

count of the different system which was inaugurated. This will enable a number of clerks to be dispensed with at the head office. Further, 15 inspectors who were put off a little time ago have had to be reinstated and their salaries have to be taken into account. There are really only six extra inspectors. It is only a matter of a book-keeping entry. It might mean an increase of £1,000, but might mean a saving of £100,000 in the assets of the board.

Vote put and passed.

This completed the Estimates of the Agricultural Department.

[The Speaker resumed the Chair.]

Progress reported.

BILLS (3)—RETURNED FROM THE COUNCIL.

1. Nelson Rates Validation.
 2. Stamp Act Amendment.
 3. Roads Act Continuation.
- Without amendment.

BILL—BETTING SUPPRESSION.

Received from the Legislation Council and read a first time.

BILL—WHEAT MARKETING.

Returned from the Legislative Council with requested amendments.

ADJOURNMENT—SPECIAL.

The PREMIER (Hon. Frank Wilson -- Sussex) [11.29]: I move—

That the House at its rising adjourn until 3 p.m. to-morrow.

Question passed.

House adjourned at 11.30 p.m.

Legislative Council,

Thursday, 30th November, 1916.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Report by the Commissioner of Police for the year ended 30th June, 1916. 2, Report of the Royal Commission on Collie Coal. 3, Annual report of the Water Supply, Sewerage, and Drainage Department.

QUESTION—LAND ACT, ADMINISTRATION.

Hon. J. A. GREIG asked the Colonial Secretary: 1, Is the Colonial Secretary aware that the Lands Department are administering Section 2, paragraph (b), of the Land Act, 1915, contrary to the spirit of the Act? 2, Will the Colonial Secretary find out which officer or officers of the department have been responsible for such administration? 3, Will the Colonial Secretary ascertain, and let the House know the opinion of the Solicitor General on this section.

The COLONIAL SECRETARY replied: 1, No. 2, Answered by No. 1. 3, The Solicitor General's opinion is as follows:—"The proviso to Section 2 seems to me to be quite clear. The reduction in the price of the land has effect from the commencement of the lease, but the excess in the annual rent paid prior to the reduction of price is not repaid to the lessee, but placed to his credit. The lessee has not the immediate use of this credit. He continues the payment of rent, but at the reduced rate. So soon as the price of land is paid by means of such re-

duced annual rent, plus the amount of credit, the lessee is entitled to the grant. The effect is to shorten the term of the C.P. lease, just as if a lessee, after his lease had run for some years, paid up the balance of the purchase money and obtained a grant in fee simple before the expiration of the term of his lease."

BILL—SPECIAL LEASE (LAKE CLIFTON).

Read a third time, and *passed*.

BILL—SPECIAL LEASE (STIRLING ESTATE).

In Committee, etcetera.

Resumed from the previous day; Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clause 7—Power to grant dredging lease: [An amendment had been moved by Hon. J. F. Allen to strike out of Subclause 2 the word "shall" and insert "may in the discretion of the Minister for Lands."]

The COLONIAL SECRETARY: I ask Mr. Allen to temporarily withdraw the amendment in order that another may be submitted.

Hon. J. F. ALLEN: I am quite prepared to withdraw the amendment.

Amendment by leave withdrawn.

The COLONIAL SECRETARY: I move an amendment—

That the following be added to stand as Subclause 4:—"The license shall be granted subject to the conditions that dredging operations shall be carried out under the supervision and to the satisfaction of the Minister for Lands or such other responsible Minister of the Crown as the Governor may appoint and that navigation shall not be interfered with and for the prevention of the pollution of the river and the accumulation of silt upon, or damage to or disfigurement of the foreshore; and the Governor may make regulations binding on the licensee for the due observance of such conditions."

This has been drafted by the Parliamentary draftsman and I understand it meets with the objections which have been raised.

Amendment put and *passed*.

Bill reported with an amendment, and the report adopted.

Read a third time, and returned to the Assembly with an amendment.

BILL—KINGIA GRASS TREE CONCESSION.

Second Reading.

Debate resumed from the 28th November.

Hon. W. KINGSMILL (Metropolitan) [4.40]: I have only a word or two to say upon this Bill. I intend to suggest to hon. members that the Bill should be referred to a select committee. The disclosures which have been made by Mr. Allen are interesting in the extreme. They are interesting in the first place because it would appear, according to the statements which have so far been uncontradicted, that we have in the Kingia grasstree a very much more valuable asset than any of us in our wildest dreams supposed. If that is so, instead of giving to one company or one set of individuals what would appear to amount to about 90 million pounds, I think it is a fair thing that the select committee should devise some scheme whereby a number of companies should be benefited to this extent. The circumstances relating to and surrounding the forfeiture of the lease, and the application by apparently one of the same set of promoters for the same lease are reminiscent to my mind of collusive forfeiture in gold mining and other industries. I may be doing an injustice to these gentlemen; I hope I am. I understand that some question has been raised as to a Minister of the Crown being interested in the proposal. If he was a shareholder in the company which was in existence and which was formed to work this Kingia grasstree, I should say that the best thing in the world for the Minister would be that this Bill should not go through. If it does one would not think that the shareholders of the company would have very much interest in the subsequent proceedings. It goes to strengthen the argument which I put forward on another of these concession Bills, that these Bills should be introduced as private measures, and that bodies of individuals should not come here and make

Parliament carry out the work they ought to pay for. The fees for private Bills are not very heavy, but they may deter what may be termed as frivolous attempts to make use of Parliament. Parliament is here for the benefit of the community, and undoubtedly the fostering of our industries is for the benefit of the community. At the same time in a case of this sort, it appears to be for the benefit of a private set of persons, and if a private set of persons wishes to get a concession, such persons should at least take the trouble to see that Parliament is fully seized of all the conditions appertaining to the concession before the application is granted. "We know well—and I am not blaming the leader of the House—that any information about these Bills has to be absolutely dragged out of the departments. That is not as it should be. If a Bill is drafted as a private measure, a select committee can sit on it, and a case for and against is made out and then Parliament, unbiassed by party feeling, can consider as to whether the Bill should, or should not, be passed. If these concessions are worth applying for it is worth the while of the people interested to pay the necessary fees associated with the introduction of private Bills, just as is done in England and in other parts of the Dominions. This course, moreover, takes a great deal of responsibility from Ministers, as it saves them a great deal of time in their offices, and, furthermore, obviates the necessity for them, when they leave their offices, having to look around the corner of the door to see whether a would-be concessionaire is waiting in the corridor. I should like to see the step taken in connection with the measure before the House of referring it to a select committee, which could inquire, firstly, into the extent of this new found wealth of ours, and, secondly, into the circumstances surrounding the failure of the first application. I support the second reading of the Bill.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East—in reply) [4.48]: "Mr. Kingsmill has anticipated a suggestion that I intended to make, that the Bill should be allowed to pass the second reading and then should be referred to a select committee. There will be no obstacle to that

select committee having ample time—a couple of months, in fact, if they want it—to ascertain from the people interested in Melbourne as to whether anything is being done which should not be done in regard to this particular application. The Government have no desire to rush the Bill through and if the select committee is appointed, they can make their investigation and report to the House when the session is resumed in January. I would like to say with reference to the interest that a member of the Government was reported to have had in the concession, that so far as I have been able to ascertain them, the facts of the case are that a gentleman who is now a member of the Government was interested, only to a very small extent, as a shareholder in the company whose rights have been forfeited, and neither he nor any other member of the Ministry has now any interest in the concession which is being applied for. I desire to make that clear in order to prevent any misconception in the public mind. I hope the House will agree to the appointment of the select committee.

Question put and passed.

Bill read a second time.

Referred to a Select Committee.

Hon. J. F. ALLEN (West) [4.51]: I move—

That the Bill be referred to a select committee consisting of Mr. Kingsmill, Mr. Drew, and the mover, with power to adjourn from place to place and report at the first sitting of the Legislative Council in 1917.

Hon. J. F. Cullen: Can the committee sit during the adjournment without special leave?

The PRESIDENT: The select committee can sit during any adjournment.

Hon. E. M. CLARKE (South-West) [4.52]: I desire to second the motion for the appointment of the select committee. From the huge figures stated the Kingia grass-tree appears to have an immense value, and there is enough in the areas mentioned to keep not one but three or four companies going. As far as I can remember, it grows in no fewer than three different localities and it is obvious that a great portion of those lands is owned by private persons.

The concessionaire will, therefore, also have the privilege of dealing with the owners of the lands on which this tree grows. The tree grows, to a great extent, between the foot of the hills and the coast on that area of land which was granted to a company known as the Peel Company. It would be a pity, if the tree is so valuable and, knowing as I do the extent to which it grows, to allow only one company to lock up all the areas, whether they use them or not. It would be to the benefit of the community that all these areas should be turned to account and it is the sort of thing that we want to encourage. I have pleasure in seconding the motion and I think the select committee should take into consideration the question whether it is wise to grant great areas to one company only.

Question put and passed.

BILL—FLINDERS BAY-MARGARET RIVER RAILWAY.

Second Reading.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [4.55] in moving the second reading said: This is purely a formal Bill, which is being introduced on the advice of the Solicitor General who is also the Commissioner of Titles. It is a short measure to confirm the purchase of the Flinders Bay-Margaret River Railway and vest the railway in his Majesty. It will be remembered that in 1913 a Bill was passed authorising the purchase of this railway from Millars' Timber and Trading Company and the purchase was made in accordance with that authorisation. The object of the measure now is to secure the vestment of the property in the Crown and to avoid the expense of getting a transfer for the various parcels of land on which the railway line is built. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

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

Read a third time and passed.

BILL—STATE SALARIES (COMMONWEALTH TAXATION).

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 1 to 4—agreed to.

New Clause:

Hon. J. W. KIRWAN: I move—

That the following be added to stand as Clause 5:—"This Act shall apply to the salaries of all officers of the State of Western Australia as from the first day of July, 1915."

The new clause will make the Bill retrospective. There is very good reason why this should be done. If the Bill is not made retrospective it will be placing a premium on the action of those persons who, although morally bound, as citizens of the Commonwealth, to pay the tax last year, refused to do so on the score that there was no legal compulsion. On the second reading Mr. Cullen contended that the Bill could not render legal the imposition of the tax by the Commonwealth. I should have thought even Mr. Cullen would know that the State Parliament has power to surrender to the Commonwealth any of its powers. Furthermore on the question of the legality of the action we are now taking, we have the authority of all those gentlemen who attended the Premiers' Conference at whose instance the Bill was introduced. Again, I understand that the Bill is a copy of the Act passed in Victoria. So, with all due respect to Mr. Cullen as a constitutional authority, I would prefer to accept the opinion of those who attended the Premiers' Conference, and the legal advisers of the States of Victoria and Western Australia.

Hon. J. F. CULLEN: Is this proposed new clause within the powers of the Chamber? Is it not out of order on the ground that it would represent an increase of a tax?

The CHAIRMAN: I do not think so, inasmuch as the proposed tax is not levied by this Chamber or by this State, but by the Commonwealth. The proposed new clause simply widens the application of the Bill. I think it is in order.

The COLONIAL SECRETARY: I hope the Committee will not agree to the proposed clause. The question was considered

by the Government. I am inclined to the view expressed by Mr. Cullen, that there cannot be any moral obligation in the matter of paying taxes. The only people I am considering are those civil servants who did not pay the tax last year. To make them pay a double tax in one year might inflict a hardship on them. They were under no obligation to pay the tax.

Hon. J. W. Kirwan: What about those who did pay?

The COLONIAL SECRETARY: I realise there is no possibility of their getting their money back; but if, through carelessness, I pay something for which there is no legal demand, I am not entitled to turn round and say to the other fellow, "You must pay too."

Hon. J. W. Kirwan: Is it wise to encourage the evasion of the payment of taxes?

The COLONIAL SECRETARY: I do not think there is much point in that. We will never encourage people to pay taxes that they are not legally bound to pay. In Victoria the same Act was passed, but was not made retrospective because it was put through in time to apply to the first year of the Federal tax. In South Australia an Act has been passed recently and has been made retrospective. I hope the proposed new clause will not be agreed to.

Hon. J. E. DODD: Although there may not have been any legal obligation to pay the tax, there was a moral obligation. What justice is there in asking one section of the community to pay a tax while another section of the community is allowed to go free? If the framers of the Federal Constitution could have foreseen the present state of war they would have provided for the compulsory payment by everyone of his fair share of taxes. By far the greater number of civil servants paid this tax. Why then should others be allowed to get out of it? I hope the new clause will be carried.

Hon. J. F. CULLEN: It is hard to understand Mr. Kirwan's obliquity of view. The position is this: A number of civil servants who did not know the law paid the tax. It was simply an act of supererogation. Now Mr. Kirwan says "Let us compel the others to do the same."

Hon. J. W. Kirwan: No; to do their duty as citizens of the Commonwealth.

Hon. J. F. CULLEN: Acts of benevolence are not necessarily matters of duty. In most cases they go beyond duty. There is no duty in this instance. I hope the Committee will not be led aside from the proper course by legislating with oblique vision and compelling acts of supererogation.

Hon. A. SANDERSON: I hope the new clause will be withdrawn. The only people who can decide the constitutional question which has been raised are the judges of the High Court. If the new clause is pressed to a division I shall vote against it, though with much regret.

Hon. V. HAMERSLEY: I support the new clause, in view of the South Australian precedent. I fail to see why people drawing salaries from the State should escape the Federal income taxation. The State servant exercises his Federal franchise, and should bear his due proportion of Federal expenditure. It is grossly unfair that payment of taxes should be dodged on some legal quibble.

Hon. R. G. ARDAGH: I support the new clause. The officers of the Federal Taxation Department must have thought that everyone was liable, because they sent out notices to all members of the State Parliament and to all State civil servants.

Hon. J. W. KIRWAN: The only objection which has been raised to the amendment is that I have said the individuals referred to in the Bill are morally bound to pay this Federal taxation. Mr. Cullen, Mr. Sanderson, and the Colonial Secretary have disputed that contention, pointing out that the High Court has said something different. However, there is something higher than even the law of the land. Whilst we all respect the law, we know that it is often morally wrong, and that in the courts decisions contrary to morality are frequently given. Every citizen of the Commonwealth should abide by his Federal responsibilities.

Hon. J. F. ALLEN: I oppose the new clause. I take it that the Bill has been introduced purely as an act of charity to the Commonwealth. Further, I presume the Commonwealth have asked for the Bill.

Hon. J. W. Kirwan: The last Premiers' conference agreed to the introduction of this Bill in the various States.

Hon. J. F. ALLEN: Because I have been foolish enough to pay something for which

I am not legally liable, I do not feel that I should ask others, who are wiser than myself, to do the same.

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

Ayes	..	..	..	8
Noes	..	..	..	14
				—
Majority against	..	..	6	—

AYES.

Hon. R. G. Ardagh	Hon. J. A. Greig
Hon. J. Cunningham	Hon. V. Hamersley
Hon. J. E. Dodd	Hon. J. W. Kirwan
Hon. J. M. Drew	Hon. J. W. Hickey
	(Teller.)

NOES.

Hon. J. F. Allen	Hon. R. J. Lynn
Hon. H. Carson	Hon. C. McKenzie
Hon. E. M. Clarke	Hon. G. W. Miles
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. Duffell	Hon. A. Sanderson
Hon. J. Ewing	Hon. C. Sommers
Hon. J. J. Holmes	Hon. J. F. Cullen
	(Teller.)

New clause thus negatived.

Title—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time and *passed*.

BILL—LICENSING ACT AMENDMENT.

All stages.

Received from the Legislative Assembly and read a first time.

Second Reading.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East [5.32] in moving the second reading said: The necessity for this Bill arises from the fact that the Government, and I believe the public generally, are satisfied that an amendment of the Licensing Act as far as wine licenses are concerned is required. It is not proposed to introduce extensive amending legislation immediately, and therefore I do not think it necessary for me to go into the details as to the necessity for amending legislation for the control of these wine licenses. The Government have come to the conclusion that if a Bill were introduced at the present time for extensive amendment of the Licens-

ing Act, it would probably take some time to pass through Parliament, and it is the desire of the Government that when amending legislation is introduced it shall be comprehensive in character. The object of this Bill is to deal more particularly with the question of Australian wine licenses. Those Australian wine licenses are granted or renewed annually, in December, and the existing licenses are due for renewal at the forthcoming meeting of the licensing court to be held next month. If they are renewed, it will be impossible to get any effective legislation on this question during the next 12 months. It is the intention of the Government to give this matter full consideration and to introduce an amending Bill when Parliament meets in January. This short Bill provides that wine licenses issued at the licensing meeting held in December, 1916, or any adjourned meeting of that annual licensing court, shall be granted to have effect until the 31st March, 1917, only. It was originally thought that this object might be achieved by arranging that the licenses to be renewed next month should be so renewed for three months only; but the legal advisers of the Government say that is not possible, that under the Act licenses may be renewed only for periods of 12 months. Consequently, if Parliament does not pass this short Bill, licenses will be renewed in December of the present year and it will be impossible thereafter for Parliament to pass any legislation which will have effect during the whole of next year. If Parliament pass this Bill licenses which are renewed in December will be effective only until March, and in the meantime Parliament will have an opportunity of considering an amending measure I beg to move—

That the Bill be now read a second time.

Hon. C. SOMMERS (Metropolitan) [5.36]: I should like to ask the Colonial Secretary if it is intended that this Bill shall be limited only to wine shops, or whether its operations will also include fruit shops in which wine is sold.

Hon. A. SANDERSON (Metropolitan-Suburban) [5.37]: I strongly support the Bill, and though it is in the nature of a temporary measure only, I welcome it as an indication that required legislation dealing

with the liquor trade is to be introduced at an early date.

Hon. R. G. ARDAGH (North-East) [5.38]: I welcome this Bill for the reason that I hold very strong views on this question of wine licenses. In my opinion many of these wine shops are a menace to the community.

Hon. J. F. CULLEN (South-East) [5.39]: The introduction of the Bill ought to serve as a notice to all people interested in wine licenses that Parliament is about to take the question up seriously, and that Parliament's consideration of the question in the public interest would be held paramount.

Hon. E. M. CLARKE (South-West) [5.40]: I beg to support the Bill, but it is not my intention to speak upon it at all. I shall endeavour to secure the insertion of a short amendment at the proper time.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East—in reply) [5.41]: With regard to the question raised by Mr. Sanderson. I would point out that legislation is already enacted preventing wine shops from selling after hours, but it has proved ineffective. There can be no doubt that the wine licenses have, up to the present time, been the subject of a good deal of abuse and that abuse arose principally from the fact that wine sellers are allowed to carry on, and have carried on, other classes of business, and particularly because they are allowed to remain open after the hours for the sale of liquor.

Hon W. Kingsmill: It is prohibited under the Act.

The COLONIAL SECRETARY: I am speaking of wine and fruit shops. In such places the wine is exhibited in bottles. Many other classes of business are also carried on. In those shops where wine and fruit are sold the premises are open, after the closing hour for hotels, for the sale of other things and wine is freely exhibited; and no doubt some of it is sold. I do not wish to suggest that all those engaged in this class of business are not closely observing the law, but there is no doubt some of them do take advantage of the opportunity thus afforded them. As I said at the outset, I do not intend to discuss this matter of licensing

legislation in detail because I think we are all satisfied that some measure of amending legislation is necessary and my only desire is that the door shall be kept open so that that legislation may be introduced at an early date.

In Committee, etcetera.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Australian Wine License:

Hon. E. M. CLARKE: I move an amendment—

That the following be added to the clause:—"Provided that in the event of no new legislation being enacted before such date dealing with such licenses, the same shall be renewed for the balance of the period of 12 months on payment of the balance of the license fee."

Hon J. F. CULLEN: The effect of this amendment will be that, in the event of no further legislation being enacted, the license shall be extended. I have grave doubts whether that course would be advisable.

Hon. J. EWING: In my opinion the amendment would have a good effect. If the licenses are not otherwise prohibited, then I think they should be extended. It seems to me only a fair thing.

Hon. E. M. CLARKE: I cannot see how there can be any objection to this amendment. The amendment would take effect only in the event of no further legislation being passed and it is in no way hostile to the Bill.

Hon. J. F. CULLEN: The clause as it stands does not prevent a further consideration of this question before March. In the event of no further legislation being introduced, the matter could be given consideration then.

Hon. A. SANDERSON: I do not see that the amendment is at all necessary. If the Government find they are unable to bring down legislation in January or February, they can introduce another Bill to extend the period of the licenses, which is now limited to March next.

Hon. J. W. KIRWAN: I think that the amendment is perfectly reasonable. The hon. member wants to establish the position

that if the legislation which has been foreshadowed by the Government is carried into effect there will be no necessity for the proviso to come into operation. This proviso merely says that if the legislation for some reason or another is not brought forward or is not carried into effect the existing state of things shall continue.

Hon. J. M. DREW: I hope the amendment will not be agreed to. This House is responsible for the defects in the existing law dealing with wine shops. The previous Government brought in a Bill dealing with the question, and amendments were moved which practically destroyed the measure from our standpoint. The effect of Mr. Clarke's amendment will be to give licensees a statutory right for twelve months, no matter what their conduct might be.

Hon. J. W. KIRWAN: If the proviso is not included and the legislation which is foreshadowed is not carried what will happen will be that the various wine licenses throughout the State will have to come up for reconsideration at the next quarterly meeting of the licensing courts. This will mean additional labour and possibly expense, and I think it is much better that the existing state of things should be allowed to continue.

Hon. C. SOMMERS: If the Government are not able to carry their proposed legislation in the new year, it will be necessary to extend the Bill for another three months. It may happen that the Government will not carry their proposed legislation. It is better to let the Bill pass as it is, and if a further extension is needed a small measure can be brought down to carry out that object.

Hon. J. E. DODD: I support the view expressed by Mr. Sommers and Mr. Sanderson. If the proviso is put in it will be an incentive for the Government not to come down with any legislation whatever. I hope the Bill will be left as it is.

The COLONIAL SECRETARY: I hope the proviso will not be carried. I see no necessity for it. The holder of a license will have both avenues of protection open to him. If any amending legislation is passed he can go to the quarterly court and get a renewal, and if a comprehensive Bill is not passed it will be only a matter of submitting a short measure to continue the operation

of the Act. I hope the Bill will be carried as it stands. I suggest that there might be a doubt in the minds of some of the licensing benches as to the advisableness or otherwise of renewing some of the wine licenses. This legislation having been passed it is quite possible that these benches may be influenced to look at the matter in this way, that Parliament is going to introduce new legislation, that these licenses are only for three months and that they will give the licensee the benefit of the doubt and allow him to continue. Then Parliament might neglect to carry this legislation and the effect might be that the license would be renewed for twelve months without that close investigation which the Bench would otherwise have given to it.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Read a third time and passed.

SITTING SUSPENDED.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [5.53]: With your permission, Sir, I would like to say that there are two measures from another place which it will be necessary for this House to wait for, namely, the Wheat Marketing Bill and the Appropriation Bill. I have no doubt the Wheat Marketing Bill will be ready for us on our return after tea. So far as the Appropriation Bill is concerned, I hope then to be able to intimate to hon. members what will be the most convenient course in their own interests of dealing with that measure, whether we should do it by waiting a little later or sitting to-morrow at some time most convenient to hon. members. I, of course, wish to suit the convenience of hon. members in every way.

Sitting suspended from 5.55 to 7.30 p.m.

BILL—WHEAT MARKETING.

Assembly's Message.

Message received from the Legislative Assembly notifying that amendments Nos. 1, 3, 4, and 5 requested by the Council had been made, but that amendment No. 2 had not been made, now considered.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

No. 2.—Clause 4, Subclause (1): After the word “persons,” in line two, insert “one of whom has had practical experience in wheat growing, and one who has a knowledge of the milling industry:”

The COLONIAL SECRETARY: I move—

That the amendment be not pressed.

The select committee advised the making of two amendments, one of which was to strike out “four persons” with a view to increasing the number to five. That was accepted. It was also desired that one of the members of the advisory committee should be a practical farmer, and that the other should have a knowledge of the milling industry. The select committee thought it wise to have that specified in the clause and an amendment was made accordingly. In another place it has been decided to strike out those words specifying that one member should be a practical farmer, and that the other should have a knowledge of the milling industry. I do not think that the striking out of those words is of any importance whatever. I have no doubt, however, that the Government, knowing the wishes of the select committee, will take the matter into account when appointing the Advisory Board.

Hon. C. SOMMERS: It was just a suggestion to the Government that was made by the select committee that one of these gentlemen should be a practical farmer and that the other should have a knowledge of the milling industry. However, I am satisfied with the explanation of the leader of the House that the Government will have regard to the wishes of the select committee when appointing the advisory board.

Question passed; the Council’s amendment not pressed.

Resolution reported, and the report adopted.

In Committee.

Resumed from the 29th November.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Title—agreed to.

Bill reported, and the report adopted.

Third Reading.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [8.2]: I move—

That the Bill be now read a third time.

Hon. A. SANDERSON (Metropolitan-Suburban) [8.3]: While I have been in this House I have endeavoured not only to obey the Standing Orders and the rules and regulations of this Council, but I have tried also to follow out the instructions and meet the wishes of yourself, Mr. President, and other older members regarding the traditions and customs of this Council. And I am well aware that the procedure I am now adopting, of speaking on the third reading of a Bill, is objectionable in many respects. But I regret I have no alternative. I refrained from speaking on the second reading of this Bill because I was under the impression that I should have an opportunity later on of dealing with this matter. I shall not delay the House at any length with the remarks I have to offer on the Bill. If this question of dealing with the wheat crop of Australia is to be regarded as it should be, and if this Bill can be regarded as a war measure, I think it is very much to be regretted that the whole thing, from start to finish, was not handed over to Federal Government. If, on the other hand, this is a question of the protection of our farmers, apart altogether from the war, then I say that the trouble created by the procedure is not finished yet, and threatens to lead the country into still further trouble. The Bill is most objectionable to me. It violates every principle that I hold of value in the conduct of public affairs. It is an extravagant Bill, and the liabilities laid on the shoulders of this country under it are very heavy, and threaten to become more severe than they are even at present. It is a repudiation of contracts. I do not propose dealing so much with that aspect, because I recognise at once the difficulty it places us in. I want to be fair in any criticism I have to offer upon this Bill, but when I come to the question of the pro-

cedure which has been adopted, I must be most emphatic in my objection. It is to be regretted, but it is very necessary that the blame should be put on the proper shoulders. Do not let it be imagined that I stand alone in this country, or even in this Chamber, in making a protest against the procedure which is being adopted in regard not only to this, but also to other measures. The financial and commercial sections of the community looked to the Government to restore some kind of confidence. The Government themselves have claimed that they would restore the confidence of the financial, commercial, and producing community. It distresses me to think that a party to which I have belonged, and to which I hope I still belong, the Liberal party, would violate political principles as they have done in this Bill, and that they would conduct the procedure of public business along such unsound lines. I do not propose using my own words on this subject, but shall read the remarks of members of the Perth Chamber of Commerce, who surely are entitled to be heard on such matters. If there be any individuals or any body entitled to speak with authority on this question of the conduct of public business and the manner in which it should be conducted, I say it is the members of the Perth Chamber of Commerce. What did they say at a meeting held the other evening? In introducing the business the president said—

The principal business that evening consisted in the consideration of certain Bills which had been hurriedly introduced into Parliament by the Government principally for the purpose of raising revenue. Whilst they must all be ready to admit that further revenue was required to assist in restoring to equilibrium the deplorable condition into which the finances of the State had been allowed to drift, as commercial men it was within their province to examine these proposals to ascertain how far they would affect commerce, and whether they were likely to meet the expectations of those responsible for their introduction. It was a pity that the State Government, at least in these times, did not follow the example of the home Government, and consult the commercial men of the State, through the Chamber of Commerce, before

introducing to Parliament Bills of this nature.

Then he went on to say—

Unfortunately the Bills before them that night had been introduced so hurriedly, and they were so late in being able to procure copies of them, that, although the committee had held one or two meetings to consider them, they had not been able to give them all the time for consideration which their importance demanded.

I think those words fully justified, and if they were justified in respect of a taxation Bill they are more than justified in relation to this Wheat Marketing Bill. If members will turn to page 39. of the Notices and Orders of the Day, they will find that on November 2nd—I ask hon. members to notice the date—the Colonial Secretary moved in this Chamber that so much of the Standing Orders be suspended as is necessary to enable a Bill entitled the Wheat Marketing Bill to be passed through all stages at this day's sitting. When I saw that on the Notice Paper I thought it was objectionable, but that possibly there was no alternative, and that it might be when we heard the whole story of what had been done, that it was absolutely essential that the motion for the suspension of the Standing Orders should be carried. I am not sure how far I am entitled to speak. I want to keep within the strictest limits of my rights in this matter, and to show every consideration not only to your ruling, Sir, but to your wishes and the wishes of other hon. members in this Chamber. We know that the Bill was passed in another place—and then mark the extraordinary procedure which was adopted! It was then referred to a select committee. This procedure involves that members of this House should follow what was going on in both Chambers. Three or four gentlemen who were vitally and, I think I may say, financially, interested in this Bill came up to this House, as they were perfectly entitled to do, and interviewed hon. members. They pointed out that if a certain clause were passed—Clause 7—it would be grossly unfair to them. The effect of their representations in other quarters was that that part of the Bill was referred to a select committee after the third reading had been

passed. I think it a most unusual procedure to refer a Bill to a select committee after the passing of the third reading. There was no power then to make any necessary alteration. This House was to be used as a tool. Speaking for myself, I was shocked when I heard what those people told me in the lobby of the House. I told them I would give no opinion whatever offhand, that I was responsible to no one but my constituents. But, unfortunately, my experience has shown me that representations put in the most clear and orderly manner were swept aside. I said, "Do not worry about me. I will look into the matter and then I will give you my opinion. You had better go and see other members for there must be some who have not got more knowledge on the subject than I have. It is a perfectly proper method of conducting affairs for you to make representations to other members." They said, "We are interested in this particular clause." I took upon myself to go most carefully into the matter of Clause 7 in order to ascertain what the position was. I came to the conclusion after consulting several authorities and looking most carefully into the matter myself that it was a violation of contract and should never have been permitted, by a Liberal Government at any rate, to appear in one of their measures. What was the result of that select committee in another place? I am speaking now of small methods of procedure. Some of us were able to get a copy of the report of the select committee in another place at half-past four yesterday afternoon. It was through the courtesy of Mr. Greig that I had a look at his report. Everyone knows that in connection with the select committee it is not only advisable, but almost essential to see the evidence which has been taken as well as the report. I have not seen the evidence up to the present time. I, at once, without the slightest hesitation acquit the leader of the House personally of this regrettable incident. I am aware that an enormous amount of work falls upon the leader of the House, and that the fullest consideration and sympathy must be extended to the Minister representing the Government in this Chamber owing to the multiplicity of affairs which he is called upon to deal with. The Government had notice and

we had notice of the urgency of the matter on the 22nd November, proof of which will be found by the suggested suspension of the Standing Orders, and surely it should have been the business of the Government to let members have all the papers which they wished to see; otherwise what is the value of the discussion at all? The procedure adopted in another place is most unbusiness-like and leads to the gravest suspicion being aroused in all sections of the community. That is evidenced by the complaint of the Chamber of Commerce. To revert to our own affairs in this Chamber, a select committee was appointed and I called attention to Standing Order 272, which states that no member shall sit on a select committee who is personally interested in the inquiry before such committee. It raised a difficult and delicate matter which you, Sir, disposed of. I do not wish to emphasise the point except to show hon. members and the country this: that putting aside for a moment the war measure of the Federal Government and coming back to the State interest which we have in this affair, I have never seen even amongst the mining industry—and they are a pretty voracious class of the community—such a barefaced attempt to use legislative power and authority to benefit one section of the community. I am quoting the words of one of the members of the select committee as follows:—

I speak purely in the interests of the farmer. This Bill is to protect the farmer.

I am out to protect the farmer.

It is that reason that makes this Bill so dangerous, and here again I am dealing with the procedure of appointing that select committee purely to protect and look after the interests of the farmer, and it is pretty evident from the report of the committee that they were out for nothing else. I do not think it reflects very much credit on the Country party. If members of that party think that they can establish the foundations of that party on the lines of such narrow class selfishness, then the whole history of British countries and British institutions is against them. I do not blame the Government, although one would have thought that they would have taken a pretty strong hand in this procedure of appointing such a

select committee. As I pointed out last night it is very difficult to tell who is in charge of the Bill, whether the Government or the select committee. I am most unwilling to make even these few remarks. The protest I am making is not so much against the Bill, although the protest I wish to make, and do make, and shall continue to make against the whole system of this wheat business will be very considerable. Let me remind hon. members in order that I may make myself most clear to them, that I believe that if this wheat business had been handled by the Federal Government as a war measure it would have been very much better for all parties concerned, including the farmers. It is impossible from my point of view to conduct the affairs of this country on sound business lines and sound political lines unless we have a strong central Government to conduct them. I am perfectly certain that all the procedure which has been adopted in this State would never have been tolerated for one moment in the Federal Parliament. I would be the last to attempt to oppose, or block, or even delay the decision of the House, which I take it is a well matured consideration on this matter of great public importance. My last protest is against the procedure which has been adopted with regard to not giving members an opportunity of looking into this matter for themselves, and of seeing the papers which they are not only entitled to see but without which they are unable intelligently to discuss the measure before them. I can scarcely expect that the leader of the House will pay that attention which I would desire to the comments and criticisms which I have found myself compelled to make. I would ask him, because we have not finished this session, to consider this protest of the Chamber of Commerce. The Stamp Act is through already without the slightest discussion in this Chamber, and the commercial and financial classes, who naturally look to this Government to pay some attention to their opinions and representations, are making this public protest which appeared in yesterday's *Daily News*. It is as follows—

Unfortunately the Bills before me that night had been introduced so hurriedly, and they were so late in being able to procure copies—

We could not procure copies at all.

of them, that, although the Committee had held one or two meetings to consider them, they had not been able to give them all the time for consideration which their importance demanded.

That is the protest which I wish to make to-night. This is not only my own opinion on the subject, but it is the protest which has been publicly made by the Perth Chamber of Commerce.

Hon. C. SOMMERS (Metropolitan) [S.27]: I agree with the remarks of Mr. Sanderson, inasmuch as the public are concerned that they get very little time indeed to know what is going on in Parliament. Notwithstanding the splendid reports that the Press are able to give of the proceedings of Parliament it is almost impossible for the public as a body to follow sufficiently closely the decisions which are taking place on the various Bills, and recognise what is going on. In going to my home from the City for the week end people only just realise that a Bill is before the House, and are surprised to hear from me that it is passed. In the back country it takes a day or two to get a newspaper and our legislation is passed before people are alive to what is going on. I can understand that the Chamber of Commerce have just cause for complaint. It is difficult probably for the Government to do all that they desire to do in the way of giving full publicity to these Bills. It is most desirable in the interests of the public that further time should be given for the general public to assimilate these Bills, and have some chance of protesting upon them if they so desire. In the hopes that the leader of the House will induce his Government to do something further for the farmer—

The PRESIDENT: The question is that the Bill be read a third time.

Hon. C. SOMMERS: This is the last opportunity I shall have of speaking upon this Bill. When the pool was first established the Fremantle Harbour Trust were charging a monthly storage for the stacks of wheat there both inside and outside the shed of £2,400 monthly. That ran on for some months and then it was reduced to a sum equal to £1,100 to £1,200 per month, according to

the quantity of wheat stored. Later on, it was reduced to £500 a month, and during about 10 months some £10,300 has to be paid out of the pool to the Fremantle Harbour Trust for the storage. The Fremantle Harbour Trust have again introduced that from the 1st December. The rates will go back to about £1,200 a month. There is no new wheat coming through. It is not improving in quality, although it has not deteriorated to a very great extent. Some of the bags have been weathered, but the charges of from £1,000 to £1,200 a month for the use of the sheds and the stack sites seem to be an expense that the pool ought not to have to incur. This enormous levy on the industry is not warranted, because such a sum would pay interest and sinking fund in connection with the facilities which the Fremantle Harbour Trust are providing, and is almost double what they are entitled to. I hope in the interest of the farmer that this charge may be brought down to something within reason.

Hon. J. F. Cullen: And the railway rates also.

Hon. C. SOMMERS: Yes. The Railway Department is charging something like £200 per month for the storage at their sidings. Of course the agents are paying that out of their commission.

Hon. H. Millington: Will the Minister tell us when the Bill is to come into operation?

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East—in reply) [8.32]: I can assure Mr. Sommers that the points raised by him will be taken into consideration by the Government. In reply to Mr. Millington I may say that the Bill will become operative when assented to by His Excellency. I do not propose to make any extended reference to the remarks of Mr. Sanderson so far as they affect the merits of the Bill. I am satisfied to leave it to the common sense of hon. members to say that the Bill is necessary and that Parliament has done its best to frame a Bill suitable to the circumstances. But I feel I am called upon to say a word or two in reply to the attack of the hon. member regarding the methods adopted by the Government in conducting proceedings in Parliament. In respect to

the protest made by members of the Chamber of Commerce, I understand it applies to Bills which are at present on the Notice Paper in another place, and which this House will not be called upon to deal with for a couple of months. If that may be regarded as giving the people no opportunity of considering those Bills I do not know what is desired.

Hon. A. Sanderson: The protest related to the Stamp Act.

The COLONIAL SECRETARY: In regard to the Stamp Act Amendment Bill, it was taken through both Houses in the ordinary way, and ample time was afforded for making any protest. I would ask the hon. member and other hon. members to contrast the position the present Government are in with that usually occupied by Governments called upon to conduct the business of Parliament. The practice is for Parliament to assemble some time in June. When Parliament assembles Ministers have had seven months of recess in which to prepare their legislative programme, and they can look forward to a session of five or even six months in which to submit that programme. In the present instance, owing to circumstances over which our Government had no control, it was not until the end of July that Parliament assembled. There was then a change of Government and Ministerial elections which carried us to mid-September. Then the Referendum campaign was initiated, and by the common consent of members of both Houses it was deemed desirable that the whole of October should be devoted to that purpose. I am glad to say that the members of the Government, in common with the members of Parliament, throwing themselves whole-heartedly into that endeavour, and splendidly assisted as they were by the citizens of the State, achieved a result that will stand to the honour of Western Australia in future years, a result that has made Western Australia the envy of large sections of the people in the Eastern States, a result that has done us credit in the eyes of Great Britain and the Empire at large. On reassembling at the end of October we were confronted with the desire of the Prime Minister that the Premier should attend an important conference on finance during November. The Premier

represented that his obligations to Parliament practically prohibited him from doing as the Prime Minister suggested. The Prime Minister replied, again stressing the importance of the conference, and pointing out how essential it was in the interests of all the States and of the Commonwealth that each State should be represented, and he fixed the time of the conference for the 8th December in order that the Premier of this State might be present. In consequence the Government were left with only three weeks in which to pass legislation which they deemed to be absolutely necessary. In all these circumstances is it to be expected that we could carry through the procedure in the way ordinarily adopted? In respect to this particular Bill I think that if the hon. member contrasts the action of some of those whom he has condemned with his own he will not have much to congratulate himself upon. The hon. member has seen fit to attack the members of the select committee, and has suggested that the Government erred in not attempting an independent committee. That select committee consisted of one supporter of the Labour party, two supporters of the Liberal party and two supporters of the Country party. Those five gentlemen, throwing party considerations aside, devoted their time day after day for a fortnight in an honest endeavour to make the Bill the best instrument possible in the interests of the community. They did a better service than did the hon. member, who has confined himself purely to hostile and destructive criticism. I appreciate the hon. member's reference to myself. I can realise that because of our old and strong friendship the hon. member doubtless feels himself under an obligation to dissemble his love. He had made an appeal to me as to what I shall do in future. May I conclude with making to him this appeal: That in future he will extend to me that measure of fairness which I know him to be incapable of denying to an enemy.

Question put and passed.

Bill read a third time and *passed*.

ADJOURNMENT—SPECIAL.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [8.38]: I regret

to have to inform hon. members that it will be necessary to impose upon them to the extent of asking them to sit to-morrow afternoon to pass an Appropriation Bill prior to the adjournment. I move—

That the House at its rising adjourn till 1.30 p.m. to-morrow.

Question put and passed.

House adjourned at 8.40 p.m.

Legislative Assembly,

Thursday, 30th November, 1916.

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The SPEAKER took the Chair at 3 p.m., and read prayers.

QUESTION—PRISON WARDERS' QUARTERS AND ALLOWANCES.

Mr. CARPENTER asked Hon. J. D. Connolly (Honorary Minister): 1, How many warders at the Fremantle prison are living outside official quarters? 2, What sum per annum is allowed in lieu of quarters, and what was the cost of these allowances to the State for the last financial year? 3, What progress has been made with the proposal for using the prison quarry reserve as a site for officers' quarters?