

*That the debate be adjourned until Tuesday next.*

Question passed.

# RETURN — RAILWAY FREIGHT AND HAULING COSTS, GOSNELLS-MIDLAND.

Order of the Day read for resumption of debate on motion moved by Mr. Robinson as follows:—

*That a return be laid upon the Table of the House showing (a) the number of tons of Collie coal brought from stations south of Gosnells to Midland or passing through Midland Junction to any station beyond Midland (all lines) during twelve months ended 30th June, 1915; (b) the number of tons of railway sleepers and timber brought from stations south of Gosnells to Midland or passing through Midland Junction to any station beyond Midland (all lines) during twelve months ended 30th June, 1915; (c) the number of tons of all other freights brought from stations south of Gosnells to Midland or passing through Midland Junction to any station beyond Midland (all lines) during twelve months ended 30th June, 1915; (d) the total cost of hauling the total tonnage referred to in paragraph (a) 10 miles during the same period; (e) the total cost of hauling the total tonnage referred to in paragraph (b) 10 miles during the said period; (f) the total cost of hauling the total tonnage referred to in paragraph (c) 10 miles during the said period.*

The PREMIER (Hon. J. Scaddan—Brown Hill-Ivanhoe) [8.43]: I want to ask the hon. member who moved this motion to agree to its withdrawal. I have made inquiries from the Commissioner of Railways in regard to it, and have been informed that it will be almost impossible to obtain accurately the information which the hon. member desires. It would also be rather expensive to comply with the hon. member's request, because of the limited staff the Commissioner has available, and moreover, the Commissioner suggests that to

comply with the request would serve no purpose, because the particulars which would be furnished would not be accurate, and under the circumstances it would not be desirable to attempt to comply with the request. Further, to supply the information would require the whole of the large records being turned up for the 12 months, because of the fact that the department has been carrying a huge quantity of material for the Trans-Australian railway by different routes, and that has been done merely to suit the department's own convenience. The Commissioner, however, will supply the hon. member with any information he has at his disposal.

Mr. ROBINSON (Canning) [8.44]: As I understand that as my motion, if carried, will cause some inconvenience to the department, and that, when convenient, the figures will be made available, I will, by leave, withdraw it.

Motion by leave withdrawn.

*House adjourned at 8.45 p.m.*

## Legislative Assembly.

*Thursday, 26th August, 1915.*

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

## PAPER PRESENTED.

By the Minister for Works: Plan of proposed further extension of Newcastle-Bolgart Railway.

### QUESTION—FARMS REVERTED TO AGRICULTURAL BANK.

Mr. SMITH asked the Minister for Agriculture: 1, How many farms have reverted to the Agricultural Bank since 1911—(a) by foreclosures of the bank; (b) by foreclosure or forced desertion by being sold up by creditors? 2, What does the bank intend to do with the farms still held by them, but deserted by the original owners? 3, Will the Government reinstate any of the original owners who are desirous of returning to their holdings?

The MINISTER FOR AGRICULTURE replied: 1, Since the 1st July, 1911, the bank has formally taken possession, under its power of sale of 408 abandoned and assigned securities. It is impossible to say what proportion of these failures was due to the pressure of creditors. 2, As a result of the improved conditions active inquiry for wheat lands is being made, and there is no difficulty in disposing of wheat properties within a workable distance of a railway. 3, Where the land has not been sold, or the title otherwise divested by any law relating to bankruptcy, the bank will be prepared to consider proposals for redemption by mortgagors.

### QUESTION—MEDICAL OFFICER, MENZIES HOSPITAL.

Mr. MULLANY asked the Hon. R. H. Underwood (Honorary Minister): 1, What steps are being taken to fill the position of medical officer at the Government hospital at Menzies? 2, What amount of subsidy is the department now paying that officer? 3, Has the department any knowledge of the amount earned in private practice by the last officer holding the position?

Hon. R. H. UNDERWOOD (Honorary Minister) replied: 1, Every effort has been made by the Medical Department to secure a successor to Dr. Shaw, but without success up to the present. Endeavour is still being made. 2, £200 as District Medical Officer, Menzies.

£100 as visiting Medical Officer, Kookynie, and £100 as visiting Medical Officer, Davyhurst. 3, No.

### LEAVE OF ABSENCE.

In motion by Mr. BOLTON (South Fremantle) leave of absence for two weeks granted to the member for Collie (Mr. A. A. Wilson) on the ground of urgent private business.

[The Deputy Speaker took the Chair.]

### BILL—SALE OF LIQUOR REGULATION.

#### Second Reading.

Debate resumed from the 24th August.

Mr. ROBINSON (Canning) [4.38]: I rise to support the second reading of this Bill. I like the title of the Bill, "An Act to regulate the closing time of licensed premises during war time." It means what it says, because this country is pledged to a measure of local option in the year 1920; and I do not think it would be a good thing for Parliament to tinker with the licensing law in respect of matters already decided, while the time limit is running its course. This Bill, however, purports to be only a measure to deal with the closing of licensed premises during war time. Another note I was glad to hear sounded in this connection by the Attorney General is that the measure is not one in itself dealing with temperance matters or with the reform of persons guilty of drinking too much. It is a Bill which may be described as one dealing with the temperate side of temperance. Its object is to control liquor sales during a time of stress in the country. I observe that although the title says that the measure is to regulate the sale of liquor during war time, yet the duration of the measure is fixed to the 31st December, 1916. I presume that the Attorney General will not object to any amendment in the way of terminating the operations of the measure at the declaration of peace, if by chance peace comes in the meantime.

The Attorney General: That was objected to in the Upper Chamber. Under the Council's Standing Orders a definite date must be fixed for terminating the operation of such a measure as this.

Mr. ROBINSON: Does not the Minister think that to fix the date of declaration of peace would be to fix a definite date?

The Attorney General: I do not think so. I wish it were.

Mr. ROBINSON: In a way, I am sorry to see this Bill come forward, because I should have liked to find that the Government exercised the powers which they possess under the 1914 statute for closing hotels at an hour that the Government thought proper. However, the Government have declined to take that responsibility, and as they even now control the voice of the House, I am prepared to accept a Bill in this form rather than that the earlier closing of hotels should be withheld, because, as I have said in this House before, I am in favour of closing hotels from eight to eight. I would point out, however, that the Government say, "We decline to exercise the powers that we possess under the 1914 measure, because we told Parliament when we introduced the Bill that the powers under it were only to be used in cases of emergency, of riot, and such cases do not exist at present." That is not in the Act; that is simply what the Attorney General then told this House. I venture to think that the difficulty could be easily got over by a simple resolution of this House. The Attorney General might move to the effect that in the opinion of this House it is desirable that the shortening of hours referred to in the Act of 1914 should be adopted. Such a motion would, I fancy, be carried unanimously in this Chamber. The Government would then have the power to do as they wish, and they would save the £3,000 contemplated to be spent in the taking of a poll under this Bill. After all, however, that is a matter for the powers that be. The Attorney General says he will do so-and-so, and at the present time we can only make counter suggestions. To deal with

some of the principles of the measure, I observe that whilst it aims at shortening hours at the close of the day, it does not aim at shortening hours at the commencement of the day. The Attorney General, in answer to an interjection, said that this second proposal would involve such a complicated set of questions that it would be difficult for the people to give their answer. I think that might be readily got over by the use of such words as "eight to six," "eight to seven," "eight to eight"—

The Attorney General interjected.

Mr. ROBINSON: If the poll goes to the country just as proposed in this Bill, the public-house will remain open from early morning until the particular hour of night decided upon, whereas, I think, one of the most desirable features in dealing with hotels at the present juncture is to prevent that most pernicious habit of drinking before breakfast. In my opinion, there is very little hope for a man who drinks before breakfast. I would stop the liquor of such a man. He is a man who should be carefully looked after. I would put him behind barbed wire entanglements. Another principle in the Bill is that it divides the country into districts, and I think it is a question which the House should consider as to whether it is wise to divide the whole of Western Australia into districts, or whether the poll should be taken for the whole of Western Australia. I think there are objections to each course, and it is a question to consider which is the better one to follow. Personally, I am inclined to think that the proposition put forward by the Attorney General is the better one. Speaking for some of my friends, they would like to see it for the whole State, but the danger is that there may be a block vote in one district which may be contrary to the vote of the metropolitan area or of a country district, and I realise that what is good for the town is not good for the country, and vice versa, and that what suits the people of the goldfields might not suit the people of Katanning. We in this State are situated differently from the people in

South Australia and Victoria. Here we have a vast goldfields population whose interests in many ways in the matter of living are not in common with ours, and the conditions may be quite different in regard to this matter on the goldfields. That is why I am personally inclined to favour the proposition put forward by the Attorney General. One of the other features of the Bill is in connection with the question of compensation—the Bill calls it compensation. It is very difficult to know how we are going to equitably compensate those who may be injured by the putting into operation of a statute like this. I think that the arithmetical method of doing it, as set out in the Bill, is not good, for the reason that what suits Pinjarra might not suit East Fremantle, or North Perth, and what suits Kalgoorlie might not suit Katanning. Each district and each individual should go on its own merits. I rather like the provisions now in the Act in existence, which, in effect, mean that if there is a shortening of hours the landlord and the lessee will endeavour to agree to a reduction of rent, and failing their agreement, the matter should go before the licensing magistrate of the district, who will decide. Of course I need not say to the House that the hours of the day in a hotel mean a difference in revenue. I can conceive that the revenue derived by a public-house between eight and nine o'clock in the evening will be vastly different from the revenue derived, say, between five and six o'clock in the evening, or between seven or eight o'clock in the morning. So if we do it arithmetically I do not think it will work equitably in all cases. Generally speaking I think the measure is one which, subject to a little discussion in Committee, will commend itself to all parties. I only regret that some such step was not taken at an earlier stage. We have been at war for over 12 months, and I think much more might have been saved the State if this Bill had been brought into operation 12 months ago, or if the Government had taken upon themselves to exercise the power they undoubtedly possess under the existing Act. But, as I have already

said, that is purely a matter of responsibility, and if the Government do not care to take it let us do it in this way. I support the Bill.

Mr. PIESSE (Toodyay) [4.50]: Whilst I appreciate the aims and desires of the Government in bringing forward this measure, I cannot dispel from my mind the opinion I have always held as to the value of a referendum on questions such as this. I agree with the last speaker, who says that he would rather have seen the Government take in hand the question of fixing the hours without invoking the aid of a referendum, and, considering the life of the proposed new law, it would have been a better and more economical course to adopt. I take it the Government have the power under the existing Act to fix the hours.

The Attorney General: This will be permanent while it lasts; we might apply the other for a week during some great emergency.

Mr. PIESSE: The present is a very great emergency indeed, and would fully justify such an action on the part of the Government. I think the Government ought to have taken the responsibility of fixing the hours without putting the country to the cost of a referendum. Because of the lack of interest which people generally take in questions of this description, the voting, I maintain, will make the decision almost valueless. I feel sure that that will be the result of the referendum. In the matter of districts, there, again, I agree with the previous speaker, and I feel that the voting should apply to the whole of the State and not to districts. However, we shall have an opportunity of discussing the matter in Committee, and we can then endeavour to amend some of the clauses.

Mr. B. J. STUBBS (Subiaco) [4.53]: I think the time has gone by when, in the history of a democratic country like Australia, we can find any great weight of public opinion against submitting questions to a referendum of the people. I can conceive of no more equitable, and certainly there is no more democratic way, of deciding any great question of

public importance than to submit it to a vote of the people.

Mr. Taylor: The whole of the people.

Mr. B. J. STUBBS: I say to the people. If only a small section of the people take a sufficient interest in a question and go to the poll to vote on it, that does not always prove that the matter is not a great and a vital one. I would inform those members who interject in such a fashion, that on the occasion of the first submission of the referendum in Australia the vote cast was a little over 30 per cent. Will any one say because of that, that the questions submitted to the people were not of vital importance, and that there was not keen interest in them right throughout Australia? I say unhesitatingly that there was, and the fact that only a small vote was polled was not an indication of lack of interest, especially when we remember that the questions were submitted apart from a general election, when there was also an absence of the personality of candidates, which always has the effect of drawing people to the poll. A different system will operate on this occasion. The intention is to take this referendum on the day that the Federal questions are to be submitted to the people, and we are also aware of the fact that a Bill is now going through the Federal Parliament for the purpose of making voting on those questions compulsory. If we have compulsory voting, the great bulk of the people will go to the poll and will exercise their vote on this question. We are likely to get a far larger vote on this occasion than on the occasion of a general election, because compulsory voting will be in force. The question of the wisdom of taking the vote in districts has been referred to by hon. members, and I would point out, especially to the last speaker, who represents a country constituency, that I am quite convinced he would not like the people resident in the metropolitan area or the goldfields area to say what should obtain in the agricultural centres. There are a few of what we might call truly agricultural towns, the residents of which will vote in conjunction with the agricultural community, but

the people in those towns will be influenced a great deal by what will suit the agricultural community, and they will not be dominated by the large section of the people who are to-day gathered in the metropolitan area and on the eastern goldfields. By dividing the State into four districts we shall have a distinct community of interests, agricultural, metropolitan, goldfields, and pastoral, and I can conceive of no fairer or more equitable method of dividing up the State. In that way also we shall get over the absurd position that might be created if we made the districts too small. If the metropolitan area were cut up into more than one district we might have the position that one section would favour closing at six o'clock and another at 10 o'clock. One hon. member interjected the other day when the Attorney General was introducing the Bill that the question had settled itself and that there was no longer a public demand for the reduction of the hours for the sale of liquor in licensed houses. I can assure that hon. member that the demand is just as keen to-day as it was when the "eight to eight" agitation was before the people.

Mr. George: The necessity to-day is not so great.

Mr. B. J. STUBBS: Last year when we were passing through a very trying time, a year when unemployment was at its greatest height, we wasted no less than 2½ millions sterling in this State on strong drink. I ask hon. members to try and realise the benefits the State might have derived from that money if it had been placed in the Savings Bank through which institution it could have been used to assist the industries of the State. What I was dealing with when the hon. member interjected was the fact that the public agitation of the curtailment of the hours of licensed houses has not died down. I admit that the agitation is not so keen as it was, but before many more weeks have elapsed I can assure the House that just as keen an agitation will exist as that which we experienced some little time back, and not only in the metropolitan area, but throughout the State. Hon. members will then be able to realise

that the people of the State are demanding that the hours of licensed premises shall be curtailed.

Mr. Taylor interjected.

Mr. B. J. STUBBS: The hon. gentleman does not carry on a political campaign in his electorate during the whole of the period intervening between elections. The reformers were not foolish enough to keep going when the Premier told them the Government had no power under the other Act.

Mr. Foley: They ought not to be weary in well doing.

Mr. B. J. STUBBS: They are going to organise another campaign, and I assure hon. members it will be as effective as the last.

Mr. Thomson: If it is not more effective it will not be much good.

Mr. B. J. STUBBS: There is one principle in this Bill with which I wish to deal and that is the question of the duration of the Act. It is provided that the measure shall operate till December, 1916. I think it should be made permanent with provision for taking a vote at certain stated periods. There may be many who would object to taking a vote during the duration of the war and making the decision then given to last for many years afterwards. If the vote were made effective until the end of the war—conditions will not vary much during that time—and provision were made that on the demand of a certain percentage of the voters another poll should be taken, the question would then be decided for another stated period of years. That would be fairer and more equitable than to provide that the measure shall come to an end unless both Houses of Parliament vote for its continuance. The provision in the Bill will mean that Parliament will be asked in December, 1916, to pass resolutions to continue the Act in force for another period and there is a possibility that influence might be brought to bear on at least one branch of the legislature to throw the measure out. After the people have experienced the working of the measure, I believe public opinion would make it difficult for either Chamber to discontinue the Act.

Mr. Taylor: If the Act were a success.

Mr. B. J. STUBBS: If the Act were a success from the standpoint from which I view it, many members would say it was a failure. The success of legislation of this kind depends upon the viewpoint from which it is judged.

The Premier: Every member depends upon the votes of his constituents.

Mr. B. J. STUBBS: I have no fear for this Chamber, but there is another branch of the legislature not constituted as this House is. I would ask the Attorney General to agree to an amendment having for its object the making of this legislation permanent with a proviso for taking a vote at stated periods.

The Premier: Can you say that such a provision will not mean the loss of the Bill?

Mr. B. J. STUBBS: If such a provision would mean the loss of the Bill, my objection has ten times more force. If the Bill will be wrecked unless Parliament has the right to pronounce upon it again in 1916, there must be an intention to do something when that time arrives. It would be far better, now that the whole subject is before Parliament, to make this legislation permanent. There can be no objection to this provided we gave the right to take votes at stated periods. The people would then have the right to reverse any previous decision.

The Attorney General: The constant reference to the people would mean money.

Mr. B. J. STUBBS: If the Act is to end in 1916 I would like to ask what will operate when it comes to an end.

The Premier: There is provision to extend it.

Mr. B. J. STUBBS: Supposing one branch of the legislature refused to extend it?

The Premier: If the people will suffer such a Chamber, serve them right!

Mr. B. J. STUBBS: Then we shall have no stipulated hours regulating the closing time of the licensed houses.

The Attorney General: Yes, the present hours will be in force.

Mr. B. J. STUBBS: There is no provision for that. If in any district fresh hours were decided upon, the present hours would disappear and if in December, 1916, this legislation were not continued, there would then be no hours for the closing of licensed houses.

The Attorney General: That is not so.

Mr. Taylor: The present hours would disappear only while this measure was in existence.

Mr. B. J. STUBBS: Then this Bill will not accomplish what it is intended to do. When the people in any district decided to alter the present hours for closing hotels, the present hours would automatically cease and the hours decided upon would come into vogue. Then if the legislature decided that this measure should not operate after December, 1916, to what hours should we revert? I wish to see provision made which will be better for everyone, which will work more smoothly and which will obviate the necessity for asking Parliament to continue something which should have been made permanent in the first place. No hardship would result because the people who are vitally concerned would have the right to reverse any vote given on the first occasion. If such a proviso were included no other provision would be necessary in connection with the duration of the measure. I support the second reading and congratulate the Attorney General on having introduced the Bill.

Hon. J. MITCHELL (Northam) [5.8]: In listening to the introductory remarks of the Attorney General, I gathered that this is an emergency measure because of the special circumstances in which we find ourselves placed at the present time. It was pointed out that it is necessary to close hotels earlier than under normal conditions. This is an emergency and therefore an urgency matter, and yet the Attorney General proposes to take a vote of the people which cannot be obtained for many months. The position is that if, after a period of six months, the people say this measure shall become law, it will become law. Under the 1914 Act the Attorney General

has ample power. The Government can, if they please, take the responsibility of doing what they think necessary under that Act. I am bound to admit that when the Attorney General introduced that measure, he explained that it would be used only in case of extreme necessity, that was, in the event of a riot or trouble occurring and it being deemed necessary to close the hotels. We can relieve the Minister of that promise and, if we do so, which I think would be only proper, he will have ample power. It will merely be necessary to re-enact the 1914 Act and the Government will then have all the power which even the member for Subiaco desires. When the measure of last year was introduced, the Minister explained that it would be used only on urgent and special occasions, and I, for one, would not expect him to use it unless he were first released from the understanding then arrived at. The Bill now before us cannot become law for some considerable time. If it is needed, it is urgently needed, and we cannot afford to allow the matter to be hung up month after month for half a year. In most towns in this State, much less drinking is now indulged in than previously. The work of the temperance reformer has met with much greater success during the last twelve months than ever before because the mind of the people has been prepared to receive the advice of our temperance friends. The people have been prepared to follow such advice. They are realising that too much money has been expended on liquor, and they are also realising the consequences of excessive drinking. The drinking which once was indulged in in this State will never again be experienced.

The Premier: You will not give us a chance to prevent it by legislation.

Hon. J. MITCHELL: Legislation in New Zealand has not achieved it.

The Premier: Yes it has.

Hon. J. MITCHELL: No it has not. There is probably as much drinking in New Zealand to-day as ever there was.

The Premier: No.

Hon. J. MITCHELL: I know that in some districts it is so. If there is dis-

trict prohibition, it is possible to get liquor into that district from an adjoining district where liquor is sold. Let me mention what happens at Gore. There are some breweries which receive orders from people in Gore and they have to send the beer outside the prohibition district six or seven miles to a railway siding where it is taken off the trucks, re-consigned and sent to the consumers in the town. District prohibition in New Zealand, I believe, has been an absolute failure.

Mr. B. J. Stubbs: There is no prohibition district in New Zealand.

Hon. J. MITCHELL: Well, no-license districts where the sale of liquor is prohibited. In this and every other State all the people should vote on such a question, and there should not be the divisions suggested by the Attorney General, though this proposal has an advantage over proposals in the past because the districts stipulated are very much larger. Fremantle and Perth would no longer enjoy different conditions, for all the metropolitan districts would be included in the one division, but if we are to take a vote it should be a vote of the whole State. I do not see why under emergency legislation a man in Perth should not be in the same position as a man in Northam. If it is good to close hotels in Perth, it is surely good to close them in Northam, and if it is good to close them in Northam, it is equally good to close them on the goldfields.

The Attorney-General: It is for the Northamites to say.

The Premier: Why do not you elect Parliament on the same basis?

Hon. J. MITCHELL: You can do that if you please.

The Premier: It is not a matter of "if you please." If your argument is good for the one why not for the other?

Hon. J. MITCHELL: We are not discussing elections.

The Premier: The same thing applies.

Hon. J. MITCHELL: We make the law and it should apply equally in all the different districts. The Attorney General has asked us to say that hotels shall close at an early hour in order that people

shall not spend so much money on liquor. If that is necessary, then the closing hour should be uniform throughout the State. It should not be possible for one portion of the State to have its hotels closed at one hour and another portion to have them closed at another time. I believe that in the case of the metropolitan area they will not reduce the hours during which liquor may be sold; neither do I believe that the goldfields districts will reduce the hours either. It is, of course, possible in agricultural districts, where there is very little drinking, that the hours will be reduced.

Hon. R. H. Underwood (Honorary Minister): Should the metropolitan area be allowed to force their views on the goldfields people?

Hon. J. MITCHELL: I do not know whether the North-West will decide on 11 o'clock as the hour for closing.

Hon. R. H. Underwood (Honorary Minister): It will not matter what hour they decide on.

Hon. J. MITCHELL: I think the closing hours should be uniform for the whole of the State. I see that compensation is to be paid. It is quite right that it should be. I agree with the member for Canning (Mr. Robinson) that, if a reduction is made in the rent of a licensed house, this should be decided by a magistrate. It is quite obvious that the hours during which hotelkeepers can sell their liquor are important in considering the amount of rent that should be paid for the premises. It seems to me that if a part of the premium paid as ingoing is to be returned, and if part of the rent is to be abated, some part of the license fee should also be remitted. If a man has paid £100 to sell liquor under our laws to-day some part of that money should be returned to him. If it is good for the lessor to take less rent, it is good for the Government to take a lesser license fee. The Bill in these respects can be dealt with in Committee. I regret the Government have not taken more responsibility in regard to the matter, and that the proposal is presented in its present form. If the Attorney General believes honestly that, in this time of war, emerg-



ency legislation is advisable, then he should endeavour to arrive at the wishes of the people by a different process than that of a referendum, which cannot be taken for four or five months.

Mr. FOLEY (Leonora) [5.19]: In a way, I am sorry the Attorney General has introduced this measure for taking a referendum on the question of regulating the hours for the sale of liquor during war time. I notice in the measure, too, that the only provision made is for the shortening of hours. If the Attorney General desired this to be a democratic measure, he should have allowed for the lengthening of hours as well as the shortening, and for opening on Sunday. These questions have been just as fully considered, and in some cases are just as earnestly desired, as the limitation of hours is sought for in other districts. It is a question, of course, whether drinking is an evil or not. I am on this measure speaking in an impartial way. It would not matter to me whether all the hotels in the State were closed. For my own part I am against this measure being foisted upon the Government, or the Government being asked to pass legislation for one section of the community, which would, on another question, deny the right of the same Government to place before the people, by way of a referendum, some other particular matter. It is pandering to a few people who have not the interests of the whole of the State at heart.

Mr. B. J. Stubbs: You will see when the vote is taken.

Mr. FOLEY: I saw during the last session the very same people who have now asked the Government to bring forward this measure, giving the people an opportunity of voting on the question, practically black listing members in this Chamber in their official paper, *The Reformer*, even before they had given a vote as to their opinions on the liquor question.

Mr. George: If they are injudicious, do you think that should stop us from instituting a reform?

Mr. FOLEY: In my opinion it is an absolute waste of money to take a referendum on this question at all.

Mr. Male: Hear, hear!

Mr. FOLEY: It is an absurd position that one small section of the people can foist this upon the Government and cause them to bring it forward. My mind has been made up long on this question of the regulation of the sale of liquor. During this time of stress every hon. member, not only in this Chamber but in the other Chamber, should take the full responsibility placed upon their shoulders by their constituents. I think that the Government should bring down a measure of an absolutely non-party nature, and let the members of this Chamber, and of the other Chamber, vote upon it. If they do not vote, let their constituents deal with them.

Mr. E. B. Johnston: If that had been done you would have advocated the taking of a referendum.

Mr. FOLEY: This is merely giving hon. members of this Chamber and of another place an opportunity of shirking their duty, a duty which they, as Parliamentarians, should bear. I contend that this waste of money, through putting the vote to the people, could be saved if every member of this Chamber was given an opportunity of realising his responsibilities and sharing them in regard to the curtailment of hours. I do not think that the legislation passed last session met the case at all. We know there have been cases in which the Attorney General might have put into operation the emergency legislation passed last session. Be it said to the credit of that hon. gentleman that he took every consideration into account. If this measure is passed, money will have to be spent. The same people in every constituency in the State are represented here, and even after recording their votes they can say no more than hon. members can say here on this one question. Give the right to the people to initiate legislation and then put a referendum before them, and I will be with the Government every time. But when the people do not initiate legislation, and only a small section of the

people have exerted themselves to force the Government to bring some special legislation forward, then I am not going to give my support to the Government which does bring forward such legislation. Whilst I am a member of this Chamber, I will support the present Government in everything appertaining to the welfare of the people, but in this case, whether the curtailment of the sale of liquor is going to be a benefit to the people or not, I say that members of this Chamber should have been given an opportunity of exercising their responsibilities. I for one would have been glad to have taken my part in doing my duty in that respect.

Mr. GEORGE (Murray-Wellington) [5.25]: The hon. member who has just sat down made one or two remarks to which I would like to reply. I do not think there is any doubt whatever that the feeling throughout the whole of Western Australia is that temperance should be practised by us all. During the present time of stress more temperance than ever if possible, should be shown. I believe that the people themselves are beginning to realise this. I do not look upon this referendum as giving hon. members an opportunity of shirking their duty. There is no member in the House but who has, at one time or another, stated his opinion on the temperance question, and there is no member but who would be regarded as a fool and a maniac if he advocated that temperance was not a proper thing to carry out. We should give the people an opportunity to state the time at which licensed houses should be closed. This question is one which the people have a right to have referred to them. It does not take away the responsibility from any member of Parliament, but gives all sections of the community an opportunity, irrespective of whether they are Liberal or Labour, of taking part in a decision upon such an important matter.

Mr. Foley: I would be with the hon. member if he would make the application general.

Mr. GEORGE: It does not matter if any particular principle is put forward

in an injudicious manner. If the principle is right we can forget the acts of injudiciousness, and can forget the lack of tact on the part of those bringing it forward. We can make some allowance for the exuberance they have displayed in championing their cause.

The Premier: Probably they have the same sort of opinion about you.

Mr. GEORGE: What is the use of bringing forward matters of this sort? This is a question which refers to the well being of the whole of the people, and should be dealt with altogether outside politics or personalities.

The Premier: Then let us pass it as early as possible.

Mr. GEORGE: I merely rose to point out that, as far as the statement of the hon. member for Leonora (Mr. Foley) is concerned, he is wrong when he says that this measure gives members an opportunity of shirking their duties. I should not like a statement of that sort to go forth without voicing my opposition to it.

Mr. MUNSIE (Hannans) [5.28]: I rise to support the second reading of the Bill for almost the same reason as the hon. member for Leonora put forward for opposing the Bill. I also am sorry that the principle, or the one great principle contained in this Bill, is confined wholly and solely to the hours in which licensed houses shall be opened for the sale of intoxicating liquors. I believe under existing conditions that if the people of Western Australia have a right to have a vote, they will curtail the hours in which it is possible to obtain intoxicating drink. I am also supporting the Bill because it is one which specially advocates what I contend is the greatest reform that this State, or any other State, or the Commonwealth, could institute, namely the referendum. I want to make these reservations, however. I am supporting the Bill whole-heartedly as it is introduced with the amendment suggested by the Attorney General but I intend, when the Bill is in Committee, to move in the direction of having clubs included in it. One of the principles on which I

am supporting the measure is that it provides that the State of Western Australia shall be cut into districts. I want to be very emphatic on the point that, if by any means the districts are wiped out, and the State of Western Australia is compelled to vote as a whole on this question, I am going to vote against the Bill altogether. I shall also take the same stand in connection with clubs.

Mr. Foley: Why?

Mr. MUNSIE: An hon. member interjects "why?" I will explain why. I am not going to cast a vote in this Chamber which will have the effect of closing licensed houses only and of debarring the working man from obtaining a glass of liquor because the people have said that licensed houses shall close, for argument's sake say, at 6 o'clock, while another section of the community, merely by belonging to a club of which hundreds, perhaps thousands, cannot afford to be members, are permitted to get a drink during the hours in which licensed houses are not permitted to be open. If the Premier will bring in a Bill to prohibit the sale of intoxicating liquors in clubs I will support him. The hon. member for Northam (Mr. Mitchell) in criticising the provision in the Bill for dividing the State into districts, said he believed that the people of Western Australia should vote as one constituency on this question. If that principle were good in this case it should be adopted in all voting. But when it was suggested that the same principle should hold good in elections to Parliament the hon. member said it was a different matter altogether. I quite realise that it would be a different matter for the hon. member for Northam. For instance, if for elections to Parliament this State were cut up into four districts I can honestly assure the member for Northam that, if the people in one district at all events had the right of saying who should represent Northam in this House, there would be no possibility of his getting here.

Mr. Robinson: Why not stick to the business before the House?

Mr. MUNSIE: I say that the people of Kalgoorlie or Boulder, or of the gold-fields generally, have no more right to say at what hour the licensed houses in Northam shall close than the people of Kalgoorlie or Boulder have to say who shall represent Northam in this House. An interjection was made during the Attorney General's speech asking why provision was not made in the Bill for taking hours from the bottom as well as from the top. As far as I am concerned, it is immaterial where you start; the result will be the same.

Mr. Robinson: The Attorney General gave the answer to that, why repeat it?

Mr. MUNSIE: If the hon. member does not care to listen, he may go outside.

Mr. Robinson: But why repeat the same thing over and over again?

Mr. MUNSIE: I am sorry that the hon. member is becoming offended.

Mr. Robinson: I am not, I supported the Bill.

Mr. MUNSIE: It is only one hour until the tea adjournment, and I do not think the House would miss the hon. member if he were to leave. The hon. member for Toodyay (Mr. Piessé), in discussing this Bill, contended that the Government already has the power to put its provisions into operation—that is that the closing of licensed houses is provided for in the law now on the statute-book. It has been argued that we cannot produce from *Hansard* that any profits have ever been made. I have sat in my seat in this House and have heard the Premier, and also the Attorney General, make the statement in answer to a question or interjection by the leader of the Opposition that it is only intended that that provision shall become operative in the case of absolute emergency. There is no question of doubt, in my opinion, that not only in this Chamber, but also in another place, if members had any idea that the Government would at any time, except in the case of absolute emergency, put that provision into operation, the Bill would never have become law. The Bill we are now discussing, as intro-

duced, is a step in the right direction. I believe that the people of this State are in favour of steps being taken to curtail facilities for drinking under existing circumstances. I admit this departure warrants sufficient notice being given. The statement has been made by the Attorney General that he will endeavour, if the Bill becomes law, to have the vote taken at the same time as the Commonwealth referendum proposals are placed before the people. If that be done, I think ample notice will be given to all parties, and, in my opinion, the success of the proposals will be tested. Just a word in connection with the time limit fixed in the Bill. I do not know the motive which actuated the Attorney General other than that stated by himself, that the Standing Orders of another place compel a definite period being stated. If this Bill becomes law, irrespective of whether the war terminates or not, I say that if the people have 12 months of it, no Parliament or Government in this country will ever have the opportunity of repealing it. I hope the Bill will find its way on to the statute-book because, as I said at the outset, it gives some measure of a principle to which I adhere, namely the referendum. I am sorry only that we have not also the initiative in this and other directions in which other sections of the community are interested in principles which they have advocated just as sincerely as the temperance party has advocated allowing the people an opportunity of voting on this question.

Mr. TAYLOR (Mt. Margaret) [5.40]: When a measure of this kind is before Parliament, in which certain democratic principles are involved, widely different views are taken of what are democratic principles. It has been argued that this measure should be supported on account of its principles. One of the principles of the Bill is that the State is cut into small constituencies. I interjected while the hon. member for Subiaco (Mr. B. J. Stubbs) was speaking that the referendum to be placed before the people in December by the Federal Government

was a referendum of the whole of the people of the Commonwealth, and each State will vote as a whole. Thus, each State will get the full value of its vote. That is the most democratic expression of the public will. But when you cut the State into four districts you do not get a democratic vote of the whole. The only thing the Commonwealth could do to make the expression of opinion more democratic would be to provide that the Commonwealth should vote as one State; and if they reached that they would reach the acme of democracy so far as voting is concerned. That is the only manner in which it could be made more democratic than is now proposed. In this Bill the State is divided into four districts and it is claimed that this is a democratic principle. I say it is not. Would those hon. members who contend that this proposal is democratic support a Bill providing for the cutting up of the State into four districts, or six, for the purpose of voting for the Senate?

The Premier: I am not called upon to express an opinion on that.

Mr. TAYLOR: I will express my opinion. I would leave the State as it is to-day.

Member: Is it democratic for one section to dominate?

Mr. TAYLOR: If it be justifiable for one part of the State to dominate in respect to the Senate, is it not also justifiable in respect of the liquor question? If a democratic principle is sound in one particular instance, it must be sound in another; and in my opinion, this Bill is a blow against the democratic principle of the Senate, which is a most democratic body. When you give the franchise to the people you can only make it more democratic by widening the area of their choice.

Member: Do you mean to say it is democratic when only one section is represented?

Mr. TAYLOR: I am contending that the majority of the people are represented in the circumstances. I am dealing with Western Australia, in which the State as a whole votes for six Senators. In those circumstances a majority vote must re-

present the will of the majority in Western Australia. I am not saying that in regard to this liquor question any one section of the people should decide whether the hotels shall be closed. Neither the goldfields nor the agricultural, pastoral, or metropolitan areas should be coerced. Would those gentlemen who now advocate this Bill as a democratic form of expression of opinion advocate the carving up of Western Australia into six electorates for the Senate? Why not contend instead of four districts, that every district should decide this question for itself? It is only a matter of degree whether you carve Western Australia into four, or ten, or twenty districts. Why should one part of the State control another part? I am not going to oppose the carving up of the State into four districts because I know the goldfields will exercise their vote according as it suits them and in accordance with their walk in life, and will let others do the same. I am merely arguing against this being claimed as a democratic principle. I fail to see that it is in any way democratic.

The Attorney General: Is it not democratic to appeal to the people?

Mr. TAYLOR: But you are appealing to four sections; it would be democratic if you were appealing to the people as a whole.

Member: What about local governing bodies?

Mr. TAYLOR: A local governing body controls only its own area. A vote taken in Subiaco district does not affect the city council. I am not at all worried about the proposal in the Bill, but when I hear men who claim to have been rocked in the cradle of democracy claim this as a democratic principle I am compelled to make the remarks I have made. And when my remarks are analysed by the democratic section of the people of the State, I think it will be found that what I have stated on the point is absolutely correct. The bigger the area in which the people are appealed to, the wider and the more democratic it is. The more narrowly the area is confined the more conservative it is. The Attorney General in his second read-

ing speech pointed out that districts were defined on a community of interest. At all events, as the Bill stands it will afford an opportunity for the people to decide whether they will have earlier closing, between the hours of six in the evening and eleven at night; but the measure will not permit of the hotels being opened for longer hours. It is not proposed to interfere with the opening hour in the morning, six o'clock; so that hotels may trade anything from 12 to 17 hours. The provisions of the Bill are absolutely fair, and, as pointed out by the Attorney General, the measure may be re-enacted before the 31st December of next year. The Minister has also pointed out that Standing Order 174 of the Legislative Council compels the insertion in the Bill of a provision limiting its operation as stated. I do not think that provision can be advanced as an argument to prove that there is no justification for going so far. My view is that whatever hour may be decided upon at the referendum will continue in force for some considerable time. I am deeply sensible of the fact that it is not the war which has created the desire to close hotels early. There is a section of the community which has been working, since long before I sprang into existence, to minimise the liquor traffic; and that section has my sympathy. I commend those people, that small band, for making themselves felt, as they have been accused of doing. I commend the small band of the alliance for taking this opportunity of bringing forward their principle, for having it enacted when the conditions are opportune.

Mr. Green: The alliance have you on their black list.

Mr. TAYLOR: I suppose there is no member of this House who is held in less esteem by the alliance than myself.

The Premier: Yes; the Minister for Works.

Mr. TAYLOR: I know the Minister for Works has done more to advocate the principles of the alliance than any other man in Western Australia. However, the fact of my being mis-esteemed by them does not dispel my admiration for people so numerically weak who can make them-

selves felt in this fashion and seize the right opportunity to put their principles into force. It has been said that if this measure is given a trial for 12 months, if the people have 12 months' experience of shorter hours for the sale of liquor, no Parliament will dare to lengthen the hours again. I want to be candid. I recognise that a very large number of people consider the present hours too long. Why should a person in the business of liquor selling be allowed longer trading hours than anyone selling anything else? We restrict other traders from selling goods beyond certain hours. Why should the liquor seller be allowed four or five hours a day more than any other trader? The argument, I know, is that the doors of hotels must be kept open so that people can obtain what they need in the way of refreshment.

The Premier: Are you a member of the House Committee? If so, what about the refreshment room?

Mr. TAYLOR: Should a provision for the early closing of clubs be inserted, then, if we are anything approaching self-respecting men, we will close our bar at six o'clock. If this Bill is carried and if I remain a member of the House Committee, I shall advocate that Parliament have no preference in this respect. It has been suggested by the Minister for Works that we should test the whole position in this House by closing the bar. I am pleased the measure has been brought down, but still I am in accord with those hon. members who have said that there is now in existence sufficient machinery for the Government to reduce trading hours without going to the expense of a referendum. The Government, however, think, and perhaps rightly, too, that the principle of this Bill is one which affects the people as a whole, and that therefore the people should be allowed to decide on it. The Government believe that an expenditure of £3,000 or £4,000 is infinitesimal as compared with the advantage of having the voice of the people expressed on the question. That consideration, I think, has actuated the Government in bringing forward this Bill. I trust, however, that even if the measure

fails to become law, the Government, having the necessary power, will, if they believe there is necessity for it, exercise that power and close hotels at an earlier hour. I have much pleasure in supporting the second reading.

Hon. H. B. LEFROY (Moore) [5.53]: The hon. member who has just sat down appears to me to have been arguing that on the principles of true democracy the manner in which it is sought to refer the question of closing hours of hotels to the people is undemocratic. In my opinion, it is undemocratic, and contrary to the principles of true democracy, that any one section of the people should be able to coerce any other section. The hon. member seems to argue that this Bill is contrary to the principles of true democracy because the State is not allowed to vote as a whole. It is strange from what different points of view we look at things. I consider that it would be contrary to truly democratic principles if the State of Western Australia, as at present constituted, voted as a whole. In that case, I feel confident, certain sections of the community would be able to coerce other sections; and therefore the adoption of the method proposed by the hon. member would be contrary to the principles of true democracy. As regards the principles of the Bill itself, hon. members have already agreed upon them. We went into the matter last session, and agreed that under the conditions then existing—and still existing—it might be necessary to close public-houses at an earlier hour, and also perhaps to open them at a later hour. I do not intend this evening to go into either the economic or the moral aspect of the question. We are all agreed on the point that not only excessive drinking but intemperance is a curse to any community in which it exists. There is no need for me to dwell on that. All we have to consider at the present time is whether the methods proposed by this Bill are advisable. Personally, I regret that the Government could not see their way—this being merely an emergency question—to make use of the powers which they have under existing legislation. If the Government came forward

with a measure proposing that for, say, 12 months hotels in this State should close at nine o'clock in the evening, I would welcome it.

The Premier: You are arguing against yourself now.

Hon. H. B. LEFROY: No. This is a general question. The member for Mt. Margaret (Mr. Taylor) was dealing with the matter in a general way. I am now dealing with the principle as applied to an emergency question.

The Premier: You are now arguing that this should apply to the whole State.

Hon. H. B. LEFROY: I say that, this being an emergency matter, the Government might take the responsibility of applying the principle to the whole of the State. If the early closing were proposed to be made permanent, it would be a different proposition.

The Attorney General: Will you back us up, whatever hour we fix?

Hon. H. B. LEFROY: I am not going to say that. I have told the Government that I am prepared to back them up in fixing the hour of closing for nine o'clock.

The Premier: Could you fairly expect the Government to be able to fix the hours for all the different parts of the State?

Hon. H. B. LEFROY: That is what the Government seem to desire when introducing the Bill.

The Attorney General: The Act we have enables us to close any hotel anywhere, and not only as to hours, but to the extent of total prohibition.

Hon. H. B. LEFROY: With regard to the main point in this Bill, whether the question should be referred to a referendum of the people or not, from the aspect of expense I regret that the Government could not see their way to deal with the question in a more economical fashion.

The Attorney General: You would have been the first to complain.

Hon. H. B. LEFROY: At the same time I acknowledge that our present law recognises the principle of referring the question of the closing of hotels to the

people. I do not think we are going far wrong in embodying that principle in this Bill, though I still regret the expense which has to be incurred in bringing this about.

The Premier: Then your proper course is to vote against the Bill.

Hon. H. B. LEFROY: No.

The Premier: Yes. Take your responsibility.

Hon. J. Mitchell: The Government should take theirs.

The Premier: We are taking ours.

Hon. J. Mitchell: No. You are shirking it.

The DEPUTY SPEAKER: Order!

Hon. H. B. LEFROY: I am afraid the hon. gentleman opposite is not taking the responsibility which is his under the existing law. Still, I am prepared to follow the Government in any steps they make take for the closing of public-houses at an earlier hour, on account of the reasons I have already stated. Personally, I should be pleased to see the earlier closing made not temporary but permanent. I think it would be in the interests of the community.

The Premier: Probably it will be permanent.

Hon. H. B. LEFROY: The member for Subiaco (Mr. B. J. Stubbs), I think, stated that he would like to see this Bill made a permanent measure. In our present law it is provided that this question shall not be put to the people until the year 1921, and I think having adopted a measure such as that it would certainly be an act of repudiation on the part of this House if we departed from its provisions. I am pleased to see that something is being done in the direction of bringing about the movement we are all in favour of, and I shall be pleased to support the second reading of the Bill. I trust that in Committee we may be able to pass it in a form which will be acceptable to the people of the State.

Mr. THOMSON (Katanning) [6.3]: I believe that the motion before the House is that the second reading of the Bill be agreed to. It is my intention to move an amendment.

The Premier: We will accept it as a motion of no confidence, coming from you.

Mr. THOMSON: I believe in the referendum, but I consider that in the present circumstances the Government should take the responsibility of dealing with this matter, and it is up to members to say what shall be done and not defer it as the Bill proposes. I have two objections to the latter course. One is that the Bill is going to be shelved until December, and probably the war will be over then. Nothing, of course, would give me greater pleasure than to see the termination of the war at that time or even before. The main idea the Attorney General had in introducing the measure was economy. If that is the case, there is nothing like taking action at once.

The Attorney General: I did not say that; I said on the score of economy for the people and not for the State. The referendum will cost the State £3,000 at least.

Mr. THOMSON: Then, on the score of economy to the State, I maintain that the House should take the responsibility of saying what should be done with reference to the closing of hotels. The House should take the responsibility of deciding what the closing hours should be.

Mr. Thomas: What do you suggest?

Mr. THOMSON: The Government in Victoria decided that the hotels should close at 9.30, and if the Government of this State decided on 9.30 also, the public would be satisfied.

Mr. Foley: Put the hours in your amendment.

Mr. THOMSON: I would like to hear the hours debated. The amendment which I desire to move is—

*That all the words after "That," in the first line, be struck out and the following inserted, "this House resolves that it is desirable for the Government to put into operation the powers contained in the Licensing Act 1914, and close the hotels and clubs from 9 p.m. to 9 a.m. during war time."*

Mr. S. STUBBS (Wagin) [6.9]: I second the amendment.

Mr. CARPENTER (Fremantle) [6.10]: I hardly know whether to offer my congratulations or not to the hon. member who has launched a torpedo in regard to this question, because I do not know whether he realises the possible effect the amendment will have. I am going to ask hon. members not to rush into a decision on this matter because I believe all recognise that in bringing in a Bill of this character the Government are registering public opinion. There can be no question that during late years public opinion has arrived at the conclusion, and without the aid of the temperance party, that the hours of trading in the liquor business are too long. I think that the only mistake in connection with this Bill is that the Government have entitled it an emergency measure, a measure to apply only during war time. I can see no reason whatever for having made this an emergency question, nor can I see any grounds for confining the operation of the Bill to the duration of the war.

Hon. J. D. Connolly: What about the Act of 1911?

Mr. CARPENTER: Quite a different thing altogether; I do not want to interfere with that.

Mr. O'Loughlen: As a temperance man do you think that a permanent measure would go through?

Mr. CARPENTER: I see no reason why a decision, once registered by the people, should not last for at least three years instead of for one year as in this proposal.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. CARPENTER: I have expressed my personal regret that this Bill has been introduced as a war measure. By giving it that title, the Government have really placed themselves and the House in this position that we have to consider how far the present war, insofar as it affects Western Australia, has any bearing upon the question of the early closing of hotels. It may be argued with some force that in some parts of the State, particularly in some parts of the



metropolitan area, there has been, on occasions, excessive drinking but I venture to say the general effect of the war has been to restrict the consumption of liquor throughout the State, owing to the fact that the people have had less money to spend on that form of indulgence. If, therefore, we are to consider this as emergency legislation and rendered necessary by the war, the only logical course to adopt would be to confine it to that part of the State where we are satisfied the war has resulted in excessive drinking. Then the placing of it on the basis of a war measure, as has been pointed out by the Attorney General, has raised another question, namely, that of restriction. As a war measure it must be restricted, and the restriction must be mentioned in the Act itself, but I would point out that it is not necessary to make that restriction for one year only. My objection to the restriction is that I believe the electors as a whole are awaiting the opportunity to express their opinion on the question of the early closing of hotels, and I believe that when they once make a decision, they will wish it to stand for more than 12 months. It is not in accordance with my conception of the democratic side of this proposal that the two Houses should have to say 12 months after that decision whether the decision shall still hold good. If a restriction had to be made, it would have been better to have made it for the period of the continuance of the war. As to the question of the division of the State into districts, I take no very serious exception. At the same time I wish to express my personal preference for dealing with the State as one district. Uniform hours of closing throughout the State would be much preferable to a variety which may arise under this Bill. I gather from the speeches made that the provision has been introduced chiefly for the convenience of electors living on the goldfields. I do not want to do these electors an injustice, but the impression I have gleaned is that the people of Kalgoorlie and Boulder particularly must have some special consideration and that it is

almost an understood thing, although the electors elsewhere may vote for a reduction of hours, that in this particular locality, it will not be desired, and for the sake of allowing them to differ from the rest of the electors and preserve the long hours we have at present, the division has been made.

Mr. Green: We might desire the hours to be extended. Would you be in favour of granting that?

Mr. CARPENTER: I do not think that is likely. It is not a vital question but on the boundaries of the districts there might be some confusion and friction on account of having different closing hours on either side of a boundary.

Mr. Thomas: The amendment does not provide for that.

Mr. CARPENTER: I am dealing with the Bill itself. There can be no question that to be consistent we must include clubs and, to save ourselves from public ridicule and a charge of inconsistency, we must include the refreshment bar in connection with this House.

The Premier: We cannot include it in the Bill.

Mr. CARPENTER: Why not? There is no reason why we should not have a special provision in the Bill that any decision come to by the electors of the metropolitan area should be adopted in regard to the Parliament House refreshment bar.

The Premier: There is no reason why it should be included because the House can decide it at any time without this Bill.

Mr. CARPENTER: We are asking the electors to decide what shall be the hours for closing in the metropolitan area excepting at Parliament House. That is the position.

Mr. George: No.

Mr. CARPENTER: As the Bill stands it is so. It is inconsistent and we shall be making ourselves a laughing stock if we say to the electors of the metropolitan area—"You can decide what hours shall be fixed for every licensed place where liquor is sold in this area except that in which we are specially interested."

The Attorney General: Would you apply the Early Closing Act to Parliament House?

The Premier: You are making yourself a laughing stock by arguing that because we have the power to close the refreshment bar at any time by motion.

Mr. CARPENTER: The Premier is reserving to this House a special power and preserving a special interest for his own special use.

Mr. Foley: You are waving the flag.

Mr. CARPENTER: I am speaking from the point of view of being consistent.

The Premier: That is a matter for members to decide afterwards.

Mr. CARPENTER: If we make it apply to clubs there are equally strong reasons for making it apply to what is practically a club here, and we shall be throwing ourselves open to public ridicule if we do not include every place where liquor is sold, and if, by omitting it from this Bill on any pretention, we exempt ourselves from the decision of the electors of the metropolitan area and give them the right to say they may close earlier every other place except that in which we have an interest.

Mr. Foley: It would not affect you or me a great deal if they closed it up.

Mr. CARPENTER: As to the amendment of the member for Katanning (Mr. Thomson) the hours mentioned by him commend themselves to me. I think the hours of 9 a.m. to 9 p.m. would be a moderate and reasonable alteration to make.

Mr. Foley: Did you ever know a man who could drink from 9 to 9 and not get drunk?

Mr. CARPENTER: While I am glad that the electors are to have the right, as the Bill is framed, to fix an earlier closing hour in the evening, I can never appreciate the necessity for hotels being opened at 6 a.m. while other business houses open at eight or 8.30 a.m.

Mr. Thomas: If you were out on the razzle all night, you would know.

Mr. CARPENTER: While I agree with the hours mentioned, I cannot support the amendment.

The Premier: A principle is involved.

Mr. CARPENTER: Yes, and a very important principle. The Bill is framed on the broad principle, recognised by temperance reformers in their advocacy of reform, of consulting the people and allowing the people to say what they will or will not have, and because the hon. member's amendment departs from that principle, I cannot see my way clear to support it. It is true we have the Act of 1914 giving the Government power to do certain things in an emergency, and there are people who have claimed that the Government ought to have put that Act into operation some months ago. I agree with the action of the Government that so far as I can learn there has arisen no emergency sufficient to warrant them putting that Act into operation. The only regret from the point of view of the Government is that they are now asking us to pass this Bill as an emergency measure when previously they have contended that there has been no emergency sufficient to warrant them in putting the provisions of the Bill into operation.

Hon. J. D. Connolly: They are not very consistent.

Mr. CARPENTER: To some extent there has been inconsistency. I am going to waive that for the sake of getting what I have contended for a long time, namely the right of the people to express for themselves in a legitimate way their wishes in regard to the time of closing hotels.

Mr. Foley: It is going to cost £3,000 to get it.

Mr. CARPENTER: If we get a reduction of a couple of hours or so in the closing time of hotels we will soon make up that money and save money by the process. For that reason I have very much pleasure in supporting the second reading of the Bill.

#### *Point of Order.*

Mr. Male: What is the question before the House?

The Deputy Speaker: That this Bill be now read a second time to which an amendment has been moved that all the words after "that" be struck out with a view to inserting other words. The

question is—That the words proposed to be struck out stand part of the question.

Mr. Male: On a point of order, is the amendment in order?

The Deputy Speaker: The amendment is perfectly in order. As set down in our Standing Orders provision is made for moving certain amendments. It is also stated that no other amendment may be moved unless it is strictly relevant to the Bill. It is further stated that an amendment may be moved by leaving out the word "now," and substituting other words as an amendment to the second reading of the Bill. It is also stated definitely in *May*, 11th edition, page 472—

It is also competent to a member who desires to place on record any special reason for not agreeing to the second reading of the Bill, to move, as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from the principles, policy, or provisions of the Bill. This question is entirely relevant to the Bill and it is attaining the object provided for.

Mr. Male: Does it say in our Standing Orders that you can use this as a means of objecting to the Bill?

The Deputy Speaker: I merely quote these words from *May* to show that the amendment is in order. It is an enlargement of our present Standing Orders.

#### *Debate resumed.*

Mr. WANSBROUGH (Beverley) [7.48]: This liquor question is, to my mind, and I think to the minds of all right thinking people, a national one, one in which the people as a whole are vitally concerned. I am a strong supporter of the provision in the Bill that the matter shall be referred to them, particularly as relating to the hours of closing. Various hon. members have touched upon this aspect of the question. I am afraid that an amendment carried in its present form will not have the effect that the mover and its supporters desire. There is not such a great demand

for the reform in the country districts as compared with the absolute need for it in the metropolitan-suburban area. I am only speaking from the experience which I have gathered quite recently in the course of my visit to the metropolis, particularly at this present time. The Bill meets with my approval in every respect and I am going to support it, particularly because I believe in questions of this description being referred to the people for decision. Reference was also made to the cost to the country which this referendum will entail. Any expenditure in that direction will, to my mind, be quite made up for by the benefits which the people will derive from the measure. I am a strong supporter of the Bill.

The ATTORNEY GENERAL (Hon. T. Walker—Kanoona—on amendment) [7.50]: I desire to show the effect of the amendment as proposed by the hon. member for Katanning (Mr. Thomson). We have on our statute book the Act of 1911 which makes it lawful for holders of licenses to keep their premises open from six o'clock in the morning till 11 o'clock at night. Until that is repealed by a measure of equal force, that is to say by another Act of Parliament, it will always remain law, and it is impossible by a resolution of any single Chamber, or by a resolution of both Chambers, to repeal a statutory enactment.

Hon. J. D. Connolly: Cannot you do it to the Act of 1914?

The ATTORNEY GENERAL: That is another question. We are not dealing with the Act of 1914.

Hon. J. D. Connolly: You will be in a day or two.

The ATTORNEY GENERAL: When we are it is time to consider it. We are dealing now purely with the Bill that is before the Chamber. The amendment of the hon. member—

The Premier: He is going to withdraw it.

Mr. Thomson: How do you know?

The ATTORNEY GENERAL: The amendment of the hon. member is, from

the wording of it, merely a pious desire, because it says—

That this House resolves that it is desirable for the Government to put into operation the powers contained in the Licensing Act, 1914, and close the hotels and clubs from 9 p.m. to 9 a.m. during war time.

That, on the wording of it, is a desire, but I take it that the House means something more than that. The House means that it shall be a direction to the Government to put into operation the powers conferred upon them by the Act of 1914, and if it be an instruction it is an instruction for us to violate both the Act of 1914 and the Act of 1911. I am sure that no Government in the world would accept instructions to do anything of the kind. I could not possibly advise the Government to act upon a resolution of that description, to ask the Government to annul an Act of Parliament on the strength of a resolution of this Chamber. No hon. member of this House would say that I was wrong in advising the Government in that way. The whole error is in mistaking the construction, the real meaning of the Act of 1914. Some say that nothing was said about there being an understanding that it shall be for special circumstances. But the whole construction of the Act means that. In Section 2 of the Act of 1914 we say—

The Governor may from time to time by proclamation restrict or prohibit the sale, offer for sale, supply or gift of liquor, either alone or mixed with water or other liquid, within any licensing district, or any defined portion of any licensing district.

Hon. members will see that these words imply that discretion must be used, not within the whole State as a State but even within any particular district. Under the Act of 1914 we can either stop the sale of liquor in a particular hotel, or in two or three hotels within any licensing district of the State, or we can do it in all licensing districts. It implies that we must act reasonably and have warrant for doing it. We can only suspend by this Act the 1911 Act when there are

special reasons for doing it. No one would ever dream of thinking that this measure was simply placed at the whim of the Government to stop or extend the sale of liquor wheresoever and howsoever they pleased. No one would put that construction upon it. It is not to operate at the whim or caprice of the Government. The Government must have justification for doing it and it must be special justification. It may be applied to only one hotel or to a whole district, or any district as the emergency arises. That is the only possible construction that can be placed upon the Act. We now have substituted for the plain directions of the law a resolution designed to bring about uniformity from one end of the State to the other in respect to the closing of hotels at 9 o'clock at night. Therefore, if the amendment be carried, it is a two-edged sword. First of all, it is a direction from this House, not understanding the 1914 Act, and not realising the responsibility placed upon the Government by the Act of observing whether or not there are special local reasons for putting it into operation, and then it is telling the Government that they have not exercised their discretion and must do so. It is a sort of indirect vote of want of confidence in the Government for not having put into operation their discretion.

Hon. J. D. Connolly: It says put the hours in the Act of 1914.

The ATTORNEY GENERAL: We cannot do it by resolution of the House.

Hon. J. D. Connolly: You could on amending the Act.

The ATTORNEY GENERAL: When the Act is before this Chamber that is time enough to do it.

Mr. George: Is not the war emergency something to cause the Government to think on that Bill?

The ATTORNEY GENERAL: On this particular Act, the 1914 Act, undoubtedly it was. Hon. members will recollect that at that particular time, especially on the goldfields, we had Austrians, Italians, and Germans living in a community isolated to themselves. At

any time we might have had a riot. Fortunately, the internment of some of the alien subjects has removed the necessity for putting the Bill into operation. We had to be prepared for emergencies of that kind, however, and it was with that in contemplation and because of similar circumstances that this measure was passed. These circumstances have not arisen, but might well arise yet. To show that the two are independent, I tabled at the same time that hon. members had this Bill before them the continuation of the 1914 Act. If this Bill passes, and if this appeal to the people becomes law, we shall still require legislation to meet the special emergencies arising under the 1914 Act. They are two distinctly separate measures and cannot be confused. Everybody knows that it would be a very pernicious principle to induce the House to seek to annul or to extent legislation by means of a resolution of a single Chamber, or even a resolution carried in the double Chamber. To annul laws, or suspend or alter laws, we require a special Act of Parliament going through all its phases in a proper constitutional manner.

Mr. Nairn: The Victorian Government took the opportunity.

The Premier: They passed an Act.

The ATTORNEY GENERAL: It was an Act of Parliament which enabled them to do that. The Victorian Government did not act on a mere resolution of the House in order to alter the law of the land. Such matters must go through the ordinary course.

Mr. Nairn: It means only an extension of the law.

The ATTORNEY GENERAL: The hon. member is new to Parliament. I know what he intended to say; but this Chamber has not the power. Those who have to administer the law would have to do so in spite of any resolution which this House might adopt. I am only pointing out to the Committee that if they carry this resolution they must take the responsibility of killing the Bill with-

out in any way affecting any change in the law.

The Premier: The hon. member is going to withdraw the amendment.

The ATTORNEY GENERAL: I am not sure that he is, and I want members to be aware of what they will be doing if they carry the resolution, that it will not have any effect on the law as it stands but will have the ulterior and more disastrous effect of preventing this measure from being discussed by the whole Parliament.

The MINISTER FOR WORKS (Hon. W. C. Angwin—North-East Fremantle) [S.3]: I do not think I can quite agree with all that the Attorney General has just said respecting the 1914 Act. Because, under that Act, the Government has power by proclamation to take certain action, and when such proclamation has been issued it becomes law under the 1914 Act. At the same time, I would point out that we have also a 1911 Act and that that Act provides that certain action shall not be taken until the year 1920. Under normal conditions I, for one, would object to any interference in regard to that Act until that year arrives. But present conditions are not normal, and the Government is justified in placing this Bill before the House as an emergency measure. If it were not so, it might be possible to nullify the decision of Parliament arrived at when a certain Bill was brought down and eventually withdrawn. Seeing that this is an emergency Bill, and seeing that its powers shall have effect only during war time, I think that even those hon. members who previously opposed the submission of the question of a reduction of licenses to the people can with justification support a measure of this kind under present conditions. The hon. member for Fremantle (Mr. Carpenter) stated that he was in favour of submitting questions of this character to the people because it had always been the principle of the temperance party to put questions of this kind to the people. I will ask him, if that is a principle of the temperance party, why a few weeks ago, they asked the Premier to

put in operation the provisions of the 1914 Act, an Act passed by Parliament for an entirely different purpose, for the purpose of stopping the sale of liquor, particularly when there was possibility of riot, under circumstances in which the sale of liquor would be injurious not only to the people concerned but also to the State generally?

Mr. Carpenter: That was not the contention of the temperance party.

The MINISTER FOR WORKS: It was the temperance party all right. They asked the Government to make use of the privilege placed in their hands by Parliament for a purpose never intended by Parliament.

Mr. S. Stubbs: What did they ask?

The MINISTER FOR WORKS: They asked the Government to reduce hours under the 1914 Act—from 8 to 8, I think. We have to take into consideration that at times like this not only is the State not in a normal condition—conditions are not normal in any part of the British Empire—but individuals are exactly similarly placed. Is it possible under existing conditions for us to get so clear and concise a judgment in a vote on a question of this kind as we should under normal conditions? I maintain that it is not. I know people who would vote in normal times against a reduction of hours and would to-day vote for reduction because of the existing abnormal conditions. That, in my opinion, is an argument in favour of this Bill as an emergency measure. As soon as the war is over and matters are in such a condition that the people can give careful consideration to this question, I feel confident there will be some difficulty in effecting any change in the hours for the sale of liquor. Take the question of the early closing of shops. It was said immediately the first vote was taken that the people would get tired of it, that they would never again vote for the closing of shops at 6 o'clock and 1 o'clock on Saturdays. But what has been the experience? In no case have the people demanded, although they have the right under the Act, that another referendum be taken on that question. They are so satisfied with the decision arrived

at at the first referendum that the hours are the same to-day as were then decided by the people. Consequently, I think the Government, and the Attorney General particularly, are quite justified in making this an emergency war measure, for the purpose so to speak of getting in the thin edge of the wedge, and ascertaining what is at this time the opinion of the people in regard to the licensed houses difficulty. The member for Fremantle dwelt at some length on the question as it affected Parliament House. All I have to say—and in this I am not speaking either of him or of myself, for we neither trouble the bar at all—so far as the Federal members are concerned, I do not think it pays them to keep the bar open. I think it would be a gain if it were closed. They have to keep a man to look after it, and I doubt whether they get sufficient revenue to pay the barman's wages. In supporting the second reading of this Bill, I do so because it is an emergency measure.

Hon. J. D. CONNOLLY (Perth) [8.11]: When the Licensing Act of 1911 was passed there was an understanding certainly so far as Parliament can pledge itself, that licenses would hold good without any alteration so far as closing hours, etcetera, are concerned for ten years, till 1921. Licenses prior to that time were only given from year to year, and then Parliament decided that there was to be no interference for ten years, after which the local option vote would become operative. The Bill we are now dealing with concerns the sale of liquor in war time. Personally, I do not think there was any necessity to bring down the Bill at all in its present form. It is too cumbersome.

The Premier: What do you mean when you say "personally"?

Hon. J. D. CONNOLLY: My own opinion as a member of this House.

The Premier: Your opinion as the member for Perth?

Hon. J. D. CONNOLLY: Quite so. Undoubtedly there should be some extra restrictions on the sale of liquor during war time; and Parliament, recognising that position, in 1914 passed an amendment of the 1911 Act, giving the Execu-

tive full power to close hotels throughout the State, for any time deemed necessary in any district or any part of any district. In my opinion, there have been circumstances in which those administering the Act might have put it into force.

The Attorney General: Give us instances.

Hon. J. D. CONNOLLY: I will give you plenty of them. I remember being in Albany during January or February, of this year.

The Premier: The member for Albany is not present.

Hon. J. D. CONNOLLY: The member for Albany is not in fault. Troops from New Zealand were passing through the town and the hotels should have been closed all day.

Member: Why?

Hon. J. D. CONNOLLY: Because the state of affairs obtaining there reflected no credit on the Government or on the troops themselves; and that state of affairs could have been obviated if the Government had exercised the powers contained in the 1914 Act.

Mr. Foley: Did you send word to the Government?

The Attorney General: Was any representation made to the Government about it?

Hon. J. D. CONNOLLY: I know nothing about that. The Government have the police there. The member for Fremantle (Mr. Carpenter) expressed himself a little while ago to the effect that there never has arisen an occasion on which the Government ought to have put the Act of 1914 in force. In his own electorate, during last November or December, certain troops from the other States *en route* to the front were lying about by the dozen in a hopeless state. I saw that with my own eyes. The hotels at Fremantle should have been closed on the occasion of the calling of those troop ships. The police officers were on the spot, and if they did not report the necessity for closing the hotels they failed to do their duty. That occasion afforded an instance of the very purpose for which the emergency legislation was passed—to

try to keep the troops from acting in that intemperate way.

The Minister for Works: That measure had nothing to do with the troops.

Hon. J. D. CONNOLLY: It had, because it was a war time emergency measure.

The Premier: Until what you state had happened, the Act could not be put into operation.

Hon. J. D. CONNOLLY: Of course it could.

The Premier: What grounds would there have been for putting it into operation?

Hon. J. D. CONNOLLY: The ground that the executive had common sense.

The Premier: You are not a good judge of common sense.

Hon. J. D. CONNOLLY: I am afraid I cannot be, because I helped to pass an Act giving the Government power to put it into force when occasion arose, and the Government had not the common sense to do so. While believing that the principle of the Bill should be accepted, yet I think the method of going about it is cumbersome. The country is to be put to an expense of at least £3,000, on the estimate of the Attorney General. The poll cannot be taken until the end of December next, whilst the law is to remain in force only until December, 1916. The war may be over before the poll is taken at all, or shortly after.

The Minister for Works: I hope it is.

Hon. J. D. CONNOLLY: I hope so too. We shall be putting the country to all this expense simply because the Government and Parliament have not the courage to face the position and exercise the power under the existing Act to reduce hours. With the amendment of the member for Katanning (Mr. Thomson), that the hours should be from nine to nine in war time, I have a great deal of sympathy. Indeed, the present hours might well be shorter in various parts of the State, though in others they might not be too long. On the goldfields, for example, there is perhaps not the same necessity for the early closing of hotels, as

there is in the metropolitan area. Parliament, having representatives from every part of the country, ought to decide the matter. The representative of each part of the country should state what, in his opinion, ought to be done.

The Premier: But Parliament would not allow the member to give effect to his views for his own district.

Hon. J. D. CONNOLLY: Parliament takes the responsibility. Like the Minister for Works, I am unable to follow the pleading of the Attorney General when he says that the carrying of the amendment will stultify—I forget the exact words the hon. gentleman used—or wrongly apply the Act of 1914.

The Premier: What would you advise for your own electorate?

Hon. J. D. CONNOLLY: That all depends. It would, at all events, have to be something uniform with what was adopted for the adjoining electorates. I do not want to see hotels closed in Perth at nine o'clock, while just across the border, in West Perth, say Milligan-street, the hotels remain open till eleven.

Mr. Foley: But you say each member has to take the responsibility for his own electorate.

The Premier: Tell us what you want in Perth.

Hon. J. D. CONNOLLY: The same difficulty will remain if the referendum is carried, because the Government have divided the State into four districts. On the goldfields we shall probably have the closing hour fixed for six o'clock, in Geraldton perhaps nine, at eleven for Yalgoo, which is in a goldfields district, and across the border, in Mullewa, which is put in the farming district with Geraldton, at six.

The Premier: What do you want in Perth?

Hon. J. D. CONNOLLY: What I am prepared to do, and what I advocate, is to drop this measure. We have to re-enact the 1914 legislation. Let us discuss and settle the hour at which hotels shall be closed during war time for the whole State. I am quite in favour of shortening the hours

during war time, and war time only, because, I repeat, the Act of 1911 was not to be interfered with except during such an extraordinary time as we are now passing through. Unquestionably the Government have introduced this Bill in order to get rid of the responsibility which rests on them for their failure to exercise their powers under the 1914 legislation. While I shall support the Bill before the House, I think it would be a much easier and better method of arriving at the same result if the Government would accept the suggestion indicated by the amendment of the member for Katanning, namely, to insert the hours for hotels, whether they be from nine to nine or from six to six, in the Act of 1914. Whatever the House may decide, let the House take the responsibility, and not put the country to the unnecessary expense of £4,000 or £5,000 for the sake of a few months' operation of this measure. Let me point out to the advocates of this Bill that in the meanwhile we are losing all the valuable time between now and December, because until the referendum has been taken the hotels will remain open for the same hours as at present. The referendum is not to be taken until the date fixed for the Federal referendum in December; and therefore the measure we have now before us cannot be brought into force, even if the public decision be in its favour, until January, 1916.

Mr. THOMAS (Bunbury) [8.23]: While I am of opinion that the hon. member who sprang this amendment upon the House is anxious to do the very best that is possible in the matter, I believe he has led the way, through the discussion and the voting on the amendment, ultimately to defeat the real object that he has in view. Because it is possible that while members of another place may not be convinced of the wisdom of closing hotels earlier on their own initiative, while they may not be willing to take the responsibility of doing that, they may be prepared to let the people express their own opinion on the matter and decide what they desire. If



such is the case, and if we carry the amendment, it would mean that if the members of another place were not prepared to take the responsibility, the amendment would be lost, and the Bill would be lost, and the whole movement would be lost for the present session of Parliament.

Hon. J. D. Connolly: No. You have to re-enact the 1914 Act.

Mr. THOMAS: In the first place I am very doubtful whether it would pass both Houses of Parliament. Indeed, I am perfectly satisfied it would not do so. If the 1914 Act were re-enacted in its present form, leaving on the shoulders of the Ministry the responsibility of deciding for each district what hours should apply, I would not envy either the Premier or the Attorney General his job. There would be all sorts of political influence brought to bear, and all sorts of deputations coming along, and in the babel of tongues and in the confusion of ideas the Government would not have the slightest notion as to what the people really wanted.

Mr. Green: Is not that the desire of the member for Perth?

Mr. THOMAS: The member for Kalgoorlie (Mr. Green) is probably striking the right nail on the head now. I am of opinion that the member for Katanning (Mr. Thomson) in proposing his amendment was perfectly genuine in his desire to help the measure forward, and if possible to improve it, because I know from my conversations with the hon. member that he holds firm convictions on this subject. But I am not so sure that some of those who are supporting the hon. member have any such idea in their heads. No Parliament in the world can give any exact representation of the wishes of all the people. Here we may be under certain influences: possibly we are in closer touch with feeling in the metropolitan area. We may think that we know what is wanted by all the constituencies of Western Australia, but it is not possible that we can. If we carried the Bill, amended as desired by the member for Katanning, through both Houses of Parliament, and fixed the hours for

hotels from nine in the morning till nine in the evening, it would still be open for those opposed to that arrangement altogether to use the argument that public opinion did not approve of it at all. We would never have the question settled whether there should be any restriction of hours; we would never have it settled definitely and beyond all dispute.

Mr. Thomson: We never will.

Mr. THOMAS: I think so.

Hon. J. Mitchell: If this Bill is passed, the question will only be settled temporarily.

Mr. THOMAS: It will be settled for the time being. Once the people have given their verdict—and I have no doubt the referendum will result in a pretty substantial majority for early closing—then there can be no opening for anyone to question the decision. There can then be no argument as to whether it shall be done or not. The people will have spoken: they will have decided for themselves what they desire. While I do not agree with the division of the State into four parts for the purposes of the referendum, the result will be that if hon. members desire to afford the various parts of the State an opportunity of fixing different hours, that will apply. In my opinion, however, there should be one vote for Western Australia. We should decide as a whole whether there shall be earlier closing hours or not. In my opinion, the failure of liquor reform in New Zealand, and in other places where similar methods have been adopted, is due to the fact that in one place there is a dry district, and just across an imaginary line a wet one.

Mr. O'Loughlen: The last vote on this question was taken over the whole Dominion of New Zealand, though.

Mr. THOMAS: The difficulty under this Bill would be that the hours in adjoining districts may be different, so that people can go across the border and obtain what they require and possibly bring back large quantities of liquor into their district. Thus, all calculations would be upset as to the possible benefits or otherwise of the legislation we are seeking to introduce. I am perfectly

satisfied that a large amount of drinking is due not altogether to the appetite for liquor but to the fact that people congregating in hotels indulge in the unfortunate habit of returning drinks to one another, with the result that whereas a man under ordinary circumstances may have only one or two drinks, he sometimes has as many as 20. It seems to me that some hon. members are inclined to regard the whole subject as a joke. If that is really the case, it is regrettable. I do not think there is any room for levity in the discussion of a measure which is of such vital importance to the people of Western Australia, and it does little credit to the members of this House that they can find nothing better to do than pass jokes across the floor of the House while an endeavour is being made to discuss this subject. The member for Perth (Hon. J. D. Connolly) was rather illogical in his arguments. He said that he favoured the amendment, that he thought it would effect all that was desired. But he said, on second thoughts—he evidently had not thought the matter out very much—it was possible that different hours might be desired in different sections of the community. If that is so, if the hon. member thinks that the voice ferent hours might be desired in different hours should obtain in different localities of the State, how can he possibly support the amendment? It seems to me that the hon. member must perforce vote against it. Another argument used in support of the amendment and against the Bill was that the referendum would not take place until December, and consequently very valuable time is being lost. But there is no cast-iron law to prevent us in Committee from altering any detail of the Bill, and if members opposite are so overwhelmingly desirous of having this reform brought into effect immediately, I am satisfied that members on this side will not stand in their way and prevent them altering the date from December to September or October.

Mr. George: It will cost more money then.

Mr. THOMAS: If it is going to cost £3,000 in December, and if it can be

carried into effect in September for £6,000, the difference will be saved to the country two or three times over. It is only drawing a red herring across the path to use an argument like that, because Western Australia is spending at the present time two and three-quarter millions per annum in liquor.

Mr. O'Loughlen: Not at the present time.

Mr. THOMAS: Any man can see what it is at the present time. If any legitimate restraint can be effected, and I am satisfied that the closing of the hotels between 6 o'clock in the evening and 6 o'clock in the morning will do away with one third of the consumption of liquor, where does a paltry £3,000 or £4,000 come in in connection with the cost of the referendum. Is it not worth it to get the referendum through in September or October? As one who professes to be democratic, and much as I desire this reform, if the people do not wish it, I am not prepared to see it forced upon them, and it is just remotely possible that the people may not wish it. We know not what they wish. Then what authority has this Parliament to deny them the right to speak for themselves? Why should we force our will upon them? I am satisfied however that the people will speak with no uncertain voice on this matter. I do not regard this as emergency legislation. I am not prepared to advocate it on such grounds that because it is just and right to-day it will be just and right for all time to come, but I am prepared to accept what the Government are offering because I am satisfied that once the people get the right to express an opinion, the verdict will be so emphatic that for to-day and all time in Western Australia it will remain as the people will fix it on referendum day. Once realising the benefits that will come from it, the people will never, so long as Western Australia exists, go back to the old condition of things.

Mr. CUNNINGHAM (Greenough) [8.35]: I would like to say a few words in support of the Bill as it stands. It is generally recognised by all those nations

which are engaged in the present war that some restriction upon the sale of intoxicating drink is necessary, and restrictions have been placed upon the sale of liquor in some countries. So far as those countries have gone, that restriction has proved a pronounced success, and I think the conditions as they prevail to-day warrant the people of this State in following in their footsteps in order that so much of the people's money will not be spent in drink while abnormal conditions exist. Hon. members who have spoken in favour of both the second reading and of the amendment, seem to recognise the necessity for a measure of this kind, and therefore I think that a Bill which will place the matter before the people in order to secure their verdict is about the fairest course that can possibly be taken. It has been said, and I think rightly, that it should also apply to clubs and other licensed premises, and it has also been urged that it should apply to the refreshment bar at Parliament House. I do not believe that the person in charge of the refreshment bar here is going to grow rich on the sale of intoxicants, and I do not think if the sale of liquor were restricted here, that that would shorten the session or have any other appreciable effect. Personally I am of the opinion that the vote should be taken from the State as a whole. So far as the general conditions prevail I believe in the people of the different localities having the right to decide what should be done in regard to general affairs, but with regard to drink, it is only dealing with one question, and its effect is the same in nearly every part of the State. Therefore if the vote were taken in the State as a whole it would not inflict a hardship on any section of the community or on any portion of the State. However, that is a matter which can be thrashed out in Committee. I intend to support the second reading of the Bill as it stands.

Mr. THOMSON (Katanning) [8.40]: With the permission of the House I would like to withdraw my amendment and make a statement.

The DEPUTY SPEAKER: The hon. member may make a personal explanation.

The Premier: Admit that you were wrong.

Mr. THOMSON: I do not recognise that I was wrong. There is an old saying, "Behold, how great a matter a little fire kindleth." During the tea adjournment I was accused of attempting to wreck this Bill. I want to say emphatically that I have no such desire. I was quite sincere when I stated that I considered the House should take the responsibility of determining the hours at which the hotels should close. We have evidence of what has been done in France and Russia, and we also have a place nearer home, Victoria. There the Government did shoulder the responsibility; they introduced a Bill to amend the principal Act and I think the Government in this State might safely introduce a measure to deal with the hours. I would also like to emphasise the point that I do not see any reference in the original Act that the people were to be consulted as to the hours. Parliament, I assume, fixes the hours during which trading shall be done.

The DEPUTY SPEAKER: The hon. member is getting away from his explanation. He can only explain the reasons for desiring to withdraw the amendment.

Mr. THOMSON: As we will have a Bill to amend the 1914 Act before us shortly, I will then have an opportunity of moving in the direction I have intimated. I will not go any further now but with the permission of the House will withdraw the amendment.

Amendment by leave withdrawn.

Mr. O'LOGHLEN (Forrest) [8.43]: In making a few observations on the Bill I realise that I am to confine my remarks now to the second reading of the measure, the amendment having been disposed of. Whenever a measure has been introduced in this House dealing with liquor law reform what has stood out prominently has been the fact that there

has been more discussion on it than in connection with any other measure.

Member: More freedom.

Mr. O'LOGHLEN: There may be, but I venture to say that during the eight years I have been in this Chamber there has never been a Bill introduced with the object of amending the licensing laws in regard to which half or two-thirds of the members have not participated in the debate. That is I suppose as it should be, because this question has its advocates in practically every electorate throughout the State. I only desire to say in supporting the Bill that we must not lose sight of some of the consequences which will follow on the enactment of this legislation. There has been a chorus of approval of the measure and much has been said of the delay that will occur before the referendum is taken, and the argument has been advanced and facts have been stated in support of it, that this House should take the responsibility. I happened to be in Victoria a few weeks ago when the Parliament in that State took it on their own responsibility to close the hotels from 9.30 in the evening until 9 next morning. In that State they had been in the habit of closing at 11.30 in the evening. New South Wales, we find, is refusing to take any action whatever, while in Queensland up to the present time, the question has not been pushed to the front. In South Australia they took a referendum over the whole of the State and the result of the referendum was an overwhelming majority in favour of closing at 6 o'clock. As a member of the Labour party it is not possible, of course, for me to oppose a referendum. I am in favour of a referendum wherever possible as a means of putting questions of public importance before the people. I regret that the present Government did not make an attempt to get ample powers which would have enabled them to submit other questions besides the licensing question to a referendum of the people.

Mr. Carpenter They tried it once.

Mr. O'LOGHLEN: Yes, but unless they keep on trying they will not succeed.

The Attorney General: We intend to keep on trying.

Mr. O'LOGHLEN: As usual, political motives operated, but I think if we had tried we would have been able to enlist the support of a big section of the community towards carrying through another place authority for the power to submit to the people questions which the people have a right to decide. I have much greater enthusiasm in supporting this Bill—

The Minister for Works: A lot who support this Bill would not support the other.

Mr. O'LOGHLEN: That shows their inconsistency.

The Premier: It is correct, all the same.

Mr. O'LOGHLEN: If it is a correct attitude on their part—

The Premier: Not a correct attitude; a correct statement of fact.

Mr. O'LOGHLEN: We have heard the statement that the liquor trade has, to a large extent, settled itself. I hold that it has. In Perth I believe we now have one of the most orderly cities that can be found, and the reason why there is such a lack of drunkenness—and the police reports bear out this statement—is due to the fact that the people have not the money to spend. They are living in bad times; their employment is limited and their earnings are limited and, as a result, the hotel trade is not as buoyant, nor will it be as buoyant for years to come as it was a couple of years ago.

Mr. Griffiths: You can see plenty of drunks every evening in the City.

Mr. O'LOGHLEN: I do not see them. Even if this Bill is passed, we shall see an occasional drunk in the streets. This Bill will not usher in that happy state of affairs when all drunkenness shall disappear.

The Minister for Works: We see them on Sundays.

Mr. O'LOGHLEN: And I can give the reason why they are seen on Sundays. I wish to reply to the hon. member for Perth, who charged the Government with laxity of administration simply because he saw troops in Albany on a Sunday—I think that was the day on which they passed through that port—obtaining a

fair quantity of liquor. I have heard that the hotels in Albany were allowed to remain open that day—not open altogether, the front door being closed, but the troops were allowed to obtain refreshment. Coming from a dry country like New Zealand, as many of them did, and others from the Eastern States, possibly the men required this refreshment. At any rate I am not going to take exception to the action of the authorities if they did allow a little latitude on that occasion. These men were leaving Australia, perhaps to stop a bullet in the course of a few weeks, and probably this was the last day's outing they would have, and I do not think, therefore, that the authorities should be too stringent in their administration of the law on such an occasion as that.

Mr. B. J. Stubbs: It is no justification that men should be allowed to get drunk.

Mr. O'LOGHLEN: The member for Perth did not say they were drunk.

Mr. B. J. Stubbs: They should not be allowed to be treated on Sunday.

Mr. O'LOGHLEN: That is where we differ, and where we have a right to differ. I was speaking to the mayor of Albany and from what I learned from him, I do not think anything in the nature of disgraceful proceedings was in evidence. In passing this legislation, we are going to do something which will minimise employment to a great extent and will have the effect of sending a good many of the licensees into the insolvency court. I do not intend to put up a special plea for the licensees. It is their fate. There is a great temperance wave sweeping over the whole world at the present time, and it is impossible for all the agitation on the part of the licensed trade to resist that wave of temperance.

Mr. B. J. Stubbs: The people are getting more educated.

Mr. O'LOGHLEN: We are hoping that the world is getting more educated, though there has not been much evidence of it recently. I want an assurance from the Attorney General, and I hope he will make some explanatory comment in Committee on the provision in the Bill dealing with the apportionment of rent. I

do not say that a man who keeps an hotel is a man to be shunned. There are many reputable citizens among hotelkeepers who have entered into long leases and who, being denied the right to trade during the most profitable hours of the day, will find themselves in the insolvency court.

Hon. J. D. Connolly: They are to get a rebate.

Mr. O'LOGHLEN: It remains to be seen whether that will be a fair recompense for the loss of trade.

Mr. George: I suppose the landlord will still have to pay his taxes.

Mr. O'LOGHLEN: If a man puts his money into an hotel investment and receives no rent or return from it, possibly he would have a legitimate grievance. Parliament is seeking to place shackles on the trade by reducing the hours during which trade may be carried on, and Parliament will have to devise a scheme to make the adjustment as equitable as possible.

Mr. George: To all affected.

Mr. O'LOGHLEN: Yes. It would be absurd, unfair and un-British to say that a licensee must close his house and perhaps deprive himself of four or five hours of the most profitable trade and still continue to pay the same rent to the landlord.

Hon. J. D. Connolly: He will get a proportion of the rent off.

Mr. O'LOGHLEN: I am not clear on that, and I do not think the hon. member can say what the apportionment will be. Can the hon. member tell me the difference in the value of trade during the various hours of the day, or say, a day comprising hours from 10 a.m. to 11 p.m. as compared with a day comprising hours from 9 a.m. to 10 p.m.? I suppose the Committee will give some attention to this aspect of the business. The whole question of licensing legislation—

The Premier: Have you heard the effect of closing at 9.30 in Victoria?

Mr. O'LOGHLEN: I have heard several statements but do not know which to believe.

Hon. R. H. Underwood (Honorary Minister): They are selling more liquor now than before.

Mr. O'LOGHLEN: If that is the case, we in Western Australia have not much to hope for from this Bill.

Hon. R. H. Underwood (Honorary Minister): They are selling it by the bottle instead of by the glass.

Mr. O'LOGHLEN: That leads me to comment on a condition of affairs which I think will crop up here. This Bill will be carried—there is nothing surer than that—and I for one fully believe that the referendum will be found to favour six o'clock closing. I wish the House to provide some measure of protection under this Bill to those people who will perhaps be deprived of employment and who will be very hard hit financially as a result of the operations of an Act of this kind. I hold no brief for the liquor trade, nor have I carried away with admiration for some of the tactics employed by the opposing party. We are told by some that the temperance people who are waging war against liquor are fanatics. Well, I suppose every reform which has been started was started by a fanatic or a crank. Outside of the temperance party and those who for years have been fighting for temperance reform, there is a big body of the public whose approval is behind this movement. Very often unfair attacks are made from both sides. In this morning's paper appears a statement made by a speaker at the W.C.T.U. convention meeting held yesterday in the course of which serious reflections were cast on State hotels as managed and conducted by the Attorney General. I am surprised that the Attorney General, being one of the principal men in the liquor trade of Western Australia, should have spoken at the convention last night without drawing attention to this matter. The statement was made that at Dwellington, which is in my electorate, the manager was pushing trade to such an extent and selling such a quantity of beer that three or four women had threatened to burn down the hotel. There is not a vestige of truth in that statement, and I ask the Attorney General not to allow that reflection to lie against an hotel which has been managed on proper lines

ever since it was established. The residents of the district will support me in this, and I hope the Attorney General will ask for the names of the three or four women in order to test the truth of the statement.

The Premier: He must be one of the fanatics.

The Attorney General: This is the first time I have heard of it.

Mr. O'LOGHLEN: I know from my own knowledge that the conduct of the hotel, and of the people as well, will bear comparison with that in any other part of the State. Remarks have been made regarding the New Zealand legislation, that owing to dry districts having been established a very unsatisfactory state of affairs has arisen. The Honorary Minister interjected that the people in those districts get a drink even if they do not have to go into a public bar. If we close our hotels at six o'clock I believe some people will still continue to get drink.

Hon. J. D. Connolly: Look at Clause 13.

Mr. O'LOGHLEN: That will not overcome the difficulty. In New Zealand the authorities are very strict and rigid in their administration of the licensing law. In the wet districts, where hotels are kept open, every Tom, Dick or Harry who applies for a license is not able to obtain one. If an hotel-keeper leaves one district and moves to another, he must obtain a reference from the magistrate in the district he has left, and only men of high standing are permitted to operate hotels, and I believe it is generally admitted that as a result of these precautions the liquor trade in New Zealand, apart from the dry districts where no responsibility is taken in connection with the liquor that gets into consumption, is conducted on a far higher standard than in Australia. I believe that in Western Australia there are men licensed as hotel-keepers who should not have a license, but apart from the hotel trade the most objectionable and pernicious feature of our licensing laws is that which provides for gallon licenses. This Parliament has not grappled with the question. We have

attempted to regulate and control it but during the last couple of years it has been forced home on me that it is a most simple matter to go into a house in Perth having a gallon license and obtain drink by the glass or by the bottle.

Member: What has that to do with the Bill?

Mr. O'LOGHLEN: I want the Colonial Secretary, before we start driving legitimate hotelkeepers out of the trade, to deal with those who are breaking the law every day in the week. We are likely to have the liquor trade and licensed houses in our midst for some time to come, and it is better that the trade should be conducted in the full light of publicity. Men and women are now able to go into a grocer's shop or a wine shop, particularly if there is not too much light, and obtain what drink they require, when those same people would not enter a licensed house in view of the public. In dealing with licensed houses we might remember to the credit of the hotelkeepers that the full glare of publicity surrounds their actions, and if this applied all round, some of the evils associated with the trade to-day would be removed. I am asking the Government to act in connection with this matter and it is right that they should do so.

The Premier: Do you suggest amending the Licensing Act?

Mr. O'LOGHLEN: I believe the Minister has the necessary power already. If he instructed the Commissioner of Police to keep a more effective watch, it would have the desired result.

The Premier: I can assure you he has issued those instructions long ago.

Mr. O'LOGHLEN: Then let the Commissioner carry them out.

The Premier: The Commissioner cannot do it because he cannot get pimps to do it for him.

Mr. O'LOGHLEN: It should not be a question of getting pimps to do it.

The Premier: It is useless to ask uniform men to do it.

Mr. O'LOGHLEN: If that is so, this form of license should be abolished altogether. I believe the gallon license has

led to the destruction of more home life in Western Australia than anything else I know of.

Member: What about the wine license?

Mr. O'LOGHLEN: The wine license, I believe, is on a somewhat better plane.

Hon. R. H. Underwood (Honorary Minister): There is a lot to be said on the other side but it has nothing to do with this Bill.

Mr. O'LOGHLEN: Fancy the Honorary Minister talking like that when he, I suppose, infringes the rules of debate more than any other member of the House. I could wish that provision were made in the Bill for giving the people free choice, as was done in Victoria, to decide the hour for opening hotels in the morning. I would like the people to have an opportunity also to express themselves on the question of opening on Sunday. Ever since I have been in this House I have favoured limited opening on Sundays. It might be experimental and no doubt the members for Subiaco and Fremantle would hold up their hands in holy horror at such a suggestion.

Mr. Carpenter It would be going backward.

Mr. O'LOGHLEN: It is going backward. It is better, however, to go backward than to go forward in some of the directions in which we have been going and imposing restrictions upon the people. For my own part, I do not care if no hotel in Western Australia is ever opened again. Of course, if a craving for drink comes upon a man, he is going to have his drink even if he steals it. Some people require drink on six days a week and may even require it on the seventh day. The Premier is one of the staunchest advocates of temperance and he is in favour of making the experiment. If on some Sunday that it is 110 degrees in the shade any club member can go along and get as much drink as he likes, whereas perhaps a man who is really in need of a drink is debarred from getting it unless he goes about getting it by such means as will place him within the possibility of getting into the Police Court.

Mr. Smith: Why did not the Premier propose a Bill that provided for this?

Mr. O'LOGHLEN: He only got 13 members in the House to support it.

Mr. Smith: I mean this Bill.

The Premier: This is a new Bill.

Mr. O'LOGHLEN: I know the House would not carry it if it was submitted. I think it is a good provision to make. People are going to drink no matter what restrictive legislation is placed upon the drink traffic. If we close the hotels at 6 o'clock in the afternoon they would still get their drink by some means or other. If the Commissioner of Police cannot deal effectually with holders of gallon licenses I want to know how he is going to deal with the sly grog shops that will be sure to spring into existence. If we are going to close hotels at 6 o'clock in the afternoon we shall have a very dismal sort of city. There are many people who will not go to the picture shows and who will not stop at home at any price. What are they going to do and where are they going?

The Premier: They can always come up here.

Mr. George: That would be the dead finish.

Mr. O'LOGHLEN: I am rather pleased to see in the Bill a provision relating to clubs. I am a member of three clubs in the City at the present time and I realise I may be taken to task for giving expression to my opinion on the subject. I favour clubs being brought under the provision of the Bill for the reason that I believe no one should be allowed to have these privileges. Just the same might be said in regard to the Parliamentary bar which should be closed up. If a member of Parliament cannot go without refreshment during the restricted hours to be allowed to the general public, it is time he learnt to do so. I am not going to vote for six o'clock although I believe that will be carried. It was carried in South Australia and they had difficulty in applying it there. They took a poll there over the whole of the State on the same principle as has been advocated here to-night and to which I am

opposed. The Premier of South Australia (Mr. Vaughan) told me that his life was made miserable by his attempt to deal with the question, seeing that the poll was taken over the whole of the State. As a matter of fact, the country districts told the City it must close up. In the metropolitan area by a majority of two to one the people decided in favour of 11 o'clock. The position is now that a law will have to be enacted to compel these people to close their bars, although they have to keep their houses open for the accommodation of country visitors who may arrive in the city either by the 7 o'clock, 8 o'clock, or 9 o'clock train. They have therefore to keep open until 11 o'clock. How is the thing going to work out? I believe it is a good scheme to split the State up into districts and allow each district to decide for itself. This overlapping business, this business of people merely having to go across the streets, is not likely to be operated on to the detriment of the measure. It would be unfair for one man to be deprived of the right of going into a hotel to have a drink while his fellow man, who is more fortunately situated and is financially able to belong to a club and pay his annual subscription, is in a position to get a drink at any time. If the clubs were not brought under the operation of this measure their membership would double during the first week in which it became law.

Hon. R. H. Underwood (Honorary Minister): Are you opposed to clubs having lockers?

Mr. O'LOGHLEN: It is immaterial whether we oppose the locker system or not. It is going to be introduced in all clubs and all members will have lockers. We shall have a system of secret drinking springing up. I should be very sorry to see the six o'clock hour carried. I think it would have been better for South Australia if they had carried the 8 o'clock hour, because they would then have had some chance of making it permanent.

Mr. Thomas: Would there not be secret drinking after 8 o'clock?



Mr. O'LOGHLEN: To some extent there might be. We are taking people away from an established custom. There are many ways of dealing effectively with the liquor trade. We pass a Bill which is going to diminish consumption in the liquor trade, but not as much as advocates of the Bill hold.

Hon. R. H. Underwood (Honorary Minister): Not necessarily.

Mr. O'LOGHLEN: That is a matter of opinion. Why is the Honorary Minister supporting its introduction?

Hon. R. H. Underwood (Honorary Minister): I am not so excited as you are about it.

Mr. O'LOGHLEN: From what I know of the Honorary Minister, if six o'clock comes in, I think he will have a pretty bad time of it. Before this Bill goes to the vote—and I believe there will be no division in this Chamber—I wish to express the hope that when we are dealing with it in Committee an attempt will be made to adjust matters for the licensee and not leave him at the mercy of the brewer. The feature that stands out in connection with licensing matters in Western Australia is the enormous hold which the brewery proprietors have upon the liquor traffic. We find that the shareholders of most of the brewery companies are living in Melbourne and drawing their dividends from Western Australia. If the poor tenant or licensee once gets into their clutches they drive a harder bargain with them than the most aggressive Shylock could ever do. They extract enormous ingoings from them and pile the rent on to them. The rent imposed on some of the City properties is absurd, and such as would be impossible for us to expect the licensees to continue to pay. I suppose that many of these men are not able to pay such rents. There are not five publicans in the city of Perth that are making more than £4 a week for their wives and children after paying the rent and their ordinary expenses. When the next income tax returns come along the Premier will be able to see how much income these pub-

licans have been able to earn for the last six months.

The Premier: We shall see. Would you like to look at them?

Mr. O'LOGHLEN: I shall be pleased to peruse them later on if the Premier will permit me. When this measure gets into Committee we shall perhaps be able to make the adjustment I have spoken of instead of bringing about these reforms. I believe as soon as Parliament settles down to serious business and this truce between parties has been cleared off and Parliament once more takes a hand in respect to the licensing laws, steps will be taken to obtain expert advice as to the system adopted to-day by the brewers in putting licensees into the different houses. I believe we could diminish the consumption of drink very materially if we could remove some of the meretricious practices which we find going on to-day in the hotel trade and which are following the drink traffic into the late hours of the night. The "shouting" system prevails in the City to an enormous degree and encourages both unnecessary and heavy drinking.

The Premier: Abolish "shouting."

Mr. O'LOGHLEN: It is impossible to abolish it. Even if a man does not want to drink himself—

Mr. Thomas: Bring in an "anti-shouting" Bill.

Mr. O'LOGHLEN: It would not be worth the paper it is written on. It has been tried in other parts of the world and cannot be enforced. It is no use bringing in such a measure.

Hon. R. H. Underwood (Honorary Minister): With reservations I will support you.

Mr. O'LOGHLEN: I believe that many great reforms could be introduced in several directions in our licensing laws as soon as we have an opportunity of dealing with them once more. I believe that both good and bad results will follow from this Bill, but that the good results will outweigh the bad. I regret that there is a certain number of men engaged in the trade, reputable men and citizens, who will go to the wall as a

result of this measure through no fault of their own.

The Premier: No chance.

Mr. O'LOGHLEN: No doubt there are dozens of men in Western Australia who will find it impossible to stand up under the new conditions. Possibly, however, it is better for these 20 or 100 licensees, whatever number there may be, to go to the wall and perhaps take up some other occupation than to have the evils which now surround the liquor traffic continue in our midst.

Mr. VERYARD (Leederville) [9.12]: When speaking on the Address-in-reply, I said I would support the Bill which we now have submitted to us, and I am glad to do so on this occasion. Generally speaking, I am not particularly pleased with regard to the referendum principle, but I look upon this not as the thin edge of the wedge to bring in the principle so warmly advocated by the Labour party, but I look upon it more in the light of local option. It is a question upon which the people should have the choice of saying what hours the liquor traffic shall be engaged upon.

The Premier: What is a referendum on any question but local option on that particular question?

Mr. VERYARD: The hon. member for Leonora (Mr. Foley) in speaking on the Bill referred to the waste of money that we would incur in submitting the referendum to the people. I do not think it is so much of a waste of money, and I agree with the hon. member for Bunbury (Mr. Thomas) when he said that probably great gain would follow in the train of the local option in the way of a decreased consumption of liquor. He also thought it would be better for the Government to take the responsibility as well as hon. members of introducing a Bill to this effect. I am quite prepared to support the Government if they were to bring in a Bill to close hotels at six o'clock every evening. I am pleased indeed that the Bill provides that all licenses shall be affected, and that it includes refreshment rooms, refreshment cars on the railways, and also vessels or packets on the river. I have no objection to includ-

ing Parliament House also, and I think that many other hon. members of this Chamber would agree with that provision. I am prepared to support the provisions of the Bill for a referendum, as I do not think we should force this on the people without an expression of port the suggestion which has been made port the suggestion which has been made that license fees should be reduced because the hours of trading are reduced. In view of the enormous sums which have been paid for ingoing, I think the landlords should be prepared to bear a small loss. I am in sympathy with the principle of the Bill, for the reason that I hold, seeing that other businesses have to close at six o'clock, there is no justification for licensed houses being permitted to trade for five hours after other business places are closed.

Mr. S. STUBBS (Wagin) [9.17]: My chief concern is in regard to the provision which the Attorney General has made for the taking of the referendum in the month of December. That is the reason why I, as representative of an agricultural district, am speaking on this second reading. I am of opinion that the date fixed by the Attorney General for the referendum—

The Attorney General: We have not fixed the date.

Mr. S. STUBBS: I understood from the Attorney General that it had been fixed for December.

The Attorney General: I said I would try to make arrangements to have the vote taken at the same time as the Federal referendum.

Mr. S. STUBBS: I am giving the House reasons why, if the vote is to be taken in December, with compulsory voting, it is going to create a hardship on a large section of the people in the country districts. Many farmers would pay a fine, and if necessary go to gaol, rather than leave their harvesting and run the risk of storms and the other many pests which have harassed the farmers in my district during the past two or three years. That is why I am concerned as to the result of a referendum taken in December. A few people—I will not call

them fanatics, but there is a certain class in every district throughout Australia and the world who are advocates of total abstinence. Those people naturally would go to the poll and record their votes. The vast majority of the people living in my electorate are, I am certain, not staunch teetotallers.

The Premier: They ought to be.

Mr. S. STUBBS: At the present time I think most of them are by force of circumstances; they have not the money to spend.

The Premier: That was the reason for my interjection.

Mr. S. STUBBS: That is beside the question. Lots of people are not doing now many things which they do in normal times. The temperance people going to the poll would carry a vote in favour of hotels being closed at six o'clock, thus causing a hardship on many who do not go to the poll.

Mr. Griffiths: There will be compulsory voting and they will have to go to the poll.

Mr. S. STUBBS: That is not my point. I say that many people would rather pay a fine than leave their harvesting at that time. My point is that a few people will carry a vote in favour of the closing of hotels at six o'clock, whereas a majority of the people who will not go to the poll to record their votes, because they will be better employed in harvesting, will be penalised. The next time they go to town—perhaps a matter of 40 miles—to transact their business, they will not be able to get even a glass of brandy if they are ill.

The Premier: If the doctor in your district knows his business he will order the brandy.

Mr. S. STUBBS: If we are going to have a referendum on this question, it should not be left until December. This House should decide that the referendum shall be taken independently of the Federal referendum, and that the voice of the people shall be taken at a time convenient to a majority of the people of the State. From what I have seen during the past few weeks, there is certainly an amount of drinking going on

in this City amongst soldiers. There are certain people who, when they meet a man in uniform, invite him to drink; he has three or four drinks, and before he knows where he is he is unfortunately not so steady as he might be. The impression created with a majority of people who see this man in the street is that all the soldiers are of the same calibre. That impression is going to do more injury than anything else to the returned soldiers who have done so nobly at the Dardanelles in upholding the prestige of old England. It is pitiful, and I think is calculated to alienate the sympathy which should be extended to every returned soldier. My observation in Wellington-street alone between ten and eleven o'clock at night has convinced me that there is far more liquor consumed in hotels in Perth by soldiers and by citizens than should be.

Member: It is a question of constitution. One man can take only one drink, while another may be able to stand 20.

Mr. S. STUBBS: The hours for the sale of liquor to soldiers should be restricted, and I hope that this Bill will become law, so that the hours for sale shall be reduced at any rate in some districts.

The Premier: If the soldier happens to be an officer and a member of the Weld Club, you would not stop him?

Mr. S. STUBBS: The Premier has no right to make such an interjection. I desire, if the Bill becomes law, that its provisions shall apply equally to clubs and hotels. All my life I have endeavoured to be as fair to the man working for me as to the Governor for that matter. I believe one man to be as good as another, and if we stop the sale of liquor to the working man we should stop it equally to the member of the Weld Club. That shall be my object so long as I am the member for my district.

The Premier: I knew that was your opinion, but was afraid you were not going to express it.

Mr. S. STUBBS: I say again, if we are going to restrict the sale of liquor in the City it should be restricted in respect

of all licensed premises, and not to any particular place or any particular hotel.

Mr. HARRISON (Avon) [9.25]: I have pleasure in supporting the second reading of this measure, because I was for many years connected with a movement in favour of sound temperance. I think a great deal of the difficulty in the way of temperance reform has been caused by the extreme views of the temperance people themselves. Latterly the views of the temperance people have been more moderate, and in my opinion, if we are moderate in our arguments, we are more likely to succeed. This measure is a move in the right direction, and I support it as it stands. We will get a vote from the people in the various districts, and it will have a better effect than if a vote were taken of the people of the State as a whole. The member for Forrest (Mr. O'Loghlen) said he hoped that the licensee and the owner of licensed houses would have some consideration. The people interested in the liquor traffic are considered in this House, and in another place, more than the people in any other line. Why should we consider the liquor traffic people above any other? I am in accord with this step. The question has been raised as to the best time for taking this referendum. It has been pointed out that if the vote be taken in December many people will refrain from going to the poll. Those people, in staying away from the poll, will take a risk and incur the liability under the compulsory voting provision. In any case, the poll will be a reflection of the views of those who vote. Therefore, it does not matter materially whether the vote be taken on one day or another. It is the expression of opinion in the constituency in which it is taken, the verdict of those who vote. Let us have a verdict on this occasion to ascertain what the people desire. The member for North Perth (Mr. Smith) made a remark, which was endorsed by the member for Bunbury (Mr. Thomas), to the effect that this was a question of thirst. In my opinion, that is not so altogether, because, if it were so, there would not be one-tenth of the

liquor consumed that actually is consumed. The shouting custom has been a curse to the State. If it were not for that shouting custom, if one would not pay for drinks for the other, if it were not for the social element, we would not have the young in our midst yielding to excess in the way they do. What is the case now with our young fellows from Blackboy Hill when they come to town? It is a matter of the social element: one standing drinks for the other and wishing him good luck.

Member: That applies to a very small proportion of them.

Mr. HARRISON: Were it not for the shouting custom, we should not have half the expense for police. The drink question affects every other social trouble we have, right through the State; and I trust, indeed I feel sure, that the House will carry the second reading of this Bill without going to a division.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Mr. McDowall in the Chair, the Attorney General in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Mr. PIESSE: I should be glad to see railway refreshment rooms excluded. It is well known that fairly large sums of money have been paid by the licensees of refreshment rooms, and I fear serious loss will result to these people if their establishments are closed as suggested.

The Premier: Those rooms are open for half an hour before and after the arrival of trains.

Mr. PIESSE: But if they cannot open after, say, 6 o'clock, they may lose a very large portion of their trade.

The Premier: Compensation is provided under the Bill.

Mr. GEORGE: Great care will have to be exercised in dealing with railway refreshment rooms under this measure. If they are allowed to remain open while hotels are closed, there will be a tremendous application for platform tickets and the refreshment rooms will simply become huge drinking saloons. In connection

with the Sunday closing legislation of some years ago, it was found that, whilst the Perth hotels were closed, numbers of men were to be seen drunk in Wellington-street. On inquiry it appeared that very large numbers of platform tickets were being issued on Sunday, and, moreover, at times when no trains were arriving or leaving. People simply bought platform tickets in order to go on the Perth platform to get liquor when they could not get it at the hotels. I absolutely stopped that traffic by closing the bars of the refreshment room over Sunday. It will be a difficult matter to give compensation in the case of refreshment rooms on the same lines as those applying to hotels. The loss of profit to an hotel consequent on closing during certain hours can be estimated, but refreshment rooms derive their business from trains, which possibly might be timed to arrive after the closing hour to be fixed by the referendum.

The Premier: May not the hours for which hotels are reduced be their best hours?

Mr. GEORGE: Possibly.

The Premier: But hotels will get only a proportionate allowance.

Mr. GEORGE: If refreshment rooms are restricted to certain hours, which exclude the very trains that bring in the bulk of the trade, what is to be done?

The Premier: The public have the right to say.

Mr. GEORGE: The question of the refreshment rooms will be found a more difficult and complicated one than that of the hotels.

The Premier: What do you propose?

Mr. GEORGE: Refreshment rooms might be omitted from the Bill, or the question might stand over until it has been carefully thought out. I am sure the Commissioner of Railways, if asked, will say that it is a very difficult matter to deal absolutely fairly by both the department and the refreshment room keeper.

The Premier: I am prepared to admit that the Commissioner of Railways advised against the inclusion of refreshment rooms and dining cars in this Bill. What

would you advise? You have been Commissioner of Railways.

Mr. GEORGE: I would think the matter over. I cannot advise right away. Do not let us perpetrate an injustice, as we may quite easily and quite innocently do in connection with this matter.

Mr. S. STUBBS: An injustice will be done if refreshment rooms are not included in the Bill. I have in mind the Wagin refreshment room, and as the trains from Albany and Perth junction at Wagin at about midnight the people in the town will be able to get their refreshments there, when the hotels are closed.

Mr. Taylor: They would not wait until midnight to get a drink.

Mr. S. STUBBS: Many people would.

Hon. J. D. CONNOLLY: As the Bill was only introduced on Tuesday evening, I am surprised at the Attorney General going into Committee on it so soon. I would suggest that progress be reported until next week, so that members might have an opportunity of studying the details of the different clauses.

The ATTORNEY GENERAL: I would be willing to report progress except for the fact that we must make some progress with our work. Hon. members have had a very light time and it is due to them to begin now. I do not think we shall go very far because there are some clauses which are debatable. A good deal has been said about consistency. We are going to be consistent. We cannot say to the hotelkeeper that he must close at six o'clock and then allow Government institutions to remain open after that hour. There would be no consistency there.

Hon. J. D. Connolly: No one is advocating that.

The ATTORNEY GENERAL: Hon. members are advocating that refreshment rooms should be excluded.

Hon. J. D. Connolly: It is a question of compensation.

The ATTORNEY GENERAL: That will be dealt with under Clause 15. The only point under this clause is consistency; shall all vendors of liquor be under the same law?

Mr. Piesse: Together with justice to the people.

The ATTORNEY GENERAL: It is the people who are to say whether liquor shall or shall not be sold after six o'clock. Then we will say that it shall not be sold anywhere after that hour. In every institution, when we have to do good to the whole body politic, we must sometimes do private injury, and this is one of those occasions. At a further stage of the Bill we endeavour to make some recompense for that.

Hon. J. MITCHELL: Do you wipe out the bona fide traveller clause?

The ATTORNEY GENERAL: Yes, and an hon. member intends to move an amendment in regard to the clubs.

Mr. James Gardiner: And to be consistent you will wipe out the district clause.

The ATTORNEY GENERAL: I shall deal with that when it is reached.

Hon. H. B. LEFROY: It would be wrong to allow licensed premises on railway lands to remain open if the hotels are to be closed. We would certainly have the spectacle after the closing of the hotels of people going to the refreshment rooms for their liquor when they were opened on the arrival of trains.

Mr. B. J. STUBBS: I understand some of the State hotels have not been licensed under the Licensing Act and I think, therefore, it will be necessary to include them in the definition. I move an amendment—

*That after "includes," in line 3 of the definition of "licensed premises," the words "State hotels" be added.*

Hon. J. D. CONNOLLY: An elector is defined as a person qualified to vote at an election for the Assembly and is a person over the age of 21 who need not be on the roll. Under the Electoral Act, an elector is defined as a person on the roll. Therefore, any person over the age of 21 could claim to vote at the referendum even if he were not on the roll. Surely it is necessary to have some check.

The ATTORNEY GENERAL: Clause 14 applies the provision of the Electoral Act.

The Premier: The point is a person is qualified for enrolment if he is 21.

The ATTORNEY GENERAL: And not only must he be qualified for enrolment, but he must be on the roll.

Amendment put and passed.

Hon. J. MITCHELL: Are restaurant cars licensed by the Commissioner of Railways? I understand they are not.

The Attorney General: They are.

Hon. J. MITCHELL: Is there a license, or has the Commissioner power to open any refreshment room he pleases?

The Attorney General: It is done by authority given by the Commissioner. They are not licensed in the usual sense.

Hon. J. MITCHELL: If the Bill becomes law and hotels in the agricultural districts are closed at six o'clock, a refreshment car on a train would have to travel to Merredin with closed doors. Then if the goldfields voted for the retention of present hours, the Merredin car would arrive there with open doors.

The ATTORNEY GENERAL: I move an amendment—

*That in line 4 of the definition of "licensed premises," the words "licensed by the Commissioner of Railways" be struck out.*

This will achieve the object sought by the hon. member.

Mr. George: There are refreshment rooms with which the Commissioner has nothing to do. What about those?

The Premier: If they sell liquor, they must come under the Act.

Mr. PIESSE: Members do not seem to clearly realise the position of people who hold refreshment room licenses outside of municipalities—on trunk lines. These licenses were sold—

Mr. Taylor: Clause 15 deals with them.

Mr. PIESSE: If these rooms are a convenience to the public, why close them under a referendum?

The Minister for Works: That applies to every hotel in the State.

Mr. PIESSE: No; I agree with the restriction of hours, but these rooms are merely open for an hour for the convenience of the public.

The Premier: No, some of them are open till midnight.

Mr. PIESSE: I suggest that the definition be altered to include refreshment rooms situated within a municipality.

The Premier: Why a municipality?

Mr. PIESSE: Because refreshment rooms on trunk lines are a convenience. I am not a drinker, but a glass of whisky would do me more good than some of the tea, which is positively deadly. To avoid an injustice, the definition should be confined to refreshment rooms within municipalities and those on trunk lines would then be exempt.

The Premier: All the refreshment rooms in big towns are within municipalities—Beverly, Wagin, Narrogin.

Mr. PIESSE: But they are open only at the time of the arrival and departure of trains.

Mr. JAMES GARDINER: Presuming that metropolitan districts voted for 11 o'clock closing, country districts for 6 o'clock closing and the goldfields for 11 o'clock, how could the Government run a refreshment car?

The Premier: Alter the time of the express.

Mr. JAMES GARDINER: Would the car be open till it reached Guildford, closed during the run through the country districts, and then opened again on reaching the fields?

Mr. WANSBROUGH: There is no necessity to include refreshment rooms in this measure because they are governed by railway regulations and they are open only half an hour before and after a train arrives.

The Premier: What about where trains are running all day long?

Mr. WANSBROUGH: Special provision should be made for the metropolitan rooms. To avoid an injustice, those in the country should be exempted.

Mr. GRIFFITHS: At Merredin, all the trains except one arrive in the middle of the night, and the refreshment rooms would therefore have to be closed altogether.

Hon. J. MITCHELL: It is ridiculous for us to deal with matters in the way we are doing. The Attorney General should report progress and look into the question of the refreshment rooms. If

they are not wanted by the travelling public let them be wiped out.

The Premier: It is merely a question of affecting the sale of liquor.

Mr. Munsie: You can obtain a cup of coffee or tea under present circumstances, but not if the rooms are closed up.

Hon. J. MITCHELL: At present they are open all day and all night. The Attorney General is not altering the law to give general satisfaction. It is absurd to set up this principle in regard to refreshment rooms. Even the Attorney General does not seem clear on the point.

The PREMIER: I asked hon. members to consider the matter from the point of view of the principle contained in the Bill. We propose to submit to the people by referendum the question of when hotels shall be allowed to ply their business in selling intoxicating liquor. We are not going to close hotels in favour of six o'clock against a person wishing to obtain accommodation. Neither do we intend to close refreshment rooms on the railways except in respect to intoxicating liquors.

Mr. O'Loghlen: Hotels will be able to sell non-intoxicating drinks in the billiard room.

The PREMIER: They will not be able to keep open their premises after the hour decided upon. If we are going to allow refreshment rooms on railways to supply intoxicating liquor half an hour before a train arrives, and half an hour afterwards, we are going to defeat the decision of the people.

Hon. J. Mitchell: You do it now.

The PREMIER: We do not. We have no right to exempt these refreshment rooms. There is no reason why a person travelling by train should receive any more consideration than a man carrying his swag through the bush.

Mr. James Gardiner: You compel him to have his meals on the train.

The PREMIER: Yes, but we compel him to act reasonably and sensibly by drinking tea or coffee or water, and not spoiling good tucker by bad liquor.

Hon. J. Mitchell: The travelling public would be subject to varying conditions under this Bill.

The PREMIER: It is a simple matter. To provide that everybody's wishes shall be met would require a policeman for every individual in the State. We would have to engage an additional number of porters, of policemen, to stand at the refreshment room doors and check every ticket holder to see that he was travelling by that particular train.

Hon. J. Mitchell: They are open till two o'clock in the morning now.

The PREMIER: People do not usually wait till two o'clock in the morning in order to get refreshment. The people who use these rooms are generally travelling to their destination.

Mr. George: Put it on the platform ticket and let them pay 6d.

The PREMIER: I admit that the Commissioner of Railways has suggested that we should find some means of getting over the difficulty. He makes special reference to Beverley. People travelling by train arrive there at eight o'clock, but under the measure would not get any liquor if the people there had declared in favour of six o'clock. But I see no more hardship in a man travelling by train than a man travelling on horseback and not being able to get a drink. We should comply with the wishes of the people in the particular district.

Mr. James Gardiner: The dining cars would be run through four constituencies.

The PREMIER: The time may arrive when the dining car will run from a dry district altogether, and the bar would then not be opened until the car had reached a district which had declared in favour of a later hour, when the passengers would be able to get what drink they desired. We are not going to permit bona-fide travelling to come to this.

Mr. George: Stop liquor altogether on the railways.

The PREMIER: We propose to do it. When the people decide in a district that liquor shall not be sold after certain hours, we shall fall into line with the rest of the people and stop selling liquor while in that district.

Mr. George: You can stop selling liquor on the railways now, if you like.

The PREMIER: We do not like. We want to sell the liquor just as long as the people desire and no longer.

Hon. J. MITCHELL: The Commissioner of Railways should not have power to open a place unless he obtains permission from some authority. He is, however, to be given absolute power over these licenses.

The CHAIRMAN: The hon. member must speak to the amendment. I must keep the hon. member at least within measurable distance of what is before the Committee.

Hon. J. MITCHELL: We are dealing with the question of licenses issued by the Commissioner of Railways. He has unlimited power to open licensed premises wherever he pleases. No one can control him in this matter. It should be made impossible for him to open any refreshment rooms, and sell liquor therein without the permission of some authority.

The CHAIRMAN: The only thing I can allow the hon. member to do on this clause is to say whether he is in favour of the words being struck out or retained.

Hon. J. MITCHELL: I think we might report progress and ask leave to sit again.

Amendment put and passed.

Mr. MUNSLIE: I move an amendment—

*That in line 5 of the interpretation of "Licensed Premises" the word "and" be struck out, and at the end of the interpretation the following words added:—"and registered clubs where liquor is sold."*

Mr. GEORGE: Is there such a thing as an unregistered club?

Mr. MUNSLIE: If this amendment is carried—

Mr. George interjected.

The CHAIRMAN: Order! I am getting tired of these unruly interjections. They must cease.

Amendment passed.

Mr. MUNSLIE: I move a further amendment—

*That at the end of the definition as amended, the words "and resident clubs where liquor is sold" be added.*

Amendment passed.



Mr. MUNSIE: I move a further amendment—

*That at the end of the definition of "licensee" the words "and the secretary of any registered club holding a certificate under the Licensing Act (No. 32) of 1911," be added.*

Amendment passed, the clause as amended, agreed to.

Progress reported.

## BILL — NEWCASTLE-BOLGART RAILWAY EXTENSION.

### *Second Reading.*

The MINISTER FOR WORKS (Hon. W. C. Angwin—North-East Fremantle) [10.35] in moving the second reading said: This is a Bill for the purpose of extending the Newcastle-Bolgart Railway a matter of four miles. Hon. members are aware that in 1912 Parliament approved an extension of this railway for a distance of 31 miles. It was thought advisable on the recommendation of the district surveyor of lands that this line should be extended to bring the terminus as near as possible to the main road between Wongan Hills Railway and the Midland Railway and authority was desired to deviate five miles on either side for the purpose of having the railway as near the centre of the two lines referred to as possible. On the survey being made it was found that the site chosen for the station was unsuitable and that it was desirable to extend the line three-quarters of a mile further where there was a better site for the erection of the station. The extension previously authorised provided for 31 miles; this Bill provides for a further four miles, making 35 in all. The position with regard to the construction of the line already authorised is as follows:—Clearing and grubbing, 20 miles completed; earth-works 15 miles completed; new Bolgart station yard, nearly finished. Members will realise that this is an authority for an extension for only a short distance. They know the purpose for which the additional length is desired and that it

is hoped that this short extension will 'of great benefit to the district. I move—

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

Hon. H. B. LEFROY (Moore) [10.42] I notice that this Bill provides for the extension of the railway for another four miles, and I understand from the explanation given by the Minister for Works that this is proposed with a view to bringing the terminus to the road which runs from the main Geraldton road to Wongan. I regret it has been found necessary to fix the terminal point a mile away from this road. I understand that the reason is that there is a more suitable site for making a station there. I regret that it is not possible under this Bill to extend the railway further north. If it were extended about 12 miles instead of four it would tap some of the finest agricultural country in Western Australia, country which is not only already developed and settled, but which is occupied by men who are prepared to go on for further development work. The only thing they need is the facility of a railway. Three or four years ago a deputation from this district approached the Government with regard to the extension of this railway further north, and another deputation subsequently interviewed the late Minister for Works on the same subject. There is already a number of people settled on the land, and the provision of a railway would provide means for the further development of the country. At the present time those people have to cart their wheat 25 miles to a railway and the extension 12 miles further north would place the railway within convenient reach.

Mr. James Gardiner: Would you not go east?

Hon. H. B. LEFROY: No, I should go almost due north so as to come into the country to the east of Indarrie, practically north to a point somewhere near Indarrie. That would tap the whole of the country I refer to, and enable the people now there to develop their land further, and to grow wheat at a profit which they are unable to do at the pre-

sent time. I know of one case where a settler in that country has nearly 2,000 acres under wheat. The whole of that wheat will have to be carted 25 miles to reach a railway at the present time. Where we have settlers of this type, prepared to spend money in opening up the country, we ought to give encouragement. Besides, there are others prepared to go on the same lines, if this railway were only extended further north. They are ready and waiting. They have been waiting for years for the further extension, and I think they will be very much disappointed if the railway does not go further north into the country I have spoken of. I repeat that this would develop some of the best agricultural country in Western Australia, where people now are unable to develop their holdings in the way that they desire, simply because they have not a railway within reasonable distance of them. I should be glad to have some assurance from the Government that it is intended at an early date to proceed with the further extension of this railway to the north, if provision cannot be made for that in the present Bill.

Mr. PIESSE (Toodyay) [10.42]: I desire to endorse the remarks of the last speaker, and at the same time to express my pleasure at the introduction of this Bill. Small as the extension is, it represents a boon indeed to the settlers in the immediate vicinity. As the member for Moore (Hon. H. B. Lefroy) has said, there is some excellent land further north and also further east, and I look forward to the day—not a distant one, I hope—when we shall have the pleasure of seeing another Bill introduced for the purpose of a further considerable extension. I should like to have an assurance from the Minister for Works that, seeing the Government already have a construction party working on the line, it is intended to complete that railway without a break and as soon as possible.

Hon. W. C. ANGWIN (Minister for Works—North-East Fremantle—in reply) [10.44]: I was quite aware that a deputation had waited on the late Minister for Works to urge a further extension. As hon. members know, however,

at the present time the finances are such that the Government would not be justified in submitting to Parliament any new railway Bills until we see some prospect of constructing the railways already approved. The short extension proposed by this Bill is really a matter of necessity. I have never visited the locality where the railway junctions with the road, but I am assured by the Engineer-in-Chief that it is necessary to carry the railway station three-quarters of a mile beyond the road because the point of junction is not at all suitable for a station site. Undoubtedly it is the intention of the Government to continue work on this railway. We cannot, of course, foresee what may take place; but, if finances will permit, there will be no desire on the part of the Government to cease this work. I only hope the time is not far distant when the finances of the State will be such as to allow the line to be carried further north, in accordance with the suggestion of the member for Moore (Hon. H. B. Lefroy).

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Carpenter in the Chair, the Minister for Works in charge of the Bill.

Clauses 1 to 7—agreed to.

Schedule:

Hon. H. B. LEFROY: I should like to emphasise my remark on the second reading that this railway, if extended further north, will go into country which is all settled, all occupied—with thousands upon thousands of acres not waiting for settlement, but already settled. As a rule, railways are built to induce settlement; but the country I refer to is already partly developed. I hope the Government will bear this in mind when dealing with the question in future, and I trust that before long the finances will allow of the submission of a schedule for a further extension northwards.

Schedule put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

*House adjourned at 10.50 p.m.*