than on the

second reading. In the reduction measure that we had before us some little time ago the tenements that will be affected by this Bill were officially excluded. Anyone who has had experience in the court in the administration of the Tenants, Purchasers and Mortgagors' Relief Act will realise that a measure such as this depends largely on the attitude of the magistrate who has to interpret it. Experience of the commissioner appointed under the Tenants, Purchasers and Mortgagors' Relief Act seems to have been satisfactory to both sides. So I hope the Bill will go through in order that protection shall be given to those who, through no fault of their own, find themselves unable to meet their obligations. Whilst I admit that we have to give some consideration to the owners of property, at the same time the circumstances of the current period warrant the passing of a measure that will prevent the turning of people into the street for the non-payment of rent.

HON. A. McCALLUM (South Fremantle) [7.33]: The main contention against the Bill is that it simply lifts the disability from one pair of shoulders to place it on another, that the obligation is removed from the unfortunate tenant and left with the landlord, who may be in an equally unfortunate position. There is a good deal of force in that argument. I know a number of people well up in years who have invested their all in a little cottage property, and are relying on that as their sole means of support. If they are unable to get their rent they are in just as bad a position as the tenants themselves. Still I do not regard that as an argument with which to defeat the Bill. The right thing to do is to amend the Bill in such a way as to meet the position. If the tenant can prove to the court that he is unable to pay the rent, it would be a callous Parliament that would decline to do anything for the tenant but would stand idly by and permit him to be thrown out on the street. That would be an inhuman attitude to adopt. Personally I think the obligation should be a community obligation, and should not be placed on the shoulders of any individual. For, as I say, many landlords at present are not in a position to shoulder the obligation, and so it should not be placed upon them, but should be for the community to carry. I, for one, will be prepared to help to amend the Bill in

Committee with a view to improving it. I do hope that those who have raised the point of community obligation will not use it to defeat the Bill, but will allow the second reading to go through, and subsequently amend the Bill in Committee.

MR. MARSHALL (Murchison) [7.36]: I support the second reading, but I fully appreciate the arguments advanced in regard to shifting the responsibility from one party to another. The Government have failed to do anything at all in the matter. I had believed it was the intention of the Government to introduce a measure of this sort to give some relief to tenants who find themselves unable to pay rent. But the Government have taken no action, except to introduce a measure that concerns only a very few, merely the holders of long-dated leases in the city. I disagree with those who contend that the Bill will automatically shift the responsibility from the shoulders of one party to those of another. Some who have spoken desired to impress the Chamber with the idea that if the Bill becomes law all that the tenant will have to do is to tell the landlord to keep off the premises. That is not so. There are in the Bill provisions that equally protect the landlord. If the landlord can prove he is in distressed circumstances, the tenant will get no consideration at all, but will have to go out. The commissioner to be appointed under the Bill will have the right to adjudicate on the cases, just the same as any other judge. Consequently if a tenant refuses to vacate premises when directed to do so by the landlord, and if the landlord can prove that his circumstances warranted his taking of that action, the tenant will have to go out. The Bill simply directs attention to the fact that people are being ejected from their homes by those who could well afford to permit them to remain as tenants, even though they paid no rent. The Bill will inconvenience quite a number, but I do not agree that it will impose any hardship or injustice. I suppose the commissioner will be one of our magistrates, and so I am not prepared to say he will be unjust in dealing with a tenant's application for protection. If the landlord is in circumstances comparable to those of the tenant, the tenant will have to leave the premises. So those members who have implied that the tenant will merely take con-

trol of the premises and direct the landlord to keep off them, are entirely wrong, for under the Bill the landlord is equally protected. With the return of better times, numbers of distressed tenants will find employment, and immediately they are employed landlords of a certain class will demand their full rentals. I know of one landlord in a big way, the owner of quite a number of houses. He has his agents, and it would not matter one jot if all the premises were occupied rent-free for a considerable period. In the existing circumstances the Bill is very necessary. Not that I agree that in normal circumstances the landlord should be held responsible. In many instances, possibly, it is the tenant's own fault if he is not in his own house. Still there is the position confronting us and we have to make a decision upon it. I will support the measure in the full knowledge that many will be inconvenienced, particularly those who have attempted to purchase homes for themselves. I am speaking more particularly of men in the Government service, such as railway employees and members of the police force who have been transferred from the city to country towns. Such men have put tenants in their homes, and they look to the rent to keep up their obligations to the mortgagees. No doubt some will find the Bill hard, but at all events they will have opportunity to present their cases to the commissioner who, if he considers the landlord cannot carry the tenant, will direct the tenant to leave the premises. Personally, I think the obligation ought to be on the Government to provide those people with homes, more particularly since the Government will not give any consideration to the advisability of removing quite a number of persons who are prepared to leave the State. Since the Government will not do that, the next thing is for them to provide those people with homes. The Bill tends towards the giving of relief to a majority. One would assume by the utterances of a number of speakers that there are more working men owning homes and letting them to tenants than there are landlords in the accepted sense of the word, landlords who have property and who seek to make a profit out of their rents. I do not at all agree that working owners are in the majority as against the landlords.

Mr. Wells: In the suburbs they are.

Mr. MARSHALL: The Bill interferes only with the tenancy of a dwelling, not with the purchasing of a home. So while a large proportion of our people are in the process of purchasing their own homes, they have not tenants in those homes, but are living in them themselves. They will not be affected by the Bill. The worker who is purchasing his own home and living in it is not in a majority as compared with the landlords. We know that there are in the city scores of people who live on the income derived from rent. I know one, a member of Parliament, who is a very extensive landlord, owning many houses.

Mr. H. W. Mann: That does not affect the Bill.

Mr. MARSHALL: No. If a landlord could show that he was in distress, his tenant would have to leave the house. Many people owning homes could well afford to stand out of their rent temporarily and allow the tenants, who are unable to pay, to remain. Usually those who own many homes are the worst type of landlord. The more wealthy they are, the more selfish they are. One or two individuals who are attempting to buy a second house are doing their utmost to protect the tenants. One tenant is £35 in arrears with his rent, and the landlord, who is a poor plumber, is trying to protect him. Compare that action with the action of some of the landlords!

The Minister for Lands: The majority of landlords are not of the selfish type.

Mr. MARSHALL: No, the majority are good honest people, but we have to legislate for the unscrupulous. That is so with all our legislation. The measure may cause inconvenience and injury to a few, but it will benefit the many. It is not proposed that the measure should continue to operate for all time; it is merely to tide over the present abnormal period. The obligation for introducing such legislation belongs to the Government, but they remain inactive and the onus is cast upon a private member. We cannot stand idly by and see women and children thrown into the streets without endeavouring to assist them. It is wrong for members to imply that a tenant could dictate to the landlord. The tenant would have to present his case and so would the landlord. The member for Fremantle (Mr. Sleeman) should be commended for having introduced the Bill, though, with me, he

would prefer that the times did not necessitate such a measure. We have to consider the large number of children affected, and when we take them into consideration, it is undeniable that a majority would be protected by such legislation. I have been taught that the principle of the greatest good for the greatest number should prevail, and for that reason I support the Bill.

MR. SLEEMAN (Fremantle—in reply) [7.49]: I am rather pleased that the few members who have spoken in opposition to the Bill have not advanced any substantial argument against the measure. The arguments advanced have been very weak indeed. The Attorney General said the Bill was asking too much from one side, and he went on to say that a man might accept a shilling less than the basic wage and get his house rent free. I am astonished at a man of the Attorney General's intelligence—I admit he has quite a lot of intelligence—submitting such an argument. The only conclusion I can arrive at is that the Attorney General did not have time to peruse the Bill carefully, probably owing to a rush of other work. There is provision in the Bill to meet such a case as that mentioned by the Attorney General: it would be subject to the decision of the commissioner. Clause 7 provides—

(1) Applications by a landlord for leave to take, issue, do or continue any proceeding, process, measure or act, or to enforce any right against a tenant who is entitled to the protection of this Act, shall be made in the prescribed manner, and in dealing with any application the commissioner shall consider (a) whether the tenant has made all reasonable efforts to obtain suitable employment or is without such employment owing to his own fault; (b) whether any undue hardship will be suffered by the landlord in the event of leave being refused or by the tenant in the event of leave being granted; (c) any other relevant circumstances.

(2) The commissioner shall not grant the leave applied for unless he shall be satisfied that it would be unjust and inequitable not to grant it, and if he decides to grant it, he may impose any terms and conditions which shall appear to him to be fair and reasonable.

I contend that I am acting in the same reasonable way as the Attorney General did when he introduced the Tenants, Purchasers and Mortgagors' Relief Bill. We appointed Mr. Moseley to deal with cases under that Act. Mr. Moseley would hear cases under this measure. Before he made and de-

cision he would have to determine whether the tenant or the landlord would suffer the greater hardship, and I am prepared to leave it to him to decide whether tenants should be evicted or not. Such a decision could well be left in his hands. Mr. Moseley has made several references from the bench inferring that he did not possess the power that he thought he should have. According to a paragraph in the "Daily News" not long ago, the commissioner said that he often wondered what happened to the unemployed whose applications he refused. That the magistrate should have made such a statement shows that the matter has been causing him considerable anxiety. As one who lives amongst the industrial community at the port of Fremantle, where the conditions at present are unfortunately exceptional, I can tell Mr. Moseley what happens to a great number of them. As many as four and five families are herded together in one small house, like rats in a trap. From a health point of view, that is undesirable. In the event of a fire, I do not know what would happen. It is not in the best interests of the State to have people herded together in that manner. Tenants are continually being evicted from their homes. All sorts of restrictions are being imposed upon them. The member for Perth (Mr. H. W. Mann) told us that he comes into contact daily with people who have been evicted from their homes. Let me cite the experience of one man. He is a widower with four children; the eldest girl keeps house for him. He works out his sustenance for the Fremantle City Council at the rate of 35s. a week, and while endeavouring to keep a roof over the heads of the children, he has been compelled by one of the very reasonable landlords of whom we have heard so much to sign away £1 2s. a fortnight for rent. I produce the receipt handed to him by the Fremantle City Council. To remain in the house he had to give a "pay agent" form for the deduction of £1 2s. a fortnight out of his £1 15s. per week for sustenance. He does not see the £1 2s.; the Fremantle City Council deduct it. That man is compelled to live on what remains of the £1 15s., keep himself and his four children as respectably as he can, and provide a few rags for their backs. When we know of cases like that, we realise that the time has come to do something. If the Government

can suggest any alternative, I am prepared to be reasonable and fall in with their wishes, provided they can show how tenants can be kept in their homes. But I shall never cease protesting if things are allowed to continue as at present. As the member for Perth said, people are being evicted from their homes in the pouring rain. Presently they will be thrown out into the hot sun, and it will not be long before the rain is back again. We have to do something to help them. The member for North-East Fremantle said that the Bill would not attain the object I have in view, and that I would not get at the big landlord. The case I quoted affects one of the big landlords, and he is one of the men we would get at. The object I desire will be attained if the Bill is passed, because it will afford protection to tenants. To country members, I would say that although there is a lot of distress in their districts, they do not come face to face with evictions as we do. The farmers are having a bad time, but there are few actual evictions of farmers and their families.

The Minister for Lands: I do not think one Country Party member has spoken.

Mr. SLEEMAN: But I hope all of them will vote.

The Minister for Lands: You cannot reply on those lines without introducing new matter.

Mr. SLEEMAN: There is not much to he said in reply to the Minister for Lands.

The Minister for Lands: I did not speak on the Bill.

Mr. SLEEMAN: But the Minister moved the adjournment of the debate.

Mr. H. W. Mann: You might alienate his vote.

Mr. SLEEMAN: Whatever I say will not influence him one way or the other, but if he regards the measure from a humane point of view, he will vote for it. The Landowners' Association of Western Australia have indulged in a little correspondence regarding the Bill, but I do not think it will cut much ice with members. The Attorney General said I took a one-sided view of the question. I can claim that the Landowners' Association take a more one-sided view than I do.

The Minister for Works: Impossible!

Mr. SLEEMAN: The secretary of the Fremantle Chamber of Commerce has sent a

circular letter to members, dated the 19th October. It reads—

I have been directed to advise you that at the meeting of the Finance, Education, Parliamentary and General Purposes Committee of the Chamber held this morning, the following resolution was unanimously carried:—
 "In view of the fact that no known acts of landlords have been harsh towards their tenants, rather the reverse, the Fremantle Chamber of Commerce protests against the introduction of an Act which is so harsh in its provisions towards the small landlords, whose income, in many instances, will be lost. Furthermore, the landlord will be liable for all rates and taxes and possibly interest on a mortgage without any revenue. The proposed Act is most inequitable and purely class legislation."

In my reply I have already answered the statements contained in that letter. Mr. Moseley would decide the cases. He would determine whether the application of the measure would impose greater hardship on the landlord than on the tenant. If a landlord is liable for interest on a mortgage, he is able to obtain relief under legislation which has already been placed on the statute-book. I admit that the Bill is brought in mainly because of the class to which I belong. In these times there are all sorts and conditions of people. It is not only the Labour voters who are struck down just now. I know of people who were in an affluent position a few months ago, but to-day they are down and out, and are likely to be evicted from their homes at any time. I hope the House will rise to the occasion and allow the Bill to reach the Committee stage. When members get their heads down, and take the Bill clause by clause, they will find that it is quite a reasonable measure, and that there is not very much in it that will require alteration. I hope the second reading will be carried.

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

Ayes	..	..	..	..	11
Noes	..	..	..	..	17
					—
Majority against	..	..			6
					—

AYES.

Mr. Coverley	Mr. Panton
Mr. Lamond	Mr. Sleeman
Mr. H. W. Mann	Mr. Willcock
Mr. Marshall	Mr. Wilson
Mr. McCallum	Mr. Raphael
Mr. Millington	

(Teller.)

NOES.

Mr. Angelo	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. McLarty	Mr. North
Sir James Mitchell	

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Johnson	Mr. J. I. Mann
Mr. J. H. Smith	Mr. Sampson
Mr. Kenneally	Mr. J. M. Smith
Mr. Hegney	Mr. Keenan
Mr. Withers	Mr. Teesdale
Mr. Munzie	Mr. Doney

Question thus negatived; Bill defeated.

BILL—LICENSING ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 4th November.

MR. PANTON (Leederville) [8.5]: I regret that such an important piece of legislation as the Licensing Act has been so much amended. The Bills that have come before us as amendments to that Act have so far not been of very great importance, but this particular Bill is by no means a small matter. When the Licensing Act was before the House it was referred to a select committee, which was converted into an honorary Royal Commission and travelled throughout the State. A great deal of evidence was collected prior to the submission to the House of the report, and the report itself was adopted practically in its entirety. The House should, therefore, be very careful when dealing with the fundamental principles as laid down in the Act. The Bill proposes to extend the powers of the board to a considerable degree. We have every reason to be proud of the Licensing Act. My contention is that the efficiency of the administration is largely due to the fact that the Act is a good one, and that the board have very limited powers. The Bill deals with that section of the Act relating to provisional certificates. The power of the board is limited as to the length of time a provisional certificate shall stand. It is now proposed that the board shall be given practically unlimited powers in this respect. The section in question says that a provisional certificate shall be in the form laid down in the eleventh schedule, and may be granted for any period not exceeding 12 months. The Bill proposes to delete the

words "twelve months" and give the board unlimited power. In legislation of this kind it is not right that any board should be given unlimited power. Twelve months is quite a sufficient period to allow. When the member for Perth (Mr. H. W. Mann) was moving the second reading, he argued that we were living in abnormal times when these certificates were granted and that the applicants found, on obtaining their certificates, that they were unable to raise the necessary finance. He side-stepped the issue when we asked what he considered would be a reasonable time to allow, for he said the board would decide that. One may well ask when finance will be available for the erection of three new hotels in the metropolitan area. Does the hon. member propose that the applicant should be given an indefinite term in which to raise the finance? Is he optimistic enough to believe, when times are good enough to warrant the erection and opening of three more hotels in the metropolitan area, that the necessary finance will be forthcoming? There can be only one reason why the money is not available, and it is that the trade of the proposed three hotels would not warrant their construction. Surely that is the only reason for the lack of finance. If their erection is not warranted to-day, what leads the member for Perth to believe that within the next couple of years the trade will warrant the erection of three more hotels in the metropolitan area? I should like to be optimistic enough to believe that the trade will warrant this, but I am not quite as optimistic as is the member for Perth. I would again remind members that Parliament practically adopted the whole of the report of the Royal Commission, the members of which travelled throughout the State, obtained evidence from all points of view, and submitted their report. We should not lightly pass a Bill that alters any of the fundamental principles of the Act. It behoves the House to be very careful in this matter. The member for Perth quoted the names of three gentlemen who were concerned in provisional certificates. I know only one of them. We surely have not reached the stage when we are willing to alter legislation for three people. If Parliament is going to set up a precedent of that sort, immediately someone finds himself detrimentally affected by a portion of some Act he will seek out some private

member to bring down a Bill to effect the necessary amendments to the legislation. In this particular case the Act was considered by Parliament for weeks at a time. If this sort of thing were to occur, I do not know where it would end. It might well be that some trade unionist or trade union found that some section of the Industrial Arbitration Act prevented them from getting what they wanted, and would immediately endeavour to get some private member to secure an amendment to the Act itself.

Mr. H. W. Mann: That has been done and supported.

Mr. PANTON: For one individual?

Mr. H. W. Mann: No, but for a number of individuals or a number of unions.

Mr. PANTON: A union is quite a different thing, because the question may apply to thousands of men.

Mr. Marshall: It might apply to the A.W.U., which covers 20,000 men.

Mr. PANTON: The whole of the Industrial Arbitration Act was amended on an occasion like that.

Mr. H. W. Mann: I remember the ex-Minister for Works bringing down an amendment on account of the Plumbers' Union, although only a few men were affected.

Mr. PANTON: The Plumbers' Union affected 500 people, with their wives and families.

Mr. H. W. Mann: About five.

Mr. PANTON: Here we have only three men concerned. The same principle might be applied to the Traffic Act. A man may have been caught frequently by the traffic inspector and may be charged at the police court, and because, owing to a certain section of the Act, the cases go against him, he may seek to have the Act amended through some member of Parliament.

Mr. H. W. Mann: You usually put up a good argument, but are not doing so now.

Mr. PANTON: I will repeat some of the hon. member's arguments and see what the House thinks of them. He gave some figures showing the expense to which these people had been put. He said that the cost of the land alone in Mount Hawthorn was £950. I venture to say that on the North Beach-road, anywhere between Oxford-street and Charles-street, one could buy any block of land at prices ranging from £50 to £120. If the owners saw a purchaser

had his eye on a piece of that land, I am sure the man would never be allowed to get away until he had effected a purchase. It is also said that the Wembley land cost £1100. I wonder whether Land and Homes were in this and sold the land. Some of the figures are very similar to what we have heard before. It is absurd to say that a block of land on the North Beach-road cost £950 twelve months ago. If that were so, one could not say very much for the business acumen of the man who bought it at that figure. Not even two acres in that district would cost such an amount.

Mr. Marshall: The block does not comprise one acre.

Mr. PANTON: The site at Victoria Park cost £627. It would be interesting to know who sold and who bought that block of land. During the Land and Homes period some of the best spots in Victoria Park brought only £100.

Mr. H. W. Mann: The figures I have quoted were furnished to me by reputable solicitors.

Mr. PANTON: I am not surprised, seeing that solicitors' fees for these cases may come to £100. I live in the North Beach-road, and know the land. Another interesting argument used by the hon. member was the slackness in the building trade. The erection of hotels, we are told, will give a certain amount of employment. There is something in that argument. But when will the holders of the provisional certificates get to work? The hon. member side-steps that question, saying, "Within a reasonable time." What is a reasonable time? Does the hon. member think the money will be available within the next two years? Now there is a silence that could be cut with a knife. If the Bill becomes law this week, there would not be a block of stone on the sites twelve months from now. The hon. member said that 40,000 boys left school every year, and that 50 per cent. of them went into the building trade. The erection of these three hotels will make a scatter amongst that crowd! If 40,000 boys left school at the end of this year, not one of them would be employed on those hotels, even if the work of construction began on the 1st January. Very few apprentices are taken on in the building trade.

Mr. H. W. Mann: How many apprentices are there in the building trade to-day?

Mr. PANTON: So many that not one of them will be employed on the construction of these three hotels.

Mr. H. W. Mann: Would you be surprised to learn that there are 350?

Mr. PANTON: I would be surprised to learn that there are 350 men working in the building trade now, apart from any apprentices. The apprenticeship argument will not hold water. Then the hon. member left the metropolitan area for Pithara, where an hotel is to be built and some material has been placed on the ground already. During the last few months I have heard practically every hon. member opposite, including the Minister for Lands, declare over and over again that the farmers have no money whatever but are head over heels in debt. Yet the member for Perth wants to build an hotel for them.

Mr. H. W. Mann: These hotels are for commercial travellers.

Mr. PANTON: Even without this proposed hotel, there would not be more than four or five hours' distance between any two hotels in that district, to allow the traveller to work up a thirst. Surely the member for Perth does not think this House is so unsophisticated as to believe that an hotel needs to be built for the accommodation of a few commercial travellers, who use motor cars? In the old days, with men carrying swags, the position may have been different. I hope the Chamber will be particularly careful over this important piece of legislation. There is a sort of false spirit of loyalty on either side which induces hon. members to vote for something in which they are not particularly interested. I speak from what one gathers in the corridor. It will be argued, I believe it has been argued, that we should trust the Licenses Reduction Board. I have nothing whatever to say about the board, except that they have done their job well. However, they have done it well because of having an Act to guide them. If we continue to give a board—I do not say "the" board—unlimited powers, what will happen? The parent Act was not passed to meet this particular situation, which has cropped up in abnormal times. We should not lightly give any board unlimited power to administer the Act. The Bill goes much further than appears at first sight. A casual reading of the measure leads one to believe that it is in-

tended to give the board an opportunity to prevent future occurrences of this nature. But the measure is retrospective. The provisional certificates in question have lapsed. There are good precedents for retrospective legislation in this Chamber, but surely we should not amend the Licensing Act, and make it retrospective, for the sake of three or four persons, and extend the measure in that way for an unlimited time. The present members of the board may not be there much longer; the personnel of the board is liable to change. Yet the board are to have unlimited time for the handling of provisional certificates. I do not argue against the gentlemen for whom the member for Perth is appearing, but if we pass the Bill the way will be open for the hawking of provisional certificates. Speculation in such certificates should be prevented. In future, if the Bill passes, it will be a question of obtaining provisional certificates and hawking them for sale at a profit. When the board, backed by an Act of Parliament, decided on a limit of 12 months for provisional certificates, they acted wisely. We are now asked to legislate permanently in order to meet an abnormal period. I hope hon. members will be careful what they do. Personally I have no axe to grind, but I consider that the Act is a good piece of legislation and should not be tampered with, especially as regards its fundamental principles, so that people may play ducks and drakes with the future. I hope the second reading will not be carried.

MR. SAMPSON (Swan) [8.28]: I hesitated to rise, because I half expected that there might be an hon. member desirous of speaking in support of the Bill. For personal reasons I regret that I cannot do so—personal reasons having reference to the mover of the Bill. From the other aspect, however, I consider that the passage of the measure would be most undesirable in the interests of the public. The period approved by the Licensing Court should not, I consider, be varied. The Bill sets out that the court may at any time extend the term specified in any provisional certificate for the erection or completion of an hotel. I have every respect for the Licensing Court, but I do not think such a power as this should be given them. The proposed hotels are at Mt. Hawthorn, Victoria Park, Wembley and Miling. In the best interests

of the public, if an hotel cannot be built within the time allowed, the whole application should recommence *de novo*.

Mr. H. W. Mann: Suppose there was an industrial upheaval and a long strike, do you think those circumstances should tell against the time?

Mr. SAMPSON: I will go so far as to say that consideration might be given, within certain specified limits, to the refund of amounts paid.

Mr. Panton: According to the Treasurer the amounts have been repaid.

Mr. SAMPSON: I understood the money had not been returned. Whether it has been returned or not, I would be quite prepared to support the principle of each such case being dealt with on its merits.

The Minister for Railways: But the bond has been entered into that they will go on with the work.

Mr. SAMPSON: The member for Perth referred to the possibility of an industrial upheaval preventing an individual from carrying out his undertakings. I was pointing out that I would not penalise them to the extent that each case could be treated on its merits.

Mr. H. W. Mann: If you concede that regarding industrial upheavals, what about the present financial upheaval? Is that not in the same category?

Mr. SAMPSON: Perhaps so.

Mr. Panton: It is not usually classed as the same by members sitting on the Government side of the House.

Mr. SAMPSON: I consider that as an undertaking has been given that the hotels will be erected within the stated period and in accordance with the conditions set out, in the event of the individual who has been granted the concession not being able to complete the work in accordance with the arrangement, the whole business should be started *de novo*. I was amazed when extra licenses were granted for Victoria Park, Mt. Hawthorn and Wembley, although I realise that Miling is situated a long way from the nearest hotel. I believe there was justification for the granting of a license at the last-mentioned centre. The point is that the Bill will give the Licensing Court power to extend the time—

Mr. Panton: Indefinitely.

Mr. SAMPSON: That is the position. That would lead to trafficking in licenses.

Mr. Panton: Hear, hear!

Mr. SAMPSON: That would be highly dangerous. I could not support anything that would lead to that. I do not know that there is much more to be said. The best way is to vote against the Bill as speedily as possible. If a hotel cannot be erected within the stipulated time, that should end the matter, and a further petition should be drawn up and presented so that, if the petition were again acceded to, the whole business could be started over again. We have quite enough hotels in the metropolitan area now. There has been a too-ready disposition to give consideration to the provision of hotels in the metropolitan area, and too great a disinclination to grant licenses in the country areas. When a vote was taken throughout the State in 1920 or 1921, a number of hotels were closed in different localities. Take Midland Junction, for example. Every hotel closed in the Midland Junction area was situated outside the main centre, and those that were allowed to continue were carrying on business in the town itself. I have already indicated that I regard the Miling license as justified, and I hope that someone else will be able to secure the concession and proceed with the erection of the building. It will afford me much pleasure to vote against the second reading of the Bill. When next petitions are taken round, I hope there will not be displayed the customary readiness on the part of the public to sign the documents, whether they desire the erection of a hotel in their midst or not. Too often a petition is signed merely because the document is placed before an individual. I am afraid that was the position regarding the Victoria Park application. We are already supplied there by two hotels that are well conducted and quite adequate for the requirements of the district. The petition set out that there was need for a further hotel, and the application was granted accordingly. I hope that if anything further is done along the same lines, the whole matter will be gone into thoroughly before a similar application is granted.

MR. WELLS (Canning) [8.36]: I oppose the Bill, which I view from a different standpoint from that of either the member for Leederville (Mr. Panton) or the member for Swan (Mr. Sampson). I consider applications for the granting of a license should emanate from the residents of the locality affected, not from those who trade

in hotel propositions and are associated with the liquor traffic.

Mr. H. W. Mann: Is that not always the position?

Mr. WELLS: If such petitions are always got up by those who are interested in the trade, it is wrong in principle.

Mr. H. W. Mann: They have to secure the signatures of the majority of the people of the district.

Mr. WELLS: But I think the people of the district should present the petition, and that it should not be canvassed for by those associated with the trade.

Mr. H. W. Mann: The Act does not say that.

Mr. WELLS: The provisions of an Act are not always right. When an application is made to the Licensing Court evidence is given, as in the Victoria Park instance, that a number of people have taken up their residence in the area, and have not been able to secure accommodation, because there are not enough hotels in the district. Men, so it has been stated, have had to walk a mile or more to get a glass of beer. If that was the position then, it is equally the position now, and, in the circumstances, an injustice is done to those people if the hotel building is not constructed within the specified time.

Mr. H. W. Mann: Was the hotel recently erected in your electorate unnecessary?

Mr. WELLS: I do not want the hon. member to press me too much regarding the hotel question.

Mr. Panton: Make him give notice of it.

Mr. WELLS: If the Bill be agreed to, it will certainly lead to trafficking in liquor licenses, and I think that will be a great mistake. It will be a departure from the rigid conditions specified in the Licensing Act itself. Not more than two years ago, a gentleman in the city had lunch with me and he asked me if I had £200 to spare. I replied that such a thing had never happened with me and was not likely to be my experience in the future. He said, "If you have, and can get two acres of land in a well-populated area where there is a likelihood of securing a license, I can guarantee the petition for you."

Mr. Sampson: I was told the same thing.

Mr. WELLS: If we agree to the Bill, it will certainly pave the way to trafficking in licenses to a far greater extent than the present law will permit. The demand for

hotels has not been created by the people in many districts affected, but by people interested in the liquor trade. I hope the Bill will be defeated.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York) [8.40]: I oppose the Bill. My mind goes back to my early days in this Chamber when the member for Perth (Mr. H. W. Mann) was extremely interested in a Bill to amend the Licensing Act that was then before Parliament. As a result of the work of a select committee that was subsequently converted into an honorary Royal Commission, a Bill was introduced and approved. It was of a character that we can view with pride. It has been commended in the Eastern States as the best licensing law enacted in Australia. It would be unwise for us to continue to introduce these pettifogging little amendments of the Act. This is the fifth we have had so far. It is wrong in principle. If the Bill had dealt generally with the community as a whole, I might be prepared to give a second thought to it. It has been introduced to relieve the position of two or three individuals, and surely that is wrong in principle. We should not legislate for individuals, but for the people as a whole. I draw the attention of the member for Perth (Mr. H. W. Mann) to the fact that there are many other persons who, in all good faith, have invested money in businesses, but have found they could not complete the negotiations because they could not raise the necessary funds. We have not attempted to pass legislation to afford them relief: it would be impossible to do it. It is difficult to justify legislation in the interests of one section alone.

Mr. Panton: And not a big section either.

The **MINISTER FOR LANDS**: That is so. Had the member for Perth moved a motion to the effect that it would be only fair to return the money to the people concerned owing to the difficulty that had arisen on account of the financial depression, I would have been inclined to support him.

Mr. Sleeman: He would be an optimist to think he could get the money back.

The **MINISTER FOR LANDS**: Yes. Such Bills as that before us seek to dislodge the foundations of the Act itself. Are we to say, "You were given 12 months within which to complete your contract to build

the hotel. As you have not been able to do so, the Licensing Court can extend the period still further." As the member for Leederville pointed out, that would immediately leave it open for speculative business and trafficking in liquor licenses.

Hon. A. McCallum: It would not say much for the court if they permitted that sort of thing.

The **MINISTER FOR LANDS**: But would it not amount almost to a direction to the court?

Mr. H. W. Mann: These people did not contemplate the present financial depression.

The **MINISTER FOR LANDS**: Nor did we. If we are to grant relief to the individuals about whom the hon. member is concerned, surely we will be justified in introducing legislation to authorise the breaking of every contract that has been entered into during the last year or so.

Mr. H. W. Mann: We have been doing that for the last six months.

The **MINISTER FOR LANDS**: Only so far as the Government have been affected.

Mr. H. W. Mann: And tenants and landlords.

Hon. A. McCallum: Is this a family quarrel?

The **MINISTER FOR LANDS**: Any action we have taken has been in the interests of the people as a whole.

The Minister for Railways: What about the people who had dealings with Lands and Homes, Ltd., and could not complete their contracts?

The **MINISTER FOR LANDS**: Yes. The court decided that they must complete their contracts.

Mr. H. W. Mann: Parliament appointed a Royal Commission to investigate that position.

The **MINISTER FOR LANDS**: That is not so. Parliament carried a resolution in favour of the appointment of a Royal Commission, but did not appoint it. I have not yet seen the report, and I do not know how the Commissioner proposes to deal with the subject. However, I do not think the House is justified in passing this Bill. If it be passed, then any member will be justified in bringing down a Bill to interfere with any agreement entered into during the last two years.

MR. MARSHALL (Murchison) [8.46]: I will oppose the Bill. It might be as well to mention that this is one of no fewer than five Bills introduced this session to amend the Licensing Act.

Mr. Parker: How long has the session lasted?

Mr. MARSHALL: Fifteen months. So it may be said we have had a proposed amendment to the Licensing Act for every calendar quarter of that period. The hon. member, in his desire to oblige a few of his electors, could not even combine all his amendments in one Bill.

Mr. H. W. Mann: I have had but two.

Mr. MARSHALL: I oppose the measure because I have always opposed the giving of any further powers to the Licensing Court. If I had my way, there would be no such court. It is a shame that the taxpayer should be called upon to meet the expenses of this court when we have other Government agencies by which the work of the court could be quite satisfactorily administered. So I oppose the Bill, the intention of which is to give further power to the court. There is no appeal from any decision of that court; even Parliament cannot interfere with it, except by way of legislation. Members of that court have more power than has a Supreme Court judge, and now the hon. member wants to give them still further powers. I have had opportunity to observe some of the work of that court, and I disagree with those who say the court has done all good and no wrong. Actually, that court has done a power of injury, and I could point to a number of its activities that have been anything but creditable. The hon. member has presented a pathetic case on behalf of a few prospective hotel proprietors. Would I be correct in inferring that they are nothing of the kind, that they are merely being used as agents by the breweries?

Mr. H. W. Mann: Quite wrong.

Mr. MARSHALL: I venture to say it is quite right. Most of our hotels are owned and controlled by the breweries.

Mr. SPEAKER: The hon. member is getting away from the Bill.

Mr. MARSHALL: The intention of the Bill is to confer additional powers on the Licensing Court. That court is supposed to control hotels, but I am very doubtful if it does, just as I doubt whether any of these

applicants is anything but an agent for the breweries. Opportunities for trafficking in licenses will be extended if the Bill goes through, for a man will be able to get a provisional certificate and then hawk it about in the hope of making a profit out of the right to erect a hotel building. If that were to be permitted the breweries would get still further control of the liquor trade, and force on the community their own liquor. If I were to seek any amendment of the Act it would be in the way of taking the monopoly out of the hands of the breweries. They have had a very pretty monopoly for many years, and the Licensing Court has improved their position by giving them an exclusive right to this trade. I strongly object to that. Here we have the manufacturers of a commodity monopolising the retail trade. It is time we inquired into the liquor trade and revised the law so as to prevent the breweries from having a monopoly of that trade. I will oppose the Bill.

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

Ayes	..	..	..	13
Noes	..	..	..	13
				—
A tie	..	..	..	—

AYES.

Mr. Barnard	Mr. Millington
Mr. Davy	Sir James Mitchell
Mr. Ferguson	Mr. Raphael
Mr. Griffiths	Mr. Sleeman
Mr. H. W. Mann	Mr. Willcock
Mr. J. I. Mann	Mr. Wilson
Mr. McCallum	

(Teller.)

NOES.

Mr. Angelo	Mr. Pantou
Mr. Coverley	Mr. Parker
Mr. Lemond	Mr. Patrick
Mr. Latham	Mr. Sampson
Mr. Lindsay	Mr. Wells
Mr. Marshall	Mr. North
Mr. McLarty	

(Teller.)

PAIR.

AYE.	No.
Mr. Collier	Mr. Brown

The **SPEAKER:** I give my vote in favour of the ayes.

Question thus passed.

Bill read a second time.

In Committee—Bill defeated.

Mr. Angelo in the Chair; **Mr. H. W. Mann** in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 61:

Mr. PANTON: I move an amendment—

That at the end of the proposed new Sub-section (9) the words "not exceeding 14 days" be added.

That will mean two weeks in addition to the twelve months already granted by the court, which I think is quite sufficient. I do not think a piece of legislation such as this should be passed on the votes of 13 members, aided by the Speaker. It is the practice in Parliament that when a division results in a tie, the Speaker gives his vote in favour of further consideration. My amendment will add a fortnight to the time allowed, and I think that is as far as it ought to go. We have no right to alter important legislation of this kind with the support of only 13 members.

The PREMIER: The amendment would make the clause ridiculous.

Mr. Panton: That is what is intended.

The PREMIER: I suggest that we limit the operation of the measure to one year. If the hon. member will withdraw his amendment, I will move a limiting clause.

Mr. PANTON: I do not propose to withdraw the amendment, because I am not satisfied with the vote on which the second reading was passed. The Premier suggests limiting the operation of the measure to one year, but at the expiration of that period we would be asked to renew it. Then we would have all the argument over again. In a year's time there would be no hope of proceeding with the erection of the hotels, and what is the good of holding out a hope of something that the Premier knows is not likely to be realised? We should settle the question once and for all.

Mr. SAMPSON: I understand that the premiums paid were refunded.

Mr. H. W. Mann: That is not correct.

Mr. SAMPSON: Or that they would be refunded. If that is so, what right have the people concerned to a concession beyond the time set forth when approval was given, and why should special legislation be introduced to give them the right? The principle is wrong and members should hesitate before approving of it.

The PREMIER: I see no objection to extending the time for one year. The people concerned, acting under the law, have incurred considerable expense and have obtained provisional certificates to erect hotels. I am not anxious that they should proceed with the erection of the hotels.

Until the financial position improves considerably it would be better not to erect additional hotels. But they have spent their money under the law to obtain certificates, and we should not deprive them of the right to erect hotels at some time.

Mr. Marshall: They could apply for a further provisional certificate.

The PREMIER: And be put to enormous expense again. When they have spoken to me, I have told them that the present was no time to erect hotels.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	..	16
Noes	..	..	..	..	14

Majority for .. 2

AYES.	
Mr. Brown	Mr. Panton
Mr. Corbooy	Mr. Parker
Mr. Coverley	Mr. Patrick
Mr. Lamond	Mr. Sampson
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. Withers
Mr. Marshall	(Teller.)
Mr. McLarty	

NOES.	
Mr. Barnard	Mr. Piesse
Mr. Davy	Mr. Raphael
Mr. Ferguson	Mr. Sleeman
Mr. Griffiths	Mr. Willcock
Mr. H. W. Mann	Mr. Wilson
Mr. McCallum	Mr. North
Mr. Millington	(Teller.)
Sir James Mitchell	

Amendment thus passed.

The MINISTER FOR AGRICULTURE:
I move—

That progress be reported.

Motion put and a division taken with the following result:—

Ayes	..	..	..	..	14
Noes	..	..	..	..	15

Majority against .. 1

AYES.	
Mr. Barnard	Mr. Millington
Mr. Davy	Sir James Mitchell
Mr. Ferguson	Mr. Piesse
Mr. Griffiths	Mr. Raphael
Mr. H. W. Mann	Mr. Sleeman
Mr. McCallum	Mr. Willcock
Mr. McLarty	Mr. North
	(Teller.)

NOES.	
Mr. Corbooy	Mr. Parker
Mr. Coverley	Mr. Patrick
Mr. Lamond	Mr. Sampson
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. Withers
Mr. Marshall	Mr. Brown
Mr. Panton	(Teller.)

Motion (progress) thus negatived.
 Clause, as amended, put and negatived.
 Title—put and negatived.

[*The Speaker resumed the Chair.*]

The CHAIRMAN: I have to report, Mr. Speaker, that the Committee have considered the Bill, agreed to Clause 1, (Short Title), and disagreed to the rest of the Bill.
 Mr. SPEAKER: That settles the Bill.

BILL—ELECTORAL ACT AMENDMENT.

*Second Reading—Amendment "six months"
—withdrawn.*

Debate resumed from the 4th November on the motion—

That the Bill be now read a second time, and on the amendment by the member for Fremantle that "now" be struck out, and "this day six months" be added.

MR. SLEEMAN (Fremantle) [9.18]: After perusing the Bill, and finding nothing very much against it, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Question (that the Bill be now read a second time) put and passed.

Bill read a second time.

In Committee.

Mr. Angelo in the Chair; Mr. Keenan in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 70:

Mr. SLEEMAN: On behalf of the member for Hannans I move an amendment—

That the following proviso be added:—"Provided that in the case of an election to fill a vacancy caused by the acceptance by a member of any of the principal offices of the Government liable to be vacated on political grounds the date fixed for the polling may be less than fourteen but not less than seven days after the date of nomination."

Mr. KEENAN: I see no objection to the amendment, and am prepared to accept it.

Amendment put and passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment.

House adjourned at 9.22 p.m.

Legislative Council,

Tuesday, 17th November, 1931.

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

ASSENT TO BILLS.

Message from the Administrator received and read notifying assent to the undermentioned Bills:—

- 1, Reserves (No. 2).
- 2, Roads Closure (No. 3).
- 3, Dried Fruits Act Continuance.
- 4, Local Courts Act Amendment.

QUESTION—WORKERS' HOMES BOARD.

Hon. W. H. KITSON asked the Chief Secretary: 1, Has any action been taken with reference to my question asked on 6th October, 1931, regarding a reduction in interest rates to clients of the Workers' Homes Board? 2, If not, when will the Government take action?

The CHIEF SECRETARY replied: 1, Yes. 2, Answered by No. 1.

BILL—DEEDS OF SEPARATION ALLOWANCES REDUCTION.

Introduced by Hon. J. Nicholson, and read a first time.

BILL—LICENSING ACT AMENDMENT (No. 3).

Read a third time and passed.

BILL—LAND ACT AMENDMENT (No. 2).

First Reading.

Received from the Assembly and read a first time.