culties were enlarged by the increased numbers of those engaged in the brewing trade. It was the commonest practice in the world, when a cask of beer was rejected at a free house, for that cask to be immediately taken to a tied house connected with the particular brewery. That was a clearly understood thing in the trade. [MR. HUBBLE: Nonsense!] What had been described was of daily occurrence. [MR. BURT: It never occurred in Perth.] It was claimed that all the virtues in the world were exercised in Perth, and no doubt their influence had even reached the brewers. In some cases brewing profits were 35 per cent., which doubtless would all be regarded as the result of the excellent quality of the beer and the large trade done. It was the public, and not the brewer or the licensee, who had to be considered. The fact of there being a license showed that the sale of intoxicating drink was regarded as a dangerous business. If the contract between the producer and the retailer had a tendency to depreciate the purity of the drink sold, that was a matter which clearly came within the scope of this Bill. The object of legislation should be to decrease the consumption of drink, first by the individual who took too much, and then by the State as a whole. Men should be allowed to take liquor if they so desired; but the State should reduce the temptations to excess and secure the purity of the liquor sold. There was no desire to interfere with existing contracts, although the tendency of these contracts was to compel a licensee to take what was handed to him. If the traders on both sides were absolutely honest, no difficulty might arise. But were there no tricks of trade on the part of the brewer or wine merchant? The object of the Bill was to prevent the adulteration of liquor, and the object of the amendment was to free the retailer in his choice of liquors. The brewer or wine merchant should be willing to assist a publican in return for ordinary trade, without enforcing a contract. A publican would not desire to go to another firm for his goods, if the goods and prices of the firm who had assisted him were the same as could be found in open market. When a publican was bound to take inferior liquor at a higher price, the real sufferers were the public; and it was the interest of the public the committee ought to consider.

Amendment (Mr. James's) to the new clause, limiting its application to future agreements, put and passed.

New clause, as amended, put and division taken, with the following result:—

Ayes	... ...	7
Noes	... ...	12
Majority against		5

AYES.	NOES.
Mr. Conolly	Mr. Burt
Mr. Gregory	Mr. Doherty
Mr. James	Sir John Forrest
Mr. Kenny	Mr. A. Forrest
Mr. Leake	Mr. Higham
Mr. Phillips	Mr. Hooley
Mr. Illingworth (*Teller*).	Mr. Hubble
	Mr. Lefroy
	Mr. Quinlan
	Mr. Rason
	Mr. Venn
	Mr. Hall (*Teller*).

New clause thus negatived.

On the motion of Mr. Burt (in charge of the Bill), progress was reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10·55 p.m. until the next day.

Legislative Assembly,

Thursday, 11th November, 1897.

Papers Presented—Reporting of Debates, and corrections by Members—Motion: Leave of Absence—Aborigines Bill: second reading; in committee—Local Inscribed Stock Bill: second reading—Municipal Institutions Act Amendment Bill: second reading—Hawkers and Pedlars Act Amendment Bill: second reading; in committee—Width of Tires Act Amendment Bill: second reading—Sale of Liquors Act Amendment Bill: in committee (new clauses)—Adjournment.

THE SPEAKER took the Chair at 4·30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: Statement showing Receipts and Disbursements of Western Australia for quarter and year ended September 30th, 1897. Interim Report of Commission of Engineers appointed to inquire into Coolgardie Water Scheme. By-laws of eighteen municipalities.

By the MINISTER of EDUCATION: Report of the Postmaster General (1896). Ordered to lie on the table.

REPORTING OF DEBATES, AND CORRECTIONS BY MEMBERS.

MR. ILLINGWORTH: Sir,—I wish to ask for your ruling on a question relating to the *Hansard* reports of Parliamentary debates. I have been given to understand that some hon. members take the liberty of, to some extent, re-writing their speeches, after the official report has been printed in the weekly edition issued to members, and that a considerable amount of alteration is caused to the reporting and the printing staffs. Of course I would not object to have the same liberty, myself, of revising and improving what I might have said or intended to say; and it would, perhaps, be more agreeable for us, as members, to put down calmly, in writing, all we intended to have said on a particular occasion, rather than to have an exact official record made of what we really did say. But I understand that the official report of our debates is intended to be a correct record of what the members actually do say, and that we are not expected to re-cast the report by altering it to what we may have intended to say. I should like to know from you, Mr. Speaker, to what extent this liberty is available to members for correcting the official report of their speeches.

THE SPEAKER: In reply to the hon. member, I must say I have had several complaints from the principal reporter of extensive alterations having been made in the reports of speeches by some members, who wished to have their speeches corrected, and to have additions made which had not been spoken. There can be no doubt that this is quite irregular, and cannot be permitted in an official report of the debates. The object of having an official report is that it shall be a correct record of what was actually said, so as to be reliable for reference; and, therefore, hon. members, in revising the printed report issued to them each week for the purpose of making necessary corrections, ought not to make additions to their speeches, nor materially alter what has been actually said. I hope hon. members, for the future, will confine their alterations to such corrections as may be necessary and reasonable, and particularly that members will not make additions which were not spoken at the time.

MOTION—LEAVE OF ABSENCE.

On the motion of the MINISTER OF EDUCATION, leave of absence for one fortnight was granted to the member for Plantagenet (Mr. Hassell).

ABORIGINES BILL.

SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest), in moving the second reading, said: I need hardly say that it gives me great pleasure to move the second reading of this Bill. The object of the Bill, as hon. members will at once see, is to abolish what is known as the Aborigines Protection Board in this colony, and to place the management of the aborigines under the control of the Parliament of the country. The Constitution Act of 1889, which gave us self-government, had provision in it, as I think everyone will be aware, that the control of the aborigines in this colony should be vested in a board to be appointed by the Governor of the colony, and that the board should be independent of the Government and the Legislature. Provision was made at the same time that the Governor, in directing and arranging with the board, should act independently of his constitutional advisers. This latter provision was not in the Act of 1889; but another statute was passed at the same time authorising the Governor of the colony, in regard to matters affecting the Aborigines Protection Board and the control of the aborigines, to act without the advice of the Executive Council. This provision, which was an extraordinary one, was assented to—though not very willingly—because hon. members were informed it was necessary in order to obtain self-government. But there had not been self-government for more than six months before I moved the Adminis-

trator of the day to ask the Secretary of State for the Colonies to abolish that part of the Constitution Act which provided that a board independent of the local Government should control the aborigines. My objection was not based on any great complaints as to the action of the board. From their appointment to the present time there have been more acts of omission to complain of than acts of commission. The board has carried out its duties quietly, and has never, or rarely, asserted itself. If the Board had efficiently carried out the duties entrusted to it, no great complaint would have been made. It was admitted, however, that a board of four or five members, resident in Perth, and for a long time without any executive whatever outside Perth except one secretary, was altogether incapable of exercising any control over, or of knowing what was going on in connection with, the aborigines scattered over this large territory. One of the reasons I urged at the time why this board was not able to carry out its duties and should be superseded was that the work was actually thrown on the Government, who received none of the funds devoted to the aborigines. The board received the money, and was able to spend it in a way which the Government thought, perhaps, was not the wisest. The board was so independent of the Government that a request I made that the accounts should be audited was refused, and the refusal was upheld by the Secretary of State. The Government were absolutely in the hands of the board in regard to the expenditure. There was also a constitutional objection to the board. The Western Australian Government found an exception had been made in their case in the matter of the control of aborigines. In no other Australian Constitution Act has provision for such a board been insisted on. The provision in the West Australian Constitution Act was regarded as a sort of reflection on the people of the colony. The Government were considered able to make laws and control the white inhabitants of the colony, and do everything necessary for the protection of life and property; but yet were not considered sufficiently worthy to make laws for the control of the poor aborigines. That position was resented. It was not consonant with our free institutions that there should be in the country a board altogether independent of the local Legislature. There is another point which has only recently become important. In the Constitution Act of 1889 provision was made for £5,000 a year for the use of this board, and one per cent. of the revenue of the colony when the revenue exceeded £500,000. The revenue of the colony increased from £500,000 to £1,000,000, from £1,000,000 to £2,000,000, and last year to nearly £3,000,000. The board, instead of having £5,000 a year at their disposal, had thus nearly £30,000 a year. It is monstrous that the Legislature should hand over to a few persons to spend as they like, without any audit by the Auditor General, a sum of nearly £30,000 a year. The controversy continued from 1891 until nearly the middle of this year, when I went to London. The imperial Government at one time wavered a little, but were not disposed to give up altogether the position they had assumed. It was pointed out to me by the imperial authorities that the Government of this colony had made a contract by which we were bound. I acknowledged that there was a contract, but urged that it was a contract made under pressure, and that the system had utterly failed and must continue to fail. I pointed out that the magistrates and police throughout the colony had to do all the work in connection with the aborigines; that the board had only two inspectors, one in the North and one on the goldfields, and had no means of finding out when cruelty or crime was committed against the natives. In fact, I added, the whole of the administration was in the hands of the Government, and the reports received by the board were almost invariably communicated through the Government. I was not, however, able to convince the imperial authorities. I regret to say, the imperial authorities were generally supported by the Governor or Administrator of this colony for the time being, who generally acted in a way not altogether in accord with the wishes of the local Government. At last the matter got out of the hands of the Government and was before Parliament for two or three years. Last session there was a spectacle in this House which I hope we

shall never witness again, but which, I think, brought the dispute to a conclusion. There was the spectacle of the leader of the House and all the members criticising the acts of the representative of Her Majesty in this colony—treating him as a departmental head or the administrator of an important department. We all regret that we were forced into the position of criticising the Governor and finding fault with him—not personally, but as an administrator of a department. It must have been brought home to everyone how utterly absurd and unconstitutional it is for the Governor of a self-governing country to have anything to do with the administration of a department within the State. That was the position of affairs when I went to England this year, prepared to urge personally on the Secretary of State the advisability of terminating the dispute. I am glad to say I had very little trouble. The Secretary of State knew I was coming to see him and the object of my visit, and I do not think I was with him half-an-hour before he decided that the colony should have complete control over the aborigines as we had over other sections of the community. The thanks of this Government and Parliament are due to Mr. Chamberlain, the Secretary of State, for the way in which he dealt with this matter. From the beginning I do not think he had any sympathy with the position taken up by the imperial authorities; but a Minister in England, entrusted with the control of a department, finds a difficulty in receding from the position taken up by his predecessors. Mr. Chamberlain's difficulty was how best to set about meeting the wishes of the West Australian Government; but he found a very simple way, after all. He published a blue book containing the whole of the correspondence, despatches, reports, and memorials from this Parliament, and so on from the year 1890 to the present time; and laid the book on the table of the House of Commons, to await any action that might be taken by that body. I do not know what the right hon. gentleman anticipated as a result, but I think he anticipated the result which followed. No one took the slightest heed or notice of the blue book on the table of the House of Commons. No one seemed willing to espouse the cause of the imperial Government in opposition to the wishes of the colonial Legislature. After waiting a month or six weeks, during which no notice whatever was taken in the House of Commons of the matter, the Secretary of State felt himself in a position to say that the House of Commons was not averse to this colony having its wishes complied with. He informed me he had decided to recommend Her Majesty to assent to the Bill abolishing the 70th section of the Constitution Act, under which money is provided for the use of this Aborigines Board. I at once cabled to the colony informing my colleagues of the decision of the Secretary of State. Some action would have been taken immediately, but for an oversight in connection with the Bill which had then been passed by this Parliament. It appears that, under our Constitution Act—at any rate, under the law—a Bill which is reserved for Her Majesty's assent and is not assented to within two years, lapses. That was the fate of the amending Bill to abolish clause 70 of the Constitution Act. The Bill lay so long in the hands of the Colonial Office before being dealt with, that when they decided to ask for Her Majesty's assent, it was found that over two years had lapsed. The Secretary of State wrote to the Government here expressing his regret that this fact had not been known, and the hope that the Western Australian Legislature would now pass a Bill carrying out what had been agreed upon; and he promised to lose no time in presenting the measure for Her Majesty's assent. The result is that this Bill has been prepared, and is now submitted to the consideration of the House. All the trouble or annoyance that I, or anyone else, may have felt in regard to this matter is now over, and I think we may altogether forget what has passed. I have said some things in regard to the board during the last six or seven years that were not very complimentary; but that was because of the position they occupied. My remarks were not intended to be personal to the gentlemen occupying places on the board, who were all good citizens and old colonists; but what used to annoy me very much was that, while we were all trying our best to gain the rights which we considered the colony was entitled to enjoy,

these gentlemen seemed to be quite content to carry on their duties, and did not think they were in any way occupying a position that was casting a slur, as we thought, on the colony generally. I wish now to say nothing more of an unkind nature in regard to the board, nor to say anything which will give them pain, or me any cause to regret. Still, I do not think they have done much good during the time they have held office, although I am bound to say they have not done any considerable harm. I do not know that this is very complimentary; but they were not in a position which enabled them to properly carry out the grave duties entrusted to them. They were dispensers of charity, looking after the sick, and giving here a little clothing and there a few blankets, which latter I regret to say very frequently arrived late, when the winter was over, and sometimes were not of good quality. I do not think the board exercised very great influence. One of their own inspectors admitted that, at a certain pastoral station at East Kimberley, the board had not even been heard of.

MR. CONNOR: It shows the intelligence of East Kimberley.

THE PREMIER: Yes; that is the hon. member's district. So far as looking after the welfare of the aborigines is concerned, by trying to place them on a better footing than they were in 1890, or doing any one thing that will be remembered in their favour, we shall have to admit that the board have been really a useless body. There is no doubt about that. The board have endeavoured to defend themselves from attacks made upon them; but I do not think it is worth while saying anything in regard to their defence, or saying anything more about them.

De mortuis nil nisi bonum.

That is the best thing we can do in regard to this Aborigines Board. When we pass this Bill, as I have no doubt we will, this matter will be altogether at an end, and the control of the aborigines will be under the Legislature of the colony. We will have to be careful that the reproach which we hurled so often at the Aborigines Protection Board shall not rest upon us, and that some different machinery shall be devised for dealing with the natives. We will have the advantage over the board in having a knowledge of what is going on throughout the length and breadth of the land, which they certainly had not. Out of this controversy, which has gone on for seven years, and which has now concluded in a manner that will be gratifying to the people of the colony, some good will result. It has given us the opportunity of placing our views before the Imperial Government. We have shown the administrators of Downing Street that we had right and justice on our side, and that the provisions of the Constitution Act, dealing with this subject, were altogether unnecessary. Besides that, we have won a constitutional victory. It was not one which we ought to have had to fight, because the provisions as regards aborigines ought never to have found a place in our Constitution Act. Still, they did find a place there, and we have had for seven years to contend against those provisions, with the result already described. I do not think I need say more. I rejoice that we have attained our object, and that we have done it in a way that leaves no sting behind it as regards the relations of our colonial Government with the Imperial Government. Having been now granted what we have long desired, I feel sure that, although the question has been carried on with perhaps a little fervour on our side, we will think none the less of the imperial authorities for not giving up too quickly; and they will think none the less of us because we have stuck to our point, and have never swerved from the path of what we considered our duty. Although many offers were made to us—very favourable ones, sometimes—and it may have been thought that we were somewhat unreasonable in not accepting them; we nevertheless stuck to our point, and contended that nothing less than the removal of the clauses complained of from the Constitution Act would meet our views. We now have the satisfaction of knowing that the Imperial Government are altogether in accord with us in the desire I have so long and so continuously expressed. I now beg to move the second reading.

THE SPEAKER: There is not an absolute majority of hon. members present, which is necessary when dealing with an amendment of the Constitution. (Majority obtained, after a pause.) The

question is that the Bill be read a second time.

MR. LEAKE (Albany): It is not my intention to oppose the Bill. I am glad that the imperial authorities have thought fit, at length, to repose sufficient confidence in us to allow us to administer our affairs in this particular direction. The right hon. gentleman opposite has not said much about the Bill itself. He has not told us what effect its clauses will produce, nor has he explained it in any way. He satisfied himself with informing the House of what had led up to the present position. I do not want to be unnecessarily critical, but I confess I think it would have been better if the right hon. gentleman had not made an attack upon the board now about to go out of office. I know the right hon. gentleman has very strong feelings upon this particular subject; and the minutes he has written, which are on the records of this House, contain attacks made by him on the members of the board. Most of the gentlemen who constituted that board are well known to hon. members, and I think that nothing can be said against their characters. They undoubtedly have had a difficult position to fill. They had a thankless task before them, knowing full well, as they did, that the feeling of the whole of the colony was against their method of administration. They were unpopular from the start, and it is a pity now that we could not have sent them off with a compliment instead of a censure. I shall certainly support the Bill, and I should not have risen in my place had it not been for the observations of the right hon. gentleman. I do not wish, by giving a silent vote on the subject, that it should be thought I assented to the remarks which the Premier made in regard to the constitution of the Aborigines Protection Board. I do not wish to force a debate on the subject in the House, but merely to say, as far as I am personally concerned, I give my thanks to those gentlemen who have constituted the board in the past. I shall support the Bill.

MR. CONNOR (East Kimberley): I cannot allow this occasion to pass without congratulating the Government on introducing this Bill. I am sorry my friend the hon. member for Geraldton (Mr. Simpson), who has fought so hard in regard to this matter, is not able to be here to-night. I think he is deserving of a great deal of thanks for the manner in which he has worked on this subject, as well as the Premier. As a reason why this Bill is necessary, and that an alteration should be made from the old state of affairs, I think we have only to read the report placed before us by the gentleman who was sent to Kimberley as an inspector or a protector of the aborigines there. I was present when the gentleman was at Kimberley, and it seemed such a farce to send a young fellow who was just out from Home, who had no idea of the bush or of the life in Australia, except to enjoy himself, which he did to the fullest extent, to report on the aborigines. There is a matter which is not referred to in the Bill, and I wish the Government had seen fit to introduce it into the measure. I refer to the trouble which has taken place up to the present as to the natives in the far North. It does not seem that, under this Bill, any relief is given to settlers from the depredations and dangers under which they suffer from the natives. Some time ago it was suggested that reserves—there are reserves mentioned in this Bill, but they are not what I refer to—should be set apart to place the natives on. It was suggested that we should take one of the islands on the coast, where the climate would suit natives, and transport them there, and supply them with all they require. I hope, when the Bill is in committee, some hon. member will move to insert a clause to effect this object.

MR. ILLINGWORTH: You can only transport one tribe to one island.

MR. CONNOR: Then, we could transport to several islands. The suggestion has not come from me, but it has come from a person who has a great deal of knowledge of the natives in this country, and who says that this is the only way to deal with them. I congratulate the Government on the Bill being placed before the House, and I shall support it.

MR. ILLINGWORTH (Central Murchison): Before the second reading debate closes I, as one who has spoken pretty strongly on this question whenever it has been brought up by the hon. member for Geraldton, am bound to express my very great satisfaction that at last we are likely to have this stigma—I think that is the word the hon. member used, and it

is a very good one—taken away from our constitution. I would have preferred that the Bill simply dealt with the repeal of Section 70, and that a separate Bill had been brought in to deal with the creation of an Aborigines Board. That would have been within the province of the House.

THE PREMIER: We promised this.

MR. ILLINGWORTH: It seems to me that it is a somewhat humiliating position to have to submit this to the Imperial Parliament. Surely we have the power in this Parliament to create an Aborigines Board without consulting the Imperial authorities. [THE PREMIER: Not yet.] I am perfectly aware of that, but, if we had had a Bill for the repeal of Section 70, and that section had been repealed, this House would then have been empowered to create an Aborigines Board, and to pass a Bill for its amendment. This is placing us, I think, in a somewhat humiliating position; but I understand there is reason for the course that is now taken being carried out, because the Premier made some promise.

THE PREMIER: We did last session.

MR. ILLINGWORTH: What I am objecting to, and I think the Premier will see the point, is that it would have been better if we had had a Bill dealing with Section 70, which is an amendment of the constitution, and then we could have dealt separately with the provision for the aborigines. We are met with a suggestion by the hon. member for East Kimberley (Mr. Connor), and it becomes a question whether the introduction of an amendment in this Bill would not place us in a difficult position, when the Bill went home for the sanction of Her Majesty. I still think the form in which this Bill is placed before us is not the most desirable. If there is a necessity for it in this form, the Premier, who introduced the Bill, should have placed the House in possession of the reasons for the necessity. I think the Bill should have been divided into two parts. There should have been two Bills: one dealing with the repeal of Section 70, and another—which could have been placed before this House and dealt with in the usual way—dealing with the creation of an Aborigines Board. I am glad, however, that by either one or two Bills we are to get rid of the present Aborigines Board. I think I have not, as far as I remember, said anything against the board itself, and I do not think any member of the House has any feelings against the board, or has complained about the way in which they have conducted the business. They did the best they could in the position in which they were placed, and they did what they honestly could. It was impossible for a board, existing in the way that this board existed, to carry out the work successfully; and, consequently, while we thank these gentlemen for their labours, and while we admit that in the position in which they were placed they did their duty, and did it well, it is a matter of rejoicing to the country that at last these gentlemen are relieved from their onerous duties, and that the Government of the country has taken upon itself to carry out the duties in a more effective manner. I would not like to cast any reflection on the board itself. I do not think that is intended by anyone. If the board did not succeed, it was not its particular fault. That it could not succeed, we are perfectly satisfied. It is a matter for congratulation that the board has come to an end, and that the Government of the day will take the management of the aborigines. There is one point alone which stands as an absurdity, and that is that one per cent. of the increasing revenue of this country should be expended on a decreasing population. That is a fatal blunder. Some amount should have been fixed *per capita*. With the possibilities of a country like this, which may have a revenue of ten million pounds before long, and this revenue constantly increasing while the aborigines are constantly decreasing, and are a vanishing quantity and will soon be an absent quantity, it seems ridiculous to say that one per cent. of the revenue should be given for the support of the aborigines. I congratulate the Government on introducing the Bill to get rid of this Section 70, but I regret the form in which the Bill is placed before the House. I should have preferred its being in two parts.

MR. KENNY (North Murchison): I have much pleasure in supporting the second reading of this Bill, and I cannot help thinking that the right hon. gentleman dealt very leniently with the board in his remarks. I have had a little experience

of the way in which the board has administered its duties, and I must say this much, that the Premier could not have dealt with the mismanagement by that body in milder terms. I have met inspectors 800 or 900 miles away in the country, and beyond amusing themselves to the best of their advantage when they arrived at a station or a settlement, I have not seen anything particular for the benefit of the natives carried out by the inspectors. I certainly congratulate the Government and the colony at large that this Bill is now before the House. I am certain that, before it passes its third reading, those members who have had any experience of the requirements of the native races will be able to insert such amendments that will at least place the natives of this colony in the future in a more comfortable position, and treat them in a more humane manner than has hitherto been attempted.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 4, inclusive—agreed to.

Clause 5—Establishment of the Aborigines Department:

THE PREMIER (Right Hon. Sir J. Forrest): In the despatch to the Secretary of State, the proposal of the Government was to create a sub-department of State for the purpose of caring for and controlling the aborigines of the colony, and to appropriate £5,000 a year definitely, together with any sum which Parliament might vote annually for this purpose. If the clause had said that any unexpended portion of the £5,000 per annum should go back to the Treasury of the colony, such a mode of settlement might not look well in the eyes of others. But if the time should arrive when less than £5,000 a year could be reasonably expended for this purpose, any balance remaining in the hands of the sub-department could easily be reappropriated by passing an Act through Parliament authorising the re-appropriation for any other purpose.

MR. ILLINGWORTH: But was it necessary to send all this Home in a Bill for Her Majesty's assent? The Bill was mixing up two different things.

THE PREMIER: The amendments to the Constitution Act must be sent to the Secretary of State for the royal assent; and although this was not necessary in the case of the other clauses of the Bill, yet Parliament could not pass this Bill in its present shape, and get the royal assent to it, until the cancellation of Section 70 of the Constitution Act had been effected. The hon. member said we were mixing up two different things in this Bill. He (the Premier) could see no force in that observation, as the committee were simply carrying out, in the Bill, the promise which had been given last session. It might not be necessary to have this proposal legalised, but it seemed to him better to put it in the Bill, in order to show that the Government had no intention of neglecting the aborigines.

MR. ILLINGWORTH: Still, the clause made conditions that were not in the Constitution Act.

THE PREMIER: Those conditions were made by Parliament, and not by anyone else. When Parliament had abolished the Aborigines Board, we could deal with the matter in any manner that might be deemed expedient. There was nothing in the Bill to which exception could be taken. Some parts of it, such as Clause 4, certainly required the Bill to be referred for the signification of Her Majesty's pleasure. The clause repealing Section 70 of the Constitution Act also required the royal assent; but these were the only clauses that really did require it. There was no reason why such a Bill as this, a portion of which required Her Majesty's assent, should not be made a complete and workable Bill, so that action could be taken immediately on the abolition of the Aborigines Board. The purport of the Bill was no more than this, that the Board was to be abolished; that any funds in its possession should go to the Government; and that Parliament should permanently appropriate a sum of £5,000 a year for the use of a sub-department to be created for the purpose of looking after the welfare of the aboriginal race of the colony.

MR. KENNY: A small addition might be made to this clause with great advantage to the unfortunate natives. Large quantities of blankets were served out annually to the aborigines, but with very little benefit to them, especially in the vicinity of small country townships, where

unscrupulous white men often secured them by a present of a small quantity of drink, or a few shillings. The blankets might be marked to distinguish them from others. Throughout North Murchison complaints were frequently made that natives had been deprived of their clothes and blankets in this manner. In addition to branding the blankets, it would be advisable to insert a clause to punish all who procured clothing or blankets from the aborigines of the colony.

Put and passed.

Clause 6—Sum to be placed at the disposal of the Aborigines Department:

MR. ILLINGWORTH, to test the question, moved that Clause 6 be struck out. He had intended to apply this to Clause 5, but that was gone. By passing this and the remaining clauses, Parliament would be putting itself in the same position, practically, as was occupied before Responsible Government was conceded, by entering into a covenant to do certain things. The Secretary of State would surely accept the assurance of the Government that they intended to create the sub-department contemplated in this Bill. While it was necessary to secure the royal assent for the purpose of dealing with the financial portion of the Bill and for the abolition of the Aborigines Board, it was altogether unreasonable that we should have to send home to Downing Street provisions like these, defining how, where, and in what form the new sub-department should be created. Such a procedure was simply giving away the powers of the House. The Home Government had said, in effect: "We will give you a constitution empowering you to govern the white people of the colony, but we want to secure the proper protection of the aborigines before we give you that constitution." In other words, they said: "We will give you the right to govern the black population of Western Australia; but before we give you that right we must have an Aborigines Board." The House had power, under the constitution, to do this work, and did not require to send Home this portion of the Bill, which ought not to have been included in the measure, as the first part was sufficient for all purposes. Supposing this Bill were dealt with by the House of Commons, every member of that House would have the right to take exception to these clauses.

THE PREMIER: The House of Commons would have nothing to do with it. Of course the Bill would be laid on the table there for a certain prescribed time.

MR. ILLINGWORTH: While mistaken on that point, he must say that this Parliament ought to have a constitution free from all conditions; and, though the proposed condition was not a very serious one, still there was a principle underlying it, that we were not to have a free constitution for Western Australia except upon certain conditions which were not in force in the other colonies.

MR. BURT (late Attorney General): The member for Central Murchison took a wrong view of the matter. The Bill consisted of two portions. Part of it certainly required Her Majesty's assent, under the constitution: the rest of it, like any other Bill, might, at the discretion of the Government, be sent Home for Her Majesty's assent. The object here was to gain time, by including in the Bill not only the clauses which must be reserved for the royal assent under the Constitution Act, but also those which it was only necessary to reserve if the Governor thought fit so to do. If only the first four clauses were sent, it would be impossible to pass the rest of the Bill this session, because the House would have no power to do it until the section of the Constitution Act mentioned in the schedule had been repealed; and therefore we could not possibly pass the rest of the clauses, or create a sub-department, until next year. The procedure suggested by the hon. member would mean that the board would be abolished as soon as the necessary assent was given to this Bill, and there would then be a gap, as nobody would be authorised to look after the natives at all. Even if an Act came into operation next year, there would be a gap of several months without any provision being made for looking after the aborigines. It might happen, too—and, in his opinion, it would happen—that when we passed the rest of these clauses, His Excellency the Governor would be advised by the Attorney General to reserve Her Majesty's assent; because anything in regard to the aborigines had to be treated with very great care, and the Governor would most probably say, when he got the first four

clauses of the Bill, "Where is the promise of the Legislature to provide a sub-department?" Inasmuch as this Bill related to a subject about which there was a sort of dual contract between this House and the Imperial Government, the Governor would have to send the Bill Home for approval. It was not unlikely that the Secretary of State would be unable to redeem his promise this year; and probably until he got the two Bills, Her Majesty's assent would be reserved. The hon. member would, therefore, see that if we adopted the means suggested, some considerable time must elapse before the bringing the Act into operation; whereas by adopting the means proposed in the Bill, no interval would occur.

MR. ILLINGWORTH asked leave to withdraw his amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 7 to 30, inclusive—agreed to.

Schedule:

THE PREMIER said the word "Act" should be inserted after the word "Constitution," and he moved an amendment accordingly.

Put and passed, and the schedule, as amended, agreed to.

Title—agreed to.

Bill reported, without amendment, and report adopted.

LOCAL INSCRIBED STOCK BILL.

SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest): This Bill, which hon. members will notice is not a very simple one to understand, is a very important one. It has for its object the inscribing of loans locally. Hon. members are no doubt aware that in this colony there are no means provided by the Government for the investment of money by persons desiring to invest in Government securities, and especially, I think, is the want felt in regard to persons having trust funds to invest. If anyone at the present time has money in trust, I believe he can leave it on fixed deposit in a bank, which cannot be said to be an undeniably safe investment for trust funds. Still we have power in this colony—I do not think it exists in many places—to invest trust funds in a joint-stock company. Then we have a right to invest trust funds in freehold estate. That gives a good deal of trouble to trustees, who have to see that the property is looked after, and that it is insured; they have, besides, to run the risk of deterioration, and there are many other things which give a good deal of trouble to trustees under these circumstances. This Bill will provide a means for persons having money in trust or otherwise to obtain Government security, and not for a short time only but for a considerable time. A measure of this kind finds a place in the legislation of all the Eastern colonies of Australia, as also in New Zealand. It is looked upon with favour in all the colonies; and the fact may be stated that, at the present time, the Governments of the various colonies can obtain money for their locally inscribed stock at a better rate than, or at any rate at as good a rate as, they can obtain for it in England. As we all know, the only means provided in this colony for investment for the general public in Government securities is the Post Office Savings Bank. It is competent, of course, for the Government to issue Treasury bills, if they desire to do so, locally, and on one or two occasions the Government have done so; but this is not a very convenient way, for the Government Treasury bills mature very quickly. The Post Office Savings Bank—favourite place for investment, in the present condition of the colony—has reached the stage when it is not available for all demands made upon it. The deposits in the Savings Bank are increasing at a very rapid rate. Seven years ago the deposits were a few thousand pounds, while to-day the deposits are nearly a million. This money is at call, or, at any rate, three months' notice is the most the Government can ask for the re-payment of the money invested in the Post Office Savings Bank. Under the circumstances, this money may be regarded as practically deposited at call. It is not convenient for a bank, a Government, or an individual to be liable to pay such an amount at call. People can only invest in the Savings Bank to the limited extent of £150 in a year; and if, by this Bill, there can be provided a permanent investment under Government security, a good work will be done. If there are people in a colony like this who require a permanent investment in Government securities, such securities ought to be available. I do

not know that banking institutions in the Eastern colonies have raised any objection to the Governments there providing similar investment for the people, although it might be urged that the provision of Government security in this way would not be to the benefit of the banks. In the interest of the general public it is far better for the Government to provide investment for the people. The money is not hoarded up, but, when received, is devoted to some public work authorised by Parliament. The money invested in this way gets into circulation as soon as it reaches the hands of the Government. The Bill is permissible, and, if no money is required, the Government may close the lists: then, if we want money, we can re-open the lists and again sell inscribed stock. One object that will be obtained by-and-by, though not now, is a large local inscription of stock, which in itself will be a good thing. If a public work requires construction, the Treasurer will be empowered to raise sufficient money locally for that work instead of going to London for a loan. The Post Office Savings Bank, as a means of investment, has been of great advantage to the country. The Waterworks of Perth were purchased with £350,000 deposited with the Post Office Savings Bank, which amount the Government would otherwise have had to raise in England. The interest on the £350,000 is paid in the colony, instead of going to people in other parts of the world. The drain of interest on our public debt to England is a serious matter. The national debt of England does not seem to be felt very much, and the reason, in my opinion, is that it is recognised as a permanent investment for the people, and the accruing interest is circulated amongst the very people who have invested in the funds. It would be a very different thing, however, if the interest on the national debt of England were payable outside that country. Then the drain would be felt on the resources of the old country, as the drain is felt in the colonies. Millions of money have to be sent every year from the colonies to London to pay interest on the public debt, thus taking up all our exports or a great portion of them. This Bill is no new-fangled notion of my own. Similar measures have found favour in all the eastern colonies and in New Zealand. The prices at which the stock under this Bill shall be issued will mean the price at which, for the time being, the Governor has notified; and anyone who likes to buy stock at that price may put his money into the hands of the Treasurer and get his bonds. Clause 3 gives the Governor power to create stock, and this clause is copied from the 58th Vict., 31 of Queensland. According to Clause 4 of the Bill, the Governor may notify from time to time that stock will be issued, and may recall that notice at any time he likes. Subsequent clauses provide that stock shall be issued for £10, or any multiple of £10, and the interest shall rank with loans already issued in London since 1891. Both capital and interest are a charge on the consolidated revenue of the colony. Clause 7 provides that a person having money in the Post Office Savings Bank, and desiring to convert that money into inscribed stock, may do so. This is a provision I have no doubt will be often availed of. A person having £600 in the Post Office Savings Bank, and having got to the limit of his deposit in that institution, may wish to save more, and, under this Bill, he may convert his Post Office deposit into inscribed stock. Then again, a person with £150 in the Savings Bank may, with a desire for better interest or for some other reason, require a permanent investment, and may transfer his money into inscribed stock; this being done under the Bill by a simple process. The intention of this Bill is not to get investments for short periods, but for periods of something like twenty years. I do not suppose stock will be issued for shorter periods than twenty years. Treasury bills would be much more convenient than inscribed stock for short currencies. Clause 6 provides the mode for payment of interest and principal of stock. The Treasurer, with the approval of the Governor, will, every half year, provide interest and appropriate it out of the revenue and assets of the colony; and, after four years from the date of issue of the stock, shall further appropriate a sum for the formation of a sinking fund, equal to one-and-a-half per centum on the total nominal amount of the stock. That is the same provision as is found in the Loan Acts at the present time. Clause 9 pro-

vides for the investment of the sinking fund and income thereof. If the sinking fund is found to be insufficient, then that fund may be made good from the consolidated revenue. Clause 11 is a very important clause, providing how the money coming into the hands of the Government is to be expended. The money can only be applied in the redemption of any public securities, whether due or becoming due, or for any purposes for which a loan may be raised under the authority of any Act of Parliament. For instance, Parliament may authorise the expenditure of £2,500,000 on the Coolgardie Water Scheme. If we wanted to raise £100,000 for this scheme, we could apply the moneys we received under this Bill. Or, instead of raising the whole £2,500,000 in England, we could raise £2,000,000 there and £500,000 in the colony, or any proportion we liked, but we could not raise any more than the amount authorised in the Loan Bill. If it came to pass that all the loan powers were exhausted, and some money was in hand under this Bill, there would be no power to expend that, unless Parliament had approved of the construction of some public work out of loan.

MR. ILLINGWORTH: You could redeem securities.

THE PREMIER: We could redeem securities. We could apply the money to purchasing a loan or buying funds in the market with money received under this Bill. That would be very convenient, and might be the means of our making a lot of money. If it ever happened that the Government had a lot of money in hand under this Bill, and the colony's bonds fell in price in London, that would be a good opportunity for the Government to purchase those bonds. Such a purchase would have the effect of keeping up the price of the bonds, and save money to the colony, because the bonds would be redeemed at a price much less than would have to be given when they came to actual maturity. Clause 14 provides that the stock created shall be a security in which cash, under the control of the Supreme Court, may be vested within the meaning of any Act or rule or order of court dealing with such investment. This is an important clause. I know of an instance in which, some years ago, £40,000 came into the hands of the Supreme Court for investment under a will: it was money in trust, and somehow was under the control of the court. If a Bill of this character had been in existence, the Supreme Court would have asked us to take this amount. [A MEMBER: Not for 20 years.] That all depends: I do not suppose we should care to take it for a short time. I at once say it is not my intention—and if the Bill is not explicit enough we can amend it—to take investments of money for a short time. This Bill is to provide for real and permanent investment, in the same way as inscribed stock in London. The longer the term of investment, the better the price we shall get: that is so. A ten-years loan will not bring nearly as good a price in the London market as a 20, 30, or 50-years loan will bring. This Bill will provide for a long and certain investment, especially where the funds are not needed. The Governor is empowered by Clause 15 to make regulations defining and prescribing the authority under which the Treasurer is to act, and defining the duties of officers in relation to stock; prescribing the mode of investment in stock, and of the issue and reissue, and the inscription and re-inscription of stock; providing for the cancellation of stock certificates; prescribing the time and place of payment of the capital and interest, and generally for all such purposes as may be necessary for the carrying into effect of the Bill. The other clauses are in regard to penalties, as to forging and counterfeiting. Persons doing these are guilty of felony, and are liable to penal servitude for life, or for any term not less than three years. Clause 17 states that "Nothing in this Act contained shall be construed in any way to "prejudice the rights of the holders of any "Western Australian Government debentures, Treasury bills, or inscribed stock "issued under the authority of any Loan "Act." Those are the provisions of the Bill, and I think the measure will do good. I think it is necessary even now, when we find such a large amount of money in the Savings Bank. The money in the Savings Bank is increasing, and it is at call; and I think some other mode should be provided for giving more permanent security, and longer terms for those requiring investment than exist at the present time. Bills of this descrip-

tion find favour in the other colonies, and I think there is no real objection to such a measure here. I hope hon. members, when they come to the consideration of it, will think the circumstances of the colony justify us in moving in this direction, in which all the other colonies have moved.

MR. ILLINGWORTH: I very much regret that the Premier should introduce this Bill during this session of Parliament. The Bill has much to recommend it on its face, but I think it is an unfortunate circumstance that the Government should bring in a Bill of this kind just now. Our position is well known, as far as our borrowed money is concerned. This Parliament has authorised the Government to borrow three millions on Treasury bonds at four per cent. at par, and all the industries of this country are requiring assistance. There is not sufficient money in the country for the purpose of carrying on the great works required to be carried on, apart from the Government works; and the operation of this Bill is simply a bid by the Government for the money now in the country, invested in certain quarters at four per cent.

THE PREMIER: It is nothing of the sort.

MR. ILLINGWORTH: That is what the Bill says—at 4 per cent.

THE PREMIER: Not exceeding 4 per cent., it says.

MR. ILLINGWORTH: We are giving authority to the Government in this Bill to borrow money locally at 4 per cent.

THE PREMIER: We borrow it now at 3 per cent. from the Post-office Savings Bank.

MR. ILLINGWORTH: We are borrowing at 4 per cent. also.

THE PREMIER: Very little.

MR. ILLINGWORTH: We are borrowing money at par.

THE PREMIER: We are not paying any more for it.

MR. ILLINGWORTH: You are issuing bonds at 10 per cent. par.

THE PREMIER: You do not know anything about it.

MR. ILLINGWORTH: I am very glad if I do not know; but that is the feeling which is at present in my mind, and more minds than mine. This Bill, which is taken from the colonial Acts, is a good Bill in itself, but I regret it has been brought forward, because I look on this as a very bad time to introduce a measure of this kind. It is bound to interfere with the balance at our bankers; it is bound to interfere with the operations of the Government in their loan policy; and it is calculated to lead to misrepresentation. It may be said that the Government cannot get money in London, and they are trying to get it locally. That is not the state of affairs, but it is liable to be stated in that way. For these reasons I very much regret that the Government have seen fit to bring in this Bill at this stage. It would be much better for the Government to withdraw the Bill now, and let us deal with it in the next session. There need be no haste and no hurry. As far as the finances of the country are concerned, and private finance is concerned, the Bill will do some injury. Without saying more on these lines, I would strongly urge upon the Government to withdraw the Bill and re-introduce it next session.

MR. JAMES (East Perth): If I correctly understand the intention and effect of this Bill, it is to enable the Government to issue inscribed stock that can be applied for by local individuals who have money to lend at a certain rate of interest, and on the best possible security, the security of the country. At present, local individuals who have money to lend are unable to obtain this stock unless they go to London. Any Bill that has the effect of abolishing that absurdity, has my warmest and whole-hearted support. I am glad the Government have introduced the Bill, and I regret that it was not introduced some years ago. It is absurd that the people living in the colony, who want to invest money on the security of the country in which they live, are unable to do so. As soon as this anomaly has been removed, it will be much better for the country. I welcome the Bill most heartily. I have listened to what the hon. member for Central Murchison has said, and I failed to hear one word to cause me to regret that the Bill has been introduced at the present time.

MR. KENNY (North Murchison): In supporting the second reading of this Bill, to my mind it is another step in the right direction—in the direction of en-

abling people locally to invest their money at the same rate, and on the same conditions, as we give to the people of London. Local people, who have money to invest, will be enabled to invest it here. It will mean money being kept in the colony, which would otherwise go to London in interest. The Bill commends itself to the country at large, and I have much pleasure in supporting the second reading.

THE PREMIER (in charge of the Bill): Before the second reading is passed, I would like to make a few remarks as to what has been said by the member for Central Murchison. In introducing this Bill, I am not doing it in any way to add to our financial position. Our financial position is quite satisfactory at the present time, as the hon. member knows. We have power to raise Treasury bills, and we have power to raise a loan; and, therefore, we have all the statutory authority we require in order to obtain money. This Bill will not help us in the slightest degree to obtain money if we want it. We have power at this moment to issue Treasury bills up to £3,000,000. This Bill has not been brought in with the object of gathering money into the coffers of the State, because we have those means already. As time goes on, if we should require money for public works—we do not need it now—we shall have the means of raising it. This Bill, as the hon. member for East Perth has pointed out, will enable persons who wish to invest their moneys—especially trust funds—on the security of the consolidated revenue of the country, to do so locally. It seems an extraordinary thing that if a person has £100 or £1,000 of trust funds, he cannot get Government security for them in this colony. Only the other day a person came to the Under-Treasurer and asked him for a Treasury bill of £1,000 for some trust money. The Under-Treasurer said he could not give it to him, as there was no local issue. That seems to me to be a thing that should not exist. In the other colonies, unless they are overflowing with money, a person can go and obtain the security of the country for a certain amount, but we cannot do that here. It seems to me this Bill will supply a want. My only intention in rising now was to assure the hon. member for Central Murchison that the Government have no intention to get money by the Bill. We have better means than this Bill provides for obtaining money, under statutory authority.

Question put and passed.

Bill read a second time.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest): I beg to move the second reading of this bill. Its object is to alter the Municipal Institutions Act of 1895 in respect of the width of rights-of-way by changing the words "20ft." to "16½ft." I am informed that many rights-of-way, have been made 20ft. in width under this Act; but 16½ft., being 25 links or a quarter of a chain, is considered sufficient for the purpose, and much more suitable than 20ft. These lanes are not intended to be thoroughfares for traffic, but are merely for scavenging purposes; and it is undesirable to have them too wide, for in that case they will ultimately become streets. It is thought that 16½ft., or a quarter of a chain, is a reasonable width for such lanes.

MR. ILLINGWORTH: Too wide altogether.

THE PREMIER: Undesirable results have arisen in other colonies from their being made too wide. In Melbourne, for instance, Little Collins Street and Little Bourke Street, which were originally intended for mere scavenging lanes, were made too wide for lanes, and just wide enough for traffic, and are now used for traffic, thus showing that if you make a lane too wide, it may in time become a thoroughfare. For scavenging purposes, you do not want a lane too wide. I believe there are some amendments proposed to be inserted in this Bill; but whether we can conveniently include them in a Bill of this nature, I do not know. We can consider them when we see the proposals on the Notice Paper, in committee.

MR. ILLINGWORTH (Central Murchison): If I remember rightly, the principal Act provides that no building shall be erected facing a street of less than 20ft. in width. If these lanes are intended only for rights-of-way, 16½ft. is al-

together too great a width. There are in this city a number of rights-of-way only 12½ft. wide, and even they cannot be kept clean, and they give a great deal of trouble. The existing Act permits a building to be erected to a street or lane 20ft. wide.

THE PREMIER: Not being a carriage road; but a carriage road must be not less than 20ft. wide.

MR. ILLINGWORTH: According to the existing Act, a building can be erected to a street 20ft. wide; and I say that if, by this Bill, the width of a lane be reduced to 16½ft., the effect will be to permit buildings to be erected there.

THE PREMIER: The present Act says there must be two frontages.

MR. ILLINGWORTH: There is at the present time a right-of-way at the rear of blocks 1 and 2 in Barrack street 16½ft. wide, and persons might build dwelling-houses facing that street, which would be a menace to the health of the city. There is no necessity for a right-of-way to be so wide as 16½ft. The great difficulty in the operation of this clause, and one which the Bill does not meet, is that supposing there is a block of land running from Hay street to Murray street, Perth, and in the centre of that block the owner of the land cuts a street 33ft. in width, and also provides a 9ft. right-of-way from Murray street to reach the 33ft. street, then, according to this Bill, he may build houses for habitation in the 33ft. street. Yet the City Council have decided that they will not permit a building which has not a frontage to a main street; and a difficulty has arisen, because they compel the entrance to that particular street to be at least 33ft. wide. The effect of the Bill will be to compel a man who cuts up a piece of land to leave 16½ft. of waste land for a right-of-way, which is wholly unnecessary, thereby reducing the depth of the land very materially, especially within the city, and creating a nuisance at the rear. The clause, as it stands in the Bill, would permit a habitable building to be erected on a 16½ft. street.

THE PREMIER: Not unless there is another frontage as well. If a landowner has a frontage of 20ft., he can have a 16½ft. right-of-way at the rear, but not otherwise. It seems to me that if there is an alley 20ft. wide and a back lane 16½ft. wide, then according to this Bill you can have a building fronting on both.

MR. LEAKE: There are two kinds of roadways provided for—a carriage way and a footway. According to the Bill, the carriage way must be 30ft. wide and the footway must be 20ft. wide. The latter is unnecessarily wide for a mere footpath, and I think it ought to be reduced. The object of the clause, put shortly, is to provide that houses can only be built abutting upon the carriage way. You must not build fronting the footway. If you allow a house to abut upon the footway, it will probably interfere with the carts and carriages.

Question put and passed.

Bill read a second time.

HAWKERS AND PEDLARS ACT AMENDMENT BILL.

SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest): The object of this Bill is to prevent the soliciting of orders, and the carrying on of the business of hawkers, by subterfuge. Some years ago the Hawkers Act was rescinded. Under the law of the colony, hawkers are not allowed to sell goods, except vegetables, fish, fruit, &c. There is a class of people in the colony who travel all over it, going long distances, and really carrying on the business of hawkers. They go to houses and, under the subterfuge of soliciting orders, really break the law. The Government have been advised that the law was not sufficiently clear to enable convictions to be obtained, and we, therefore, propose to introduce the words into the first section of the Act, "their soliciting orders for." This would have the desired effect of preventing the carrying on of the business of hawking contrary to the law. I beg to move the second reading.

MR. SOLOMON (South Fremantle): I am glad this amendment has been brought forward. We see pedlars of all nations —Chinese, Asiatics, and all sorts of races —evading the law every day, and it is high time such an amendment as this was passed.

MR. KENNY (North Murchison): While supporting the Bill, I would like to know if it applies to persons in the

city sending out their men to solicit orders? [A MEMBER: No.]

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

Title—agreed to.

Bill reported without amendment.

Report adopted.

WIDTH OF TIRES ACT AMENDMENT BILL.

SECOND READING.

MR. QUINLAN (Toodyay): In moving the second reading of this Bill, I desire to say that an almost similar measure was introduced into this House last year and carried, I believe, unanimously. It was thrown out in another place. This Bill is somewhat modified from the one previously introduced, inasmuch as it makes provision for exemption in certain places. It will be observed that the metropolitan district embraces "the area comprised within the boundaries of the municipalities of Perth, Victoria Park, Leederville, Subiaco, Fremantle, North Fremantle, and East Fremantle, Guildford, and the Perth, South Perth, Claremont, Cottesloe, Peppermint Grove, Canning, and Fremantle Roads Boards, or such municipalities or roads boards as may be hereafter proclaimed within such area." There is a feeling shown throughout the agricultural districts that it would be a hardship to those who had their drays and waggons made just prior to the Act coming into effect, to be compelled to discard their wheels so early as January, 1899, as was originally provided. The Bill before the House proposes to extend that period to districts other than those referred to as metropolitan districts. I feel I have the sympathy of the agricultural districts, and probably of all the country districts, in moving this amendment. It will, I think, meet the objection raised on a former occasion. It may be argued that there should be no difference made between metropolitan districts and the country districts in this matter, and that those persons dwelling in the metropolitan area may be rather hardly dealt with by being compelled to discard their wheels by the date named. But with all due deference to the opinions of hon. members, I beg to assert that the circumstances are totally different, the wear and cost of materials in the one being much greater than in the other, and such as to warrant me in asking hon. members to give their support to the second reading of this Bill.

Question put and passed.

Bill read a second time.

SALE OF LIQUORS ACT AMENDMENT BILL.

IN COMMITTEE.

Consideration in committee resumed.

New Clause—Barmaid not be employed more than eight hours each day:

MR. KENNY moved that the following be added as a new clause:—

> Any licensee who shall allow any barmaid to work at her occupation as barmaid in his licensed premises for more than eight hours in each day shall be liable to a penalty not exceeding ten pounds.

He intended to follow this with another new clause:—

> Any licensee failing to provide for any female servant employed upon his licensed premises sufficient and healthy accommodation shall be liable to a penalty not exceeding ten pounds.

In moving the first of these new clauses, he said he did not wish to cast reflection on the numerous hotel-keepers who conducted their hotels in a business-like manner, and treated their employés in a humane way. There were, however, many hotels in the colony where barmaids were employed long hours and received small recompense. Few, perhaps, could speak with greater experience than himself on this subject. For the last seven or eight years he had been a constant boarder in hotels, and so far as his observation went, the treatment of barmaids called for some consideration. Young women who filled the position of clerk or typist worked six hours a day, with half a day holiday on Saturday; the shop-girl worked eight or nine hours a day, with a half-holiday in the week; the school-teacher also was employed about six hours a day, with a half-day holiday in the week. These employments were considered to be somewhat unhealthy, and that was the reason the hours were short. The same claim of unhealthiness of occupation could be set up with greater strength and truth for women employed as bar-

maids, some of whom were kept at work twelve and even fifteen hours a day. There were girls who entered a bar at nine o'clock in the morning, and were kept there until twelve or one o'clock the next morning, and who were, in many instances, physically unfit to withstand such a strain on the constitution. A young lady from another colony, who failed to obtain employment in her own occupation as school mistress, accepted an appointment as barmaid in a leading hotel in Western Australia. She was told her hours would be not more than ten hours a day, but she frequently found herself behind the bar for twelve or fifteen hours. The result was that great inroads were made on her health, and she had to be sent to the hospital. Subsequently her fellow workers paid her passage home to South Australia, where she died a few weeks after her arrival. That was only one of many instances in which the health of girls of delicate constitution had been ruined. Young women earning their living as barmaids were as much entitled to consideration from their employers as were women employed as shop-girls and in various other light occupations. The health of the people as a whole had to be considered. If a strong, vigorous, and healthy people were desired, care must be taken of those who, sooner or later, would be mothers in this colony. The working of the Factories Act in other colonies showed the great advantages of the eight hours system. Not long ago he lived for three months at the Grand Hotel in Melbourne, where over 100 girls were employed, and where the hours of work were limited to eight hours. He was forcibly struck with the management of that hotel, the manager of which had not only found the eight hours system an advantage to the hotel, but a means of saving trouble in the general management. A more happy, contented set of servants could not be found than in the Grand Hotel at Melbourne. This prosposal would not interfere with the general working of hotels, the proprietors of which treated their female employees with proper consideration. There was another set of employers, however, who quite forgot they owed a duty to those who were working for them, beyond paying them a small cheque once a month; and the object of the amendment was the protection of the unprotected and the defence of the defenceless.

MR. WALTER JAMES: The new clause would work no hardship on hotelkeepers. Eight hours a day was quite long enough for a woman to work, especially in the close, stuffy atmosphere of a bar. As a rule, there was not much demand for barmaids until towards the afternoon, from which, of course, the eight hours would be counted. It was a good general principle to protect women, whatever their occupation.

MR. A. FORREST: Those in any way acquainted with the liquor traffic would note that barmaids, if they were kept late in the evening, did not come down to their work until noon, or perhaps two or three o'clock in the afternoon. If the new clause were intended to apply only to Perth and large towns, it might be supported, but other parts of the colony had also to be considered. In places like Bunbury or Geraldton it would be rather a hardship on the proprietor of a hotel if he were fined for an infraction of the eight hours law, when his barmaid, who had had no visitors in the morning, served two or three guests in the evening. Legislation was going too far altogether. Hon. members were trying to introduce fads into Acts of Parliament, which would be found to be unworkable. He hoped the committee would not allow this new clause to be inserted. The next move some hon. member would make would be to apply the eight hours principle to servants in any house, who might be kept up late sometimes. [MR. JAMES: A good rule too.] Perhaps it was, but he did not know who would be able to afford it. Barmaids were not working hard all day in the country districts. In some places it might be found they were not working for four hours out of the eight. At race-meeting times and show times, bar girls might be required to work twelve hours, and then the landlord would be liable to be fined ten pounds. He (Mr. Forrest) hoped that in the 19th century we would not allow these fads to be introduced into legislation.

THE PREMIER: The clause required more consideration than we were likely to give it that night. Where the work in bars was heavy, as in Perth or Fremantle, eight hours was quite long enough

for a girl to be employed; but there were many cases in which a sweeping law of this sort might work a hardship. If there was anything extra on in a place, it was all very well to say, introduce more hands; but they could not well introduce new people into a business. We all knew what overtime was. If the clause was passed, supposing they had at Bunbury a show, and a barmaid was required to stay up until twelve o'clock, the landlord would be liable to a fine of £10. No one wanted that to occur. All we wanted to do was to prevent the girls working unduly long when they were constantly at work. In country places, for hours a barmaid did nothing.

MR. ILLINGWORTH: This surely would not be "working?"

THE PREMIER: Then the question would arise, what would be "working?" Would sitting down, and not serving, be working? While such a clause might suit very well as a general rule, there would be some exceptions. There were festive occasions when everyone worked long hours; and it would not do for the committee to pass a clause which was definite in its expression, and would subject a licensee to a penalty if he allowed a barmaid to work longer than eight hours, no matter under what conditions. Perhaps the hon. member for East Perth, with his ingenuity, could suggest something that would make the clause acceptable. In the shape in which it was before the committee, he (the Premier) could not support it. While he was willing and anxious that bar girls should not be made to work more than a reasonable time, still to pass a general clause of that sort would be unworkable altogether, taking the whole colony in its scope.

MR. ILLINGWORTH: The member for North Murchison at this stage simply desired to affirm the principle; and an opportunity was given to suggest amendments which would take in all the exceptions. As a principle, he thought the sooner we affirmed eight hours for all classes—male and female—the better. We were fully aware of the fact that in a good many places barmaids were overworked; and the Premier assumed that in every case of overwork there would be a conviction. On the contrary, unless some painful injury was done, a case would never come before a magistrate at all. As to race meetings, could anyone suppose that because a man had a public-house and gave a fee to a barmaid to stay on a few hours extra, a conviction would be obtained in that case? He thought that if we established the principle of the eight hours for the bar girls, it would be useful, and the girls, when necessity arose, would be able to maintain their rights. There must be exceptions. The hon. member who introduced the clause might make some amendment as to excepting certain districts. As a principle, it was desirable to place on the statute book some limitation that should be recognised as a day's work for a barmaid.

MR. JAMES: The member for North Murchison, like himself, must recognise that the clause, drafted as it was, would not be sufficient. The clause might be made to apply to the towns of Perth and Fremantle, but outside it might work a hardship on people, although he did not think it would. He thought that as a general rule it might apply in all cases, and that on special occasions the magistrate should have power to grant leave to a licensee to enable him to keep the barmaids working for a longer time. At present, permission was given to a licensee to keep his hotel open for a longer period. We might, at any rate, make the clause apply to Perth and Fremantle.

A MEMBER: What about Kalgoorlie and Coolgardie?

MR. JAMES would like to see all places brought within the clause.

MR. A. FORREST: Any town with 10,000 inhabitants might be brought within the clause.

MR. JAMES: In small towns, say like Bunbury, barmaids were not wanted in the morning, and if they went to work at 2 o'clock and worked until 11 o'clock, they would serve eight hours. On an occasion when there was a show or a race meeting, permission could be obtained from the magistrate, as just stated, to employ a barmaid for a longer time.

THE PREMIER: There would be a lot of trouble, running about to the police magistrate.

MR. JAMES: There was no trouble at the present time to go to a police magistrate for an extension of hours. If the

right hon. gentleman thought that the clause should not apply outside Perth and Fremantle, it could be made to apply only to these two places.

MR. A. FORREST: Make it 10,000 people.

MR. JAMES: It would be better, perhaps, to name the towns in which the clause should be in force. He moved, as an amendment, after the word "license" in line 1, to insert the words "within the licensing district of Perth, Fremantle, Coolgardie, or Kalgoorlie."

MR. QUINLAN: It must not be forgotten that there were shop girls who had to work nine hours a day, excluding meal times.

A MEMBER: They had a half-holiday in each week.

MR. QUINLAN: Certainly, they had; but it would be better if the proposed amendment were made to read, "who shall compel any barmaid." This would compel the proprietor to compensate any lady kept working later than the statutory time. There should also be a provision for seating accommodation, for few barmaids were provided with chairs. In the Factories and Shops Acts in other colonies, provision was made for this, and it was equally necessary in the case of barmaids.

MR. DOHERTY: It would be well to make the clause read, "not more than forty-eight hours per week;" so that if a lady worked ten or twelve hours in one day, she would not have to work so long on the following day.

MR. HUBBLE: The majority of barmaids in Perth and Fremantle did not work more than eight hours; in fact their lot was much easier than that of any other barmaids in the colony.

MR. LEAKE: If the words, "with the consent of the barmaid," were inserted, the clause would be absolutely useless. A barmaid who did not consent would lose her billet. Unless the committee insisted on the eight hours principle being applied to this class of employment, the clause would be of no use whatever.

MR. GREGORY would vote against the amendment, because it limited each day's work to eight hours. He had been informed by hotel-keepers that it was quite usual, where two girls were employed, to allow one girl to get off one night and the other girl the next night; and the same principle was carried out with regard to working hours during the day. On some days a girl only worked four or five hours, while on others she might have to work ten or twelve. The clause should be altered to so many hours per week.

Amendment (Mr. James's) put and negatived.

Upon other motions by MR. JAMES, several verbal amendments were made in the new clause, to read as follows:—"Any licensee who shall employ any barmaid at her occupation as barmaid for more than forty-eight hours in any week shall be liable to a penalty not exceeding £10."

Clause, as amended, again put:

MR. LEAKE: We had, first of all, to prove that a person so employed was a barmaid. How were we to do that? The licensee might say she was not employed as a barmaid, but as a servant. This point only showed how necessary it was to deal with the question straight out. If the clause were not made more emphatic, he should certainly vote against it.

MR. JAMES: The member for Albany (Mr. Leake), who had previously opposed the employing of barmaids at all, was now opposing a clause which would prevent barmaids from being employed for more than 48 hours in one week. Clearly, the hon. member was inconsistent in the action he was taking. If the hon. member thought the section did not go far enough, his proper course was to assist the committee to put it right.

MR. LEAKE denied having been inconsistent. It was impossible to have good legislation in this direction, unless we laid down hard-and-fast rules. He had not said that he was against the eight hours employment of barmaids: on the contrary, he would support a measure preventing their being employed for a longer period; but he objected to the wording of the clause, as, in his opinion, it would enable the licensee to get rid of the difficulty by an evasion.

THE PREMIER: The clause, as amended, would not altogether meet the case. The committee proposed to treat barmaids in a more exceptional way than any other person working under an engagement. That, at any rate, was how he understood it. Under the eight hours system, as it was brought into operation in the other colonies, there was nothing to

prevent a certain class of persons from working overtime. In the Department of Public Works and Railways, overtime was a regular and well-understood thing: men worked longer time and got extra pay for it. If it were not so, he did not believe that business could be carried on. Both employers and employed understood that, when men were required to work longer than the usual hours, the men got extra remuneration. If we passed this clause in the shape proposed, there would be no provision made for these young women working longer than 48 hours, though they might be most anxious to do so, and although the employers might be willing to pay them extra for doing so. Some loophole should be provided whereby extra time might be worked for extra pay, when both parties agreed. As the Bill at present stood, the committee would be coercing both sides—not only the employer but those who were employed. He did not think the committee wished to go to that length: at any rate, he did not. Where there was mutual consent and extra pay was allowed, the committee should not prevent an arrangement being made.

MR. DOHERTY: In other colonies overtime was only allowed under certain conditions. Under the Workshops Act, employees had no right to be in a factory longer than 48 hours. If the member for East Perth would excise the words "at her occupation as barmaid," the objection raised by the member for Albany would, he thought, be met.

MR. LEAKE asked the member for East Perth to postpone the further consideration of the clause.

MR. JAMES said he would withdraw the amended new clause, if he could bring it up subsequently.

Clause, by leave, withdrawn.

New Clause—Amendment (proposed) of principal Act, 1880, Sec. 61 (*bonâ fide* traveller, penalties):

MR. LEAKE said he wished to amend 61 of the principal Act. That section provided that no liquor should be sold on Sunday, Christmas Day, or Good Friday, except to *bonâ fide* lodgers or travellers; and it fixed the penalty for a first offence at £50, and for a subsequent offence at £100, in addition to which, in the latter case, the section provided for the forfeiture of the license. He wished to draw the attention of hon. members to the fact that these were hard and fast penalties. He therefore moved that the following new clause be added to the Bill:—

> Section 61 of 44 Victoria, No. 9, is hereby amended by striking out, in the eighth line, the words "the sum of fifty pounds," and inserting in lieu thereof the words "a sum not exceeding fifty pounds;" and is further amended by striking out, in the ninth line, the words "a sum of one hundred pounds," and inserting in lieu thereof the words "a sum not exceeding one hundred pounds."

The object of the amendment was to make the penalties optional with the magistrates—to limit the maximum, but not to absolutely fix the penalty. It often happened that offences were purely technical. An oyster-saloon keeper, who was in the habit of sending out for beer at the request of his customers, might inadvertently take from his own store instead of sending out to the public-house; and although it was proved to the satisfaction of the prosecution that there had been a merely technical offence, with no intention to evade the law, the magistrate, in such a case, had no option but to fine the defendant £50. The amendment sought to give the magistrates discretion in fixing the penalty, particularly for the first offence. Perhaps the illustration of the oyster dealer was not a good one, because the section merely dealt with Sunday selling except to *bonâ fide* travellers or lodgers. Publicans were very easily taken in by a person who represented himself as being a *bonâ fide* traveller or lodger; but the magistrate, on the offence being proved, must fine the offender £50, although a fine of £5 or £2 might be sufficient. A further amendment would be proposed to Section 61, to the effect that, instead of a license being forfeited for a second offence, the forfeiture should be optional with the magistrate. Then again, a further amendment would be moved, placing the onus of proof on the publican that the person served was a *bonâ fide* traveller or lodger. If the penalties were not so stringent as at present, it would be more easy to put down Sunday trading. The trouble now was that a man charged with an offence knew that a conviction meant a penalty of £50. Such a sum was worth fighting for, particularly when a publican was aware a second offence rendered his

license liable to forfeiture, which meant the taking away of his livelihood. The penalty at present was so severe that a man would resort to all sorts of devices, and perhaps unscrupulous behaviour, to prevent himself being convicted. But if he knew that, in the event of his making out a reasonable case and showing he was humbugged by the party who represented himself to be a traveller or lodger, the penalty would not be so severe, then he might submit himself to the court. Owing to the absence of discretion in the penalty, magistrates were very often placed in a difficult position. He himself had prosecuted and defended publicans over and over again, and in a great number of cases a smaller penalty than that provided by law would have met the case, and prevented a great deal of trouble.

Put and passed.

MR. LEAKE moved, as a further amendment of the same section in the principal Act:—

That all the words after "One hundred pounds" be struck out, and there be inserted in lieu thereof the words, "and if such subsequent conviction shall be within a period of twelve months from any former conviction, the justices may order that the license be forfeited: Provided always that, whenever a licensed person is charged with any offences as aforesaid, the onus of proving that the sale was to a *bonâ fide* lodger or traveller shall be upon the person charged."

As the law stood at present, there was a fine of £100, with forfeiture of license for the second offence. The amendment already carried provided that for the second offence there should be a fine not exceeding £100. The amendment now submitted provided that the magistrates "may," not "shall," order the license to be forfeited. It was left optional with the magistrates to inflict a fine not exceeding £100; and, in addition, it was left to their discretion whether or not they forfeited the license. Since this concession had been made to the publican, it was only right that on him should be imposed the responsibility of satisfying himself and proving to the magistrates in his defence, that the person he supplied was a *bonâ fide* traveller or lodger. At present the onus of proof lay with the prosecution.

MR. GREGORY: We might be placing too great an onus on the publican to make him prove who were *bonâ fide* travellers. The existing section was too severe. The penalty for serving on Sunday was too severe. The existing Act was being evaded every Sunday, and magistrates might fine a licensee £50 for a first offence, and for a second offence up to £100. There was also the power of forfeiture. He supported the amendment.

MR. ILLINGWORTH: The average takings of the publicans in Perth on a Sunday ranged from £30 in some houses to £80 in others. It was hard to believe that publicans were selling to such large amounts as these to *bonâ fide* travellers. The fact was that more business was done on Sundays at a public-house than on other days of the week. We should either take the Sunday-trading section out of the statute book altogether, or take some steps to have the law enforced. The difficulty was to prove that a man was not a *bonâ fide* traveller and not a lodger. It was too much to expect the police to prove that, and he thought the new clause was distinctly in the right direction. It was the duty of a publican, when a man went to his house on a Sunday, to find out if he was within the four corners of the Act, and so supply the person as the Act permitted him to do. He (Mr. Illingworth) agreed with the hon. member in reducing the fines, as it might lead to more convictions; but unless the onus of proof rested on the publican, it would be impossible to get a conviction. In some places in the far country districts the clause might work a hardship, but we were legislating for the masses.

MR. HUBBLE: It was hard to understand what constituted a "traveller" in this colony. In South Australia any person seeking refreshment at a hotel five miles from his dwelling-house was considered a traveller. [A MEMBER: It is three miles here.] In South Australia, if a man entered a public-house and said he was a *bonâ fide* traveller, that exonerated the publican; but if the publican neglected to ask the question whether the man was a *bonâ fide* traveller, and the police came in, the publican was fined. If the customer said he was a *bonâ fide* traveller, and the police found out that he was not, the customer was the person he fined. Such a provision would work well here. He agreed with the reduction

of the fines, because he had known cases in which a magistrate was placed in an awkward position, through having to impose a heavy fine when a small penalty would have met the case.

MR. LEAKE: A publican had ample means of protecting himself against people who misrepresented themselves as travellers. He could get the names and addresses of the persons; he could get them to sign a book, or produce their railway tickets, or he need not let them in unless they came with some responsible person whom he knew. Beyond these ordinary means, there was a section of the Act which protected him. A person falsely representing himself as a traveller was liable to a penalty of £5. Therefore, if the publican was deceived, he had his remedy; and if the publican received a summons from the police, he could take out a summons against the man who deceived him, and the probability was that the publican would get off with a fine of a shilling, and the man who deceived him would be fined heavily. The practice which existed was that the publican asked, "Are you a traveller?" The answer was "Oh, yes," and then the man got his drink.

MR. HUBBLE: In South Australia, if a person represented himself as a traveller, the publican was bound to serve him, although he might know the person was not a traveller.

MR. QUINLAN: Complaints existed at the present as to the Act, in regard to Sunday selling; and, as the member for Albany had pointed out, there was provision in the existing Act which protected the publican when a man falsely represented himself as a traveller.

Put and passed.

New Clause—Inspectors and their duties:

MR. RASON moved that the following new clause be added to the Bill:—

The Governor may from time to time appoint, and at his discretion remove, one or more inspectors of licensed premises for every licensing district under the Act. It shall be the duty of every such inspector to ascertain, by personal inspection, the mode in which the licensed premises situated within the licensing district to which he shall be appointed are conducted and managed, and the state, condition, nature, and extent of accommodation of such premises, and also to see that the provisions of this Act and the principal Act are duly observed; and also to attend the annual or quarterly meetings of the bench of such district, and to report upon all or any of the licensed premises situated therein, if he shall be required by the bench to do so; and such inspector shall have power, after notice, to object to any application for the granting of new licenses, or the renewal or transfer of existing licenses, upon any of the grounds specified in the Act as objections applicable to such applications.

He desired to give effect to what was the desire of most hon. members, that inspectors should be appointed; and if this clause were adopted, inspectors would be appointed who would not only have the power to see that no adulteration was carried on, but would also have power to inspect and report on the general management of all licensed premises. They would be in a position to report to the licensing magistrates when dealing with applications for transfers or fresh licenses. They could report as to the manner in which different houses had been conducted, and if they had any complaints to make that everything had not gone on satisfactorily, or that houses had been misconducted, the inspectors would be able to object to a renewal of the licenses.

Put and passed.

New Clause—Amendment of license fee (in principal Act):

MR. ILLINGWORTH moved that the following new clause be added to the Bill:—"Sub-section 1 of Section 15 of the principal Act, 44 Vict., No. 9, is hereby amended by striking out, in the first line, the word 'fifty' and inserting the words 'one hundred'; and further, by striking out, in the second line, the word 'forty' and inserting the word 'seventy.'" His object was to increase the license fee, with a view of getting rid of the "shanty" style of house, and of securing increased accommodation in hotels, and a better class of publican. A man conducting a good class of house could well afford to pay a higher fee.

MR. GREGORY: The existing license fees—£50 in towns and £40 in country districts—were quite high enough. He was decidedly opposed to this amendment.

MR. RASON: While sympathising with the amendment, he was afraid that, if adopted, it would have a contrary effect to that intended by the mover. Such a high license fee as £100 would

only result in a considerable increase in the number of sly-grog shops.

MR. LEAKE: It would facilitate matters if the hon. member (Mr. Illingworth) would consent to withdraw the second sub-section of his amendment until the first had been considered. He agreed with the proposal to increase the license fee from £50 to £100. The existing Act was passed in 1880; and a license worth £50 then would be worth £100 now, considering how rents and prices had gone up since that time.

MR. RASON: If the rents had gone up, that was a good reason why the license fee should be lowered instead of increased.

MR. LEAKE: The proposal to raise the fees in Perth and Fremantle was a just one; but he would not support any increase outside those places.

MR. DOHERTY; Under this amendment there would be an unfair advantage given to some houses, while others would be penalised. He could not see why a hotel on the outskirts of the licensing district of Perth should pay the same license fee as one in the centre of the city. It was most unfair that hotels in small places like Roebourne, Cossack, and Hall's Creek should have to pay exactly the same as houses in Geraldton and Bunbury, where the population was much larger.

MR. MITCHELL: If there was more business to be done in Perth and Fremantle now than there was in 1880, it should be remembered there were many more licensed houses now to do the business. The publicans were heavily taxed already, and he could see no reason for raising their license fees 100 per cent.

MR. SOLOMON: The proposed increase was most unfair. Why should Perth and Fremantle houses be compelled to pay a fee of £100, when hotels in Coolgardie and Kalgoorlie were doing much more business, and would only have to pay £50?

MR. ILLINGWORTH: In the existing state of the law, there was a material difference between the conditions which obtained in Perth and Fremantle and in the country towns. In Perth and Fremantle there was no such necessity for increased accommodation in hotels as there was in the goldfields towns. People had their homes here, and ordinary conveniences. In the country it was not so. We were now building up cities and encouraging, to some extent, a large number of public-houses—not for the good of the State, but for the personal profit of the individuals. The whole basis of our licensing law was restriction. He wanted to restrict the number of public-houses, and he wanted to make the houses in the city contribute some of the profits they were making out of the public and out of the State. He did not think it was too much to ask the licensees to pay £100 a year for the increased trade they were getting in Perth and Fremantle. If they could not afford to pay, then their houses ought to be closed in the interests of the public, for it showed that they were not wanted. With regard to Coolgardie and Kalgoorlie, it was difficult to make the Act apply in such a manner as not to fall harshly on the smaller places included in those large districts. If the committee could make the principle apply to the centres only, it would be all right; but it would be difficult to do that. He hoped the committee would see their way clear to pass the motion.

THE PREMIER: The difficulty appeared to him to be to act fairly to all in regard to the amount charged for a license fee. One might feel inclined to vote for an increase in the license fee, so far as the best houses in the centre of the cities were concerned; but he thought it would be manifestly unfair to carry it out to the outlying and smaller places. So we found ourselves in a difficulty. It always appeared to him that to charge the same license fee throughout the colony was not very equitable, because the business done in some houses was so small, and the places where some of these houses were situated were hardly worthy the name of towns. They were simply Government town sites, and it would be unfair, in such cases, to insist on the payment of a license fee of £40, and to charge only £50 in Perth, Fremantle, Coolgardie, or Kalgoorlie. People in the outlying districts paid more for what they received than those having houses in the more thickly populated centres. He did not think that Perth and Fremantle should be charged a higher fee than Coolgardie and Kalgoorlie, but there were hotels and hotels in Fremantle and Perth. He did not think it would be fair to make the smaller

houses pay a very much higher fee than they were paying now, although the larger houses might well be able to afford it. When a tenant went out of one of these large hotels, a considerable sum of money was paid for the goodwill by the incoming tenant, showing that the business was a very profitable one. There would not, therefore, he thought, be much objection on the part of the licensees of these larger hotels to pay an extra fee. The difficulty was how to act justly to all.

A MEMBER: In Victoria they charge by valuation.

THE PREMIER: Something of that kind might be done here. The matter was worthy of consideration. He did not think we should charge the same fees for the large as for the small houses. It might be argued that a great deal of money had been spent in making these large hotels, and that they could well afford to pay the higher fee. It must be remembered that in the more thickly populated parts of the colony more money was to be made out of the business than in the smaller parts of the colony. He did not feel inclined to rush into this matter. He thought if we intended to alter the law, it should be done after a good deal of consideration to see if some equitable plan could not be worked out.

MR. DOHERTY: Public-houses in districts having a population of 10,000 should be divided into three classes, according to their size, and a license fee of £100, £75, and £40 respectively should be charged. In smaller districts the license should be £20. A fee of £40 would be felt severely in some country places. Hotels there were necessary, not so much for drinks, as for accommodation. He suggested that the hon. member should bring in a clause to embody the suggestion he had made.

MR. QUINLAN: The new clause might well be withdrawn. Having had some experience in the business, he would be happy to assist the hon. member in preparing such an amendment as to fees as would be acceptable to the committee. There were objections to the present method of charging fees, and he did not think the proposed clause would meet the case fairly. He admitted that some houses could afford to pay more than the present fee, while others could not afford to pay so much. He had no hesitation in saying that there was one method of raising revenue, of which the Government might well avail themselves. Houses had been changing hands for several thousands of pounds. He knew of one or two cases in Perth where £9,000 had been paid. In the case of large hotels that could afford large sums like this, a stamp duty should be charged when the transfer was effected.

MR. ILLINGWORTH: No one had a better knowledge of these points than the member for Toodyay. He would, therefore, be pleased to withdraw his amendment with a view to constructing another with the hon. member's assistance. He was not working blindly in this matter. He had strong convictions, as hon. members knew, but he was not advocating these now. The effect of a low license and want of supervision in Bendigo (Victoria) had been that a large number of hotels, or places so called, had been erected, which were merely bars, and which were not required for the uses of the public. The basis of all our legislation was that a public-house was a necessary evil, and one that had to be restrained, because it was necessary for the convenience of the public. But beyond those houses which were necessary there were growing up in all our big cities a number which were not necessary, and which were a menace to the public. He wanted, if possible, by charging a high license fee, to restrict the number of these hotels. This had had a good effect elsewhere, and he thought it would have a good effect here. If a house could not afford to pay, that house was not a public necessity, and should be closed. Once we admitted the public convenience as a standard by which to judge of the necessity for public-houses, no further facilities for increasing the number of public-houses should be given than the public required. He begged leave to withdraw the amendment.

New clause, by leave, withdrawn.

New Clause—Liquor in bond:

Mr. DOHERTY moved that the following new clause be added to the Bill:—

No liquor shall be issued or allowed to pass out of the Customs bond unless the same has been first tested and certified by a public analyst as being free from adulteration. And

no whisky, brandy, or rum shall be issued from or allowed to pass out of the Customs bond unless the same is at least four years of age.

This new clause would strike at the root of the evil of the liquor traffic. Liquor 10 per cent. overproof was imported into this colony, and put on the market at 1s. 6d. per gallon. It was impossible to get whisky, brandy, or rum at that price, of sufficient quality to be retailed out to the public; and the object of the amendment was to prevent such liquor being placed on the market. Unless this clause were inserted in the Bill, the inspector or analyst would be powerless. The spirit, imported at the low price mentioned, was pure whisky, but whisky of such immature quality as not to be fit to go into human consumption. People in the old country knew that immature spirit was one of the most dangerous of drinks. All spirits should be allowed at least four years in bond to mature. There would be no difficulty in ascertaining from the Customs certificates the age of the spirit imported. If the imported spirit had only been in bond six months at home, it would have to remain in bond in this colony at least 3½ years before going into consumption. The period in bond would allow an opportunity for the fusel oil to evaporate and leave the pure spirit. It was not so much doctored spirit as cheap low-class raw spirit that did the harm. Jameson's ten-year-old whisky at home cost 11s. 6d. per gallon in bond. This would show the quality of whisky which could be imported to this colony at a profit, at 1s. 6d. per gallon.

MR. KENNY: The member for West Kimberley deserved the thanks, not only of Parliament, but the colony at large, for introducing an amendment which struck at the root of the evil of the drink traffic.

MR. ILLINGWORTH: The real evil of the cheap spirit business was the importation of methylated spirits. Under the plea that certain spirit was required for manufacturing purposes, this methylated or white spirit was introduced into the colony in order that, with the aid of "essences," the spirit might be transformed into whisky, brandy, or any spirit desired. The only way to remedy the evil would be to charge the same duty of 16s. per gallon on methylated spirits as was charged on ordinary spirits.

MR. A. FORREST: The duty of 16s. was now charged on spirits of wine.

MR. ILLINGWORTH: The member for North Fremantle (Mr. Doherty) was on the right track. But the evil would not be met by getting new spirit into bond and keeping it there for four years to mature. The real evil lay in the manufacture of whisky from methylated spirit, which did not pay duty. The member for North Fremantle ought to look into this, and shape his new clause accordingly.

MR. HIGHAM: Methylated spirit was not imported into this colony; but spirits of wine and white spirits were. Methylated spirits consisted of spirits of wine with shellac added, and could not be used for making whisky.

THE PREMIER: It seemed to him that the new clause was a very good proposal, but he did not know whether it could be easily carried into effect. To analyse every quantity of liquor that came to the colony would be rather a big order. He asked whether it would be necessary to analyse the whole of the spirits imported for people's own use. He did not know how long it would take to analyse a sample of liquor, but he should say it was not a simple process. They would want an army of analysts to keep pace with the business. Perhaps the member for Central Murchison (Mr. Illingworth), who had for many years taken an interest in this kind of legislation, could tell them whether such a provision existed elsewhere. If so, no doubt the difficulty could be surmounted, and there was no reason why it could not be carried out here. He was quite in sympathy with the idea that only good liquor should be allowed to go into consumption; but he was doubtful whether the expense and trouble connected with the analysis would not be too great.

MR. DOHERTY wished to add to his new clause the words "spirituous liquors in bulk." He did not mean the clause to apply to liquor in cases, because the testing of one bottle would be sufficient. From every hogshead or quarter-cask a sample was drawn off to test the strength.

THE PREMIER: That was a simple process.

MR. DOHERTY: Any man who imported spirits generally imported about 500 quarter casks at a time, and one sample should be taken from this quantity. If the liquor was accompanied by a warrant from the old country as to how long the liquor had been in bond there, it could be bonded here for a sufficient time to make up the four years. In one shipment there might be 50 hogsheads, and it would be only necessary to take one sample for analysis from these. If anyone went into the cellars of the largest spirit merchants here, he would find only five or ten casks of whisky, because the merchant usually dealt out of the bond. It would not take a great deal of time to analyse one sample out of a shipment. It should not matter what the expense was: their object should be to see that good spirit was sold to the public. It was better to do that than to have people poisoned.

MR. LEAKE sympathised with the hon. member who introduced the proposed new clause; but there seemed to be a practical difficulty in the way of carrying out the proposal. To say that no liquor should pass the Customs bond, unless it was first tested by analysis, would mean that a large staff of analysts would have to be employed to cope with the work. An analysis could not be made at a moment's notice, and a consignment of spirits might be hung up for a very long time. He did not know how liquor was imported, whether in consignments of 100 hogsheads or not; but each brand would have to be analysed separately. Then we would have to go further and fix a penalty for wrongly passing liquor. There was power now, under the Customs law, to confiscate liquor not fit for consumption, and he did not think the new clause gave much power beyond what already obtained. If the hon. gentleman would withdraw the clause now, and confer with the hon. member who had charge of the Bill, he thought it would be to their advantage. He did not want to oppose the principle, as he thought it was a good one. The same object as that sought to be obtained by the clause might be gained if authority was given to analyse, and confiscate if the analyst declared the liquor not fit for consumption. But they had that power already.

MR. QUINLAN: There was a provision already made for testing spirits for strength. If the clause was passed, and it was decided to analyse every shipment, the Government would have to employ an army of analysts to pass all the liquor that was placed in the Customs-house. He thought the provision already passed, as to the adulterated liquor found on licensed premises, would meet the difficulty. The clause should be withdrawn.

MR. DOHERTY was surprised to see the want of knowledge on the part of hon. members on this subject. As to an army of analysts being employed, that was entirely wrong. In the city of Dublin one analyst did all the work, and in London there was one analyst, who had a few assistants; so that hon. members would see there was not so much labour, after all. He did not want to have an analysis made of the liquor in every cask, but a sample should be taken from every shipment. If the new clause were carried, spirit merchants would not import any whisky under four years of age. When buying in the market, they would not purchase this absolute poison. The net cost of such stuff in Glasgow was 1s. 6d. a gallon. It was a new spirit, and should not be allowed to enter this country. "It will do well enough for Australia," was a common expression in the Glasgow market. It would be better to have an army of analysts than to allow people to be poisoned by liquid rubbish. Were the amendment passed, the whole evil would be remedied by the importer, and one analyst would be quite sufficient for the work; in fact, the one analyst would have very little to do.

MR. HIGHAM: It was impossible for one analyst to do the work. If he only analysed one package out of a hundred, of what use would his certificate be? The other 99 packages might contain absolute rubbish, which would get into consumption. The second section, as to the age of liquor, would have no real or practical effect. Liquor which was vile and poisonous when new would not be any better at four or five years of age.

MR. DOHERTY: That statement showed that the hon. member knew nothing about it.

MR. HIGHAM: The importer should be allowed to mature his liquor in private bond.

MR. DOHERTY: Nobody objected to its being in his private bond.

MR. HIGHAM: But the new clause said the liquor was not to be imported.

MR. DOHERTY: No; it said the liquor was not to issue from the bond until tested.

MR. HIGHAM: That should apply not only to bulk, but to sealed liquors, because most of the vile stuff which got into the local market came here sealed and labelled.

MR. LEAKE: The mover would better attain the object by altering the clause to read that any liquor might be detained for analysis. He had no wish to throw obstacles in the way of hon. members, for he was as anxious to prevent the importation of adulterated liquors as anyone could be.

MR. DOHERTY: It was not a question of adulterated liquors.

MR. LEAKE: Paragraph 1 of the clause dealt with adulteration, and paragraph 2 with the question of the age of liquors. The hon. member was dealing now with the adulteration, and wanted the liquor detained for analysis, and destroyed if condemned; but this intention was not expressed in the wording of the clause. The hon. member should accept his suggestion, and report progress at this stage. He (Mr. Leake) would be glad to assist him to attain the object.

MR. DOHERTY said his intention was to prevent the placing on the market of cheap whisky or brandy until it had matured.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10·28 p.m. until the next Monday.

Legislative Assembly,

Monday, 15th November, 1897.

Paper Presented—Question: Mullewa-Cue Railway Contract Time, &c.—Cemeteries Bill: third reading—Aborigines Bill: third reading—Hawkers and Pedlars Act Amendment Bill: third reading—Industrial Statistics Bill (amendments suggested on report)—Employment-Brokers Bill: further amendments on report—Local Inscribed Stock Bill: in committee—Width of Tires Act Amendment Bill: in committee; Division on motion to leave the Chair—Sale of Liquors Act Amendment Bill: in committee (new clauses)—Immigration Restriction Bill: second reading (moved)—Motion: Leave of Absence—Visit of Members to Bunbury Show—Adjournment.

THE SPEAKER took the Chair at 7·30 o'clock, p.m.

PRAYERS.

PAPER PRESENTED.

By the PREMIER: Report of Fremantle Lunatic Asylum for 1896.

Ordered to lie on the table.

QUESTION—MULLEWA-CUE RAILWAY CONTRACT TIME, &c.

MR. GREGORY, for Mr. Rason, in accordance with notice, asked the Commissioner of Railways—1. Whether it was the intention of the Government to grant any extension of time for taking over from the contractors the Mullewa-Cue Railway. 2. If so, for what period, and whether the Government would insist upon the contractors providing a suitable and adequate train service, and accommodation equal in every respect to that which would have been provided by the Government had no such extension been granted. 3. Whether the Government would insist that the charges for the conveyance of passengers and freight, during the period of such extension, should not exceed the rates charged upon existing Government lines.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied: 1. Yes. 2. For six months; to 30th June, 1898. The contractors have agreed to the running of one train daily for conveyance of passengers and goods. 3. Rates for passengers and goods to be the same as those existing under Government tariff classification.