

whole of his time inspecting and in connection with the bank and in connection with the Railway Advisory Board. At least the salary of this officer should be equal to the salary of an under secretary. Certainly his duties were more responsible than the duties of the majority of under secretaries.

Mr. PIESSE: A private firm in the City would pay its accountant more for doing responsible work like that entailed upon this officer. It was to be hoped that the Minister would take into consideration the suggestion that the officer's salary be increased. He was an excellent officer and his ability was of a special character.

Mr. GILL: The managing trustee's time was necessarily taken up away from the bank, and the duties of managing the bank devolved upon the deputy. It was reasonable that the position should be made better financially.

The MINISTER FOR AGRICULTURE: One could acknowledge the good work done by the officer, and he would be pleased to increase the salary if he could do so. The work this officer did was responsible work, and there was a tremendous lot of it also. The accountant should also receive a higher salary. He would bring under the attention of the Public Service Commissioner the need for increasing the salaries of both officers, and he hoped the increases would appear on next year's Estimates.

Mr. PRICE: Was the increase of £150 for the managing trustee recommended by the Public Service Commissioner?

The Minister for Agriculture: It was fixed by Statute.

Mr. PRICE: The Minister should impress upon the Public Service Commissioner the need for increasing the salaries of these two officers. The accountant was receiving a salary little above the wage of an ordinary tradesman.

Vote put and passed.

Progress reported.

*House adjourned at 5.46 p.m.*

## Legislative Council,

*Tuesday, 20th December, 1910.*

	PAGE
Papers presented	2516
Bills: York Mechanics' Institute Transfer, 3a	2516
Permanent Reserves Rededication, 3a	2516
Licensing, Recom.	2516
Tributers, 1a	2534
Workers' Compensation Act Amendment, 1a	2534
Fremantle Freemasons' Lodge No. 2 Disposition, Message	2534
Perth Municipal Gas and Electric Lighting, Message	2534

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

### PAPERS PRESENTED.

By the Colonial Secretary: 1, Fremantle Harbour Trust Annual Report, 1909-1910. 2, Municipality of Claremont—By-law. 3, Bunbury Harbour Board—Amendment of Regulation. 4, The Factories Act, 1904—Regulation. 5, Midland Junction Municipality—By-law. 6, Registrar of Friendly Societies—Report for the year ended June 30, 1910. 7, Industrial Conciliation and Arbitration Act, 1902—Report for the year ended 30th June, 1910. 8, Metropolitan Water Supply, Sewerage and Drainage Department—Annual Report, 1909-10.

### BILLS (2)—THIRD READING.

1. York Mechanics' Institute, transmitted to the Legislative Assembly.
2. Permanent Reserves Rededication, *passed.*

### BILL—LICENSING.

*Recommittal.*

The COLONIAL SECRETARY: I move—

*That the Bill be recommitted for the purpose of considering the amendments to the clauses appearing on the Notice Paper.*

Hon. M. L. MOSS: I move an amendment—

*That clauses 95, 121, and 159 be also included.*

Hon. W. PATRICK: I desire that Clause 33 be added to the list.

Hon. F. CONNOR: I also desire that the clauses which are not numbered and which refer to barmaids be included.

Hon. D. G. GAWLER: I desire that a proviso be added to Clause 140.

Hon. J. W. LANGSFORD: I would like Clause 112 added to the list.

The COLONIAL SECRETARY: Some hon. member asked that Clause 75 be recommitted and I stated that I would not offer any objection. That clause has not been added to the list. I think it was Mr. Sommers who desired that it should be reconsidered.

Hon. M. L. MOSS: I will add Clause 75 to my list.

Hon. W. KINGSMILL: It is not my intention to oppose the recommitment of the Bill, but I cannot allow this sort of business to go on without entering a protest. It is the first time during my Parliamentary experience, extending over a period of 14 years, that I remember such a thing happening as is happening to-day. In the first place the leader of the House—and I do not blame him personally for it—or I might say the Government, produce a Notice Paper containing scores of amendments just as hon. members have taken their seats. Hon. members have no opportunity whatever of studying these amendments and no hope of grasping a knowledge of them, and on top of that a number of hon. members give notice of their desire to have a number of amendments made to other clauses, and no inkling whatever is given as to what they are to be. Perhaps hon. members will say that it ill becomes me as Chairman of Committees to make this protest, but I think it is more right for the Chairman of Committees rather than any other member to voice a protest for the reason that I have taken a great deal of trouble while acting as Chairman of Committees to ensure accuracy in connection with my copy of the Bill, but it is impossible, with a procedure like this, for accuracy to be maintained. I beg to enter a most vehement protest against carrying on business in a manner that I can only describe as most slipshod.

The COLONIAL SECRETARY: Whilst not disagreeing altogether with the hon. Mr. Kingsmill I do not think that there is the ground for his objection that the hon. member seems to think. The Bill has been fully discussed but

many clauses were postponed or passed *pro forma* with the idea of recommitting them, so that the amendments could be carefully drawn. True, the Notice Paper ought to have been available earlier, but through a delay in the printing office it did not reach the House until a short time before the House met. My instructions to the printer, so far as I could instruct him, were that the Notice Paper should be available not later than this morning. Many of the amendments on the Notice Paper are consequential, and as such, in another place would not have required a motion at all. There is no desire to push anything through hurriedly, and if the amendments cannot all be considered at this sitting more time will have to be given to them.

Hon. Sir E. H. WITTENOOM: The proposed amendment to Clause 138 is an exceedingly involved one; and that is only one instance of the difficulty members have of understanding amendments brought before them without notice.

The PRESIDENT: There is no clause before the House.

Hon. Sir E. H. WITTENOOM: I am just pointing out that the clause is a very involved one, and that it is difficult for lay members to grasp its meaning. Therefore I am very much inclined to coincide with the views expressed by Mr. Kingsmill.

Hon. J. F. CULLEN: The Colonial Secretary has given notice of recommitment for a specific purpose. Will it be competent for me to move a further amendment to any of the recommitted clauses, or will it be necessary for me to give notice now of my intention to move in that direction?

The PRESIDENT: I think it would be more convenient if the hon. member would mention his amendments now.

Hon. J. F. CULLEN: The Minister has moved for the recommitment of Clause 76 for the purpose of adding certain words. I desired to add other words.

The PRESIDENT: Yes, that can be done.

Hon. J. F. CULLEN: The words I propose to add are not in the same line as the Minister's amendment.

The PRESIDENT: A clause being re-committed, it is open to any and every amendment.

Question put and passed.

*In Committee.*

Hon. W. Kingsmill in the Chair.

Clause 4—Existing licenses subject to Act:

The COLONIAL SECRETARY moved an amendment—

*That the following be added to stand as Subclause 2:—"The authority conferred by any such license shall, at the commencement of this Act, become such (and such only) as would be conferred on the holder of a license of the same designation issued hereunder; but if no provision is made hereby for the issue of a license of the same designation, the authority of the licensee shall, until the expiry or sooner determination of his license, remain unaltered, subject however to the general provisions (except those relating to renewal) applicable in respect of licenses issued under this Act."*

The amendment was really consequential. Under the existing law the holder of a wine license had to have a separate license for the wine of each State of the Commonwealth. In Committee that had been amended so that the one colonial wine license would be applicable to all Australian wines. The new Act would, probably, not come into force for a few months after the beginning of the year, whereas the existing license would be renewed at the beginning of the year: therefore, it would be necessary to make provision for licensees to carry on under their renewed licenses until the beginning of next year.

Hon. M. L. MOSS: Would it not be better to permit a person who had got a renewal of a license to vend South Australian wines, for instance, to vend any Australian wine.

The Colonial Secretary: The amendment does that.

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

Clause 6—Penalties at foot of sections and subsections:

The COLONIAL SECRETARY moved an amendment—

*That the words "one-tenth" in line 6 be struck out and "one-fifth" inserted in lieu.*

The amendment was in accordance with a promise made to the Committee when dealing with the penalty clauses, that the minimum would be reduced from one-tenth to one-fifth.

Amendment passed; the clause as amended agreed to.

New Clause 12:

The COLONIAL SECRETARY moved an amendment—

*That the words "lawful excuse" be struck out and the following inserted in lieu:—"reasonable cause allowed by the Minister."*

The CHAIRMAN: Until the Bill was reprinted he could have no official knowledge of any Clause 12.

The COLONIAL SECRETARY: This was a new clause which was not in the printed Bill, but which had been inserted in Committee. The Bill had provided for elective licensing courts, but the Committee had substituted nominated courts, and all Clauses from 9 to 16 inclusive had been struck out and certain others had been inserted in their place. Clause 12 related to extraordinary vacancies, and the amendment was to leave it to the discretion of the Minister as to what was a sufficient excuse for the absence of the chairman. It was considered that "lawful excuse" was too wide a term.

Amendment passed; the clause as amended agreed to.

Clause 18—Deputy members of a court:

On motion by the COLONIAL SECRETARY the clause was amended by the addition of the following words:—"Provided also that the chairman of any court shall be eligible for appointment as deputy chairman of any other court."

Clause as amended agreed to.

Clause 28—Licenses:

The COLONIAL SECRETARY moved an amendment—

*That in Subclause 3 the words "of foreign birth except and unless such person shall be a duly" be struck out,*

and "who is not a natural born or" inserted in lieu.

It sometimes happened that a person was born in foreign parts, though his parents were British subjects, and the amendment would make provision for such cases.

Amendment passed: the clause as amended agreed to.

Clause 33—Packet license:

Hon. W. PATRICK: When the clause was before the Committee previously he moved to strike out the proviso, but it was then the opinion of members that the striking out of the proviso would have a wider effect than was intended, and that it would apply to vessels on the high seas, such as steamers going to and from the North-West. In order to bring about the object he previously held he moved an amendment—

*That the following be added at the end of the clause:—"Provided also that a packet license shall not authorise the sale of liquor upon any Sunday, Good Friday or Christmas Day on any vessel whilst such vessel is in any river or estuary."*

He also pointed out that all hotels and public houses were to be closed on Sundays, Good Fridays, and Christmas Days, and that object would be completely defeated if the bars on steamers plying on the rivers of Western Australia were allowed to remain open. It was quite absurd that we should close all the hotels on the days named and leave the bars on board steamers open to all and sundry.

Hon. M. L. MOSS: It was to be hoped the amendment would not be carried. The argument that hotels were shut up and that steamers were allowed to trade on Sundays was not correct, because hotels were not closed altogether, for bona fide travellers could obtain liquor. Every person who went on board a steamer became a traveller the moment the steamer started, and there was no reason why reasonable refreshment should not be allowed to persons on steamers. One would think that the most disgraceful scenes occurred on the river steamers when such efforts had to be made to allow the steamers to retain what they now possessed. The steamers were well conducted and no re-

port had ever been made against these vessels.

Hon. J. F. CULLEN: Mr. Moss overlooked one aspect of the question. At present anyone could get a drink by walking three miles, but under the Bill as amended a traveller had to cover 10 miles. Under the new circumstances there would be a great temptation to the owners of packet licenses to do a tremendous trade on Sundays, because it was held that a person was a traveller immediately upon going on a steamer, but this view he did not think was correct. There was a good deal to be said for the amendment. Unless he heard something much stronger than that advanced by Mr. Moss he would vote for the amendment.

Hon. R. LAURIE: No one but Mr. Cullen had contested the argument that a person was a traveller immediately upon going on a boat. A person could not get off a boat when once on it until the boat reached Fremantle. There was another aspect. A passenger going from Perth to Rottnest could not get a drink until he returned from Rottnest, and a passenger might be very ill on a boat but would not be entitled to get a drink under the amendment proposed by Mr. Patrick.

Hon. J. W. LANGSFORD: A seasick passenger would only have to wait until he reached Claremont or Perth when he could get a drink. The case put forward in favour of the bona fide traveller, that was the person travelling in the bush, carried a great deal of weight, but a person travelling on a steamer occupied a very different position.

The COLONIAL SECRETARY: At first sight it might appear desirable that boats should not be allowed to sell liquor on a Sunday, but we could only judge by past experience, and in the past the owners of the boats had not abused their licenses. There would be this peculiarity. A person who got on a boat at Perth could not obtain a drink even when the boat reached Fremantle, but the person who got on the boat to go to Rockingham could get a drink immediately he got on board, while the Perth passenger could not.

It was not likely that the owners of the boats would allow such an amount of drinking to go on as would become a disgrace, because that would ruin their trade and the license would not be renewed by the bench if such were the case. Certainly the steamship owners would not permit any excessive drinking on the boats.

Hon. W. PATRICK: The arguments used by hon. members opposing the amendment were all begging the question. Admittedly the boats had been well conducted in the past, and if the old conditions were allowed to remain there would be no occasion to say anything about these packet licenses; but when the Bill became law and all hotels were practically closed, those of the public who desired drink on Sundays would be forced on to the river boats. No one could take Captain Laurie's illustration of the seasick passenger seriously, because anyone might become sick in the street and still not be able to get a drink. If all the hotels were closed on Sundays an enormous amount of bar business would be done on the river steamers if they were allowed to sell liquor on those days. The amendment should commend itself to the good sense of hon. members.

Hon. V. HAMERSLEY: The amendment was a good one. We could not hide from ourselves the fact that the closing of hotels on Sundays would be an incentive to the owners of these steamers to turn them into drinking resorts, and in consequence women and children would find themselves deprived of the use of these boats. We all knew that there had been appalling scenes on steamers as the result of drink.

Hon. M. L. MOSS: Not on these particular steamers.

Hon. R. LAURIE: The hon. member did not go far enough with his amendment, for if the amendment were agreed to all that would require to be done to evade it would be for a steamer to go 50 yards outside the North mole when every passenger could have exactly what drink he wanted. If the amendment was being moved with the object of placing the boats on the same plane as hotels it was absurdly lacking.

Hon. B. C. O'BRIEN: It was absurd to suggest that a steamer would go out merely for the purpose of selling liquor. These boats made three trips every Sunday, and Captain Laurie knew well enough that they would not go outside for the purpose of selling liquor. He could congratulate the Colonial Secretary and Mr. Moss and Captain Laurie on the fight they were putting up for the shipping companies.

Hon. M. L. MOSS: It was an unwarrantable reflection for the hon. member to make. Mr. O'Brien had no right to say the hon. members referred to were here to put up a fight for the shipping companies. His (Mr. Moss's) desire was to argue the question on its merits. Mr. Hamersley had spoken of appalling scenes witnessed on steamers as the result of drink, but it was to be hoped no hon. members would be led away by that sort of talk, for we knew that the proceedings on these river steamers were exemplary in the highest degree. He could assure hon. members he was here to put up no fight for the shipping companies. It was the general public which should be considered, and the question to be asked was as to whether it was in the public interest to take away the conveniences the public had hitherto enjoyed. It was true, as Mr. Laurie had said, that the amendment would enable the steamers to leave Fremantle and, after a journey of a couple of hundred yards only, to transform themselves into floating hotels, if so desired. But, manifestly, such was not the desire of the owners. For 30 years we had the packet licenses, and this had served as an inducement to people to invest their money. As he had said the other night, £15,000 had been invested in the "Zephyr" alone. So little profit was there in the excursion business on the river that the "Westralian" had changed hands three or four times, and it was clear to all that minus packet licenses there would be no passenger steamers on the river at all. To take away these packet licenses would be just as unfair as to take away without good reason a license held by an hotelkeeper. The two cases were on all fours.

Hon. C. SOMMERS: Mr. Moss would lead the House to believe it was intended to take away some interest held by these river boats. There was no such intention. The whole intention was to restrict the trade and bring it into line with the Sunday-closing provisions of the Act. It was not proposed to take away the packet licenses altogether. Surely it was only consistent to make the law of the land apply to the steamers on the river.

Hon. R. LAURIE: It had been said that a fight was being put up by the Colonial Secretary, Mr. Moss, and himself on behalf of the holders of packet licenses. If, by reason of what he had personally observed, he chose to put up a fight on behalf of these people, surely it should not be said that he was fighting for an individual interest. He might as reasonably say that certain other hon. members were putting up a fight on behalf of other sections of the liquor trade. However, he would be very loth to do so; it was sufficient that those hon. members believed they were right in their attitude. Two or three goldfields men had come down a year or so ago and purchased and fitted up a river steamer at a cost of some £2,000, and had procured a packet license. This steamer was consistently run between Perth, Applecross, and Point Walter, and the result had been failure. The position pointed out by Mr. Sommers was perfectly fair in answer to the arguments in favour of the steamers; but, on the other hand, it might be pointed out that the owners of one of the steamers wrote to the manager of the steamers and told him they did not wish to have liquor sold on the steamer, but the manager was satisfied the steamer could not be run without it, not so much as a question of getting profit from the grog, but rather to get the people on the steamer by providing conveniences for them. He (Hon. R. Laurie) held no brief for the shipping owners.

Hon. W. PATRICK: It was regrettable reference was made to any member of the House acting from motives in favour of a packet company or a public house. In moving the amendment he was acting absolutely independently, and he would never dream of any member voting

or speaking in the House in favour of any people. He hoped motives of this kind would never be imputed to anyone in the future.

Hon. B. C. O'Brien: I rise to a point of order. The hon. member is practically making an attack on me.

Hon. W. Patrick: I would like the hon. member to mention any words in which I did so.

The Chairman: What words does the hon. member complain of?

Hon. B. C. O'Brien: The hon. member is practically making an attack on me.

The Chairman: The hon. member must mention specific words if he rises to a point of order.

Hon. W. PATRICK was not conscious of having said anything to cause the hon. member to feel aggrieved. The amendment could not possibly do an injustice, because the owners of these steamers would be treated exactly the same as anyone else by not being allowed to sell liquor on Sundays, on Good Friday, or Christmas Day.

Hon. E. McARTY: Throughout the discussion of the Bill he had endeavoured to take up the position of a moderate man, and believing he represented the views of a large majority of the general public he opposed the amendment. If people on these excursions wished to have a drink there would be no desecrating the Sabbath in doing so. For one that would drink to excess on the steamers there would be hundreds who would not. The general public should be considered, and if they desired to have a drink of something there should be no objection to their having it.

Hon. B. C. O'BRIEN: It was regretted that one should be regarded as having accused members of coming to the House in the interests of any company, or anything of that kind. What he wished to convey was that Mr. Moss and Captain Laurie were inconsistent, because they had endeavoured to make it difficult to get a drink on shore on Sundays, and that was different from their attitude towards this amendment. The drinking habit was abused on these boats. The Bill seemed to be now merely a Bill for clubs and packet licenses. The hon. members he

mentioned would not think he wilfully imputed any motives to them.

Hon. M. L. MOSS: Instead of putting obstacles in the way of people getting drink on land, he had favoured getting the bona fide clause at a three miles' limit.

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

Ayes	..	..	11
Noes	..	..	8

Majority for .. .. 3

#### AYES.

Hon. J. F. Cullen	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. W. Patrick
Hon. J. T. Glowrey	Hon. C. Sommers
Hon. V. Hamersley	Hon. S. Stubbs
Hon. A. G. Jenkins	Hon. J. W. Langsford
Hon. C. McKenzie	(Teller).

#### NOES.

Hon. E. M. Clarke	Hon. E. McLarty
Hon. J. D. Connolly	Hon. M. L. Moss
Hon. F. Connor	Hon. F. Connor
Hon. D. G. Gawler	(Teller).
Hon. J. W. Hackett	

Amendment thus passed.

Hon. M. L. MOSS: If hon. members wished to put the packet license on the same footing as the publican's general license, and not in a worse position, it would be necessary to provide an amendment so that persons could secure drink on boats on Sundays after having travelled 10 miles. He would move to recommit the Bill to amend the clause in this direction.

Clause, as amended, put and passed.

Clause 34—Railway refreshment room license:

The COLONIAL SECRETARY moved an amendment—

*That the words "Provided that Sections 96 and 97 of this Act shall not apply to a railway refreshment room license" be added.*

The point was raised in Committee as to whether railway refreshment rooms would require to be closed at 11 o'clock as provided in Clauses 96 and 97, and it was pointed out that the Bill did not affect refreshment rooms on Government railways, but only dealt with those on private railways. This amendment was to overcome the inconvenience that would be caused to travellers on the Midland rail-

way line if the refreshment rooms on that line were compelled to remain closed after 11 o'clock.

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

Clause 35—Railway restaurant car license:

The COLONIAL SECRETARY moved an amendment—

*That the following proviso be added to the clause:—"Provided further that Sections 96 and 97 of this Act shall not apply to a railway restaurant car license."*

This applied to a car license, the other applied to a refreshment room license.

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

Clause 41—Occasional licenses:

The COLONIAL SECRETARY moved an amendment—

*That the following proviso be added to the clause:—"Provided that no liquor shall by virtue of an occasional license be sold or consumed at any public bar on the licensed premises."*

When the question of occasional licenses was under consideration in Clause 49 the word "occasional" was struck out, the reason being given that in the past permission to keep open after hours had been too freely given. Later on it was agreed that the clause should be recommitted in order that a definition of an occasional license might be inserted. It was pointed out that while it was objectionable to give extended time to publicans to sell liquor after 11 o'clock on occasions such as Easter and Christmas, there was a justification for a hotelkeeper to be allowed to serve liquor whenever there was a dinner or a banquet at his hotel.

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

Clause 47—Application to be heard in open court:

The COLONIAL SECRETARY moved an amendment—

*That in line 2 the words "or forfeiture" be struck out.*

By an oversight this amendment was not moved when the Bill was in Committee before. The words were now out of place.

"Forfeiture" was dealt with under Clause 134.

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

Clause 49—Temporary licenses:

The COLONIAL SECRETARY moved an amendment—

*That in line 1 after "temporary" the words "and occasional" be inserted.*

When the Bill was in Committee previously the word "occasional" was struck out. This amendment would be consequential on the amendment which had been previously carried, and it was necessary to replace these words.

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That in line 6 the words "nearest police station" be struck out and "police station nearest to applicant's licensed premises" be inserted in lieu.*

As the clause was worded it was not clear what was intended; it might mean the police station nearest the court or nearest the licensed premises. It was intended to make it clear that it was the police station nearest to the licensed premises.

Hon. V. HAMERSLEY: The licensed premises might be in one district and the nearest police station might be in an adjoining district. Was it meant that the applicant would have to consider the nearest police station irrespective of the fact that it was in some other district? It might be advisable to add the words "within the district" to the Colonial Secretary's amendment. He moved an amendment on the amendment—

*That the words "within the district" be added.*

Amendment (Mr. Hamersley's) on amendment put and passed.

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

Clause 54—Interpretation:

The COLONIAL SECRETARY moved an amendment—

*That in line 2 the word "licensee" be struck out and "person licensed under a publican's general, wayside house, hotel or Australian wine and beer license" be inserted in lieu.*

In Clause 54 it was provided that if a tenant did not apply for a renewal of a license the landlord or the owner might enter and take possession. As the clause was drafted the powers were rather wide. Since the Bill had been before the Committee gallon licenses had been added. The power would be justifiable in the case of a main business, but where it was only a gallon or a one-gallon license or a license which was only a side thing, the power would be too great to give to an owner.

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That in line 2 after "premises" the words "licensed or to be licensed under a publican's general wayside house, hotel, or Australian wine and beer license" be added.*

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

Clause 68—Duplicate license:

On motion by the COLONIAL SECRETARY the clause was amended by adding the following words, to stand as Subclause 2:—"In this Act the word 'duplicate' used in reference to a license includes a copy thereof made by the receiver of revenue for the time being."

Clause as amended agreed to.

Clause 71—Fees for other licenses:

The COLONIAL SECRETARY moved an amendment—

*That in Subclause (b) the word "and" be struck out and "lodging or" inserted in lieu.*

In Committee an amendment had been made to the effect that the license fee for eating and boarding houses should be ten shillings; the amendment was to bracket lodging houses with boarding and eating houses.

Amendment passed; the clause as amended agreed to.

Clause 75—Place and date of voting:

Hon. C. SOMMERS moved an amendment—

*That the following words be added to Subclause (1):—"Provided that a local option poll shall not be taken in April, 1920, and in the month of April in every third year thereafter, but shall*



*be taken in April, 1921, and in every third year thereafter."*

The intention of the amendment was to give a full 10 years' tenure to the trade in lieu of compensation. Under the Bill as printed there would not be a full 10 years' notice. The Bill would not become law until April and in fixing the first poll for 1921 a clear 10 years notice to the trade would be given, as had been intended, instead of the nine years which the Bill in its present form would give.

Hon. J. F. CULLEN: The ordinary recurrence of the poll was provided for in the first part of the clause; what the hon. member wanted to provide for was that the poll, which was proposed to be taken in April, 1920, should be taken in April, 1921. He suggested that the mover should word his amendment to the effect that the local option poll which, in the ordinary course, would be taken in April, 1920, should be postponed from that date and taken in April, 1921.

The COLONIAL SECRETARY: The Bill provided in the first place that there should be a ten years' notice in lieu of compensation, and after 1920 any license might be refused or cancelled by a local option poll without any compensation being given to the holder. The Bill also provided that a poll should be taken in every third year, and as the clause at present was worded a poll would be taken in April, 1920, and again in April, 1923, so that the people could not vote on the reduction of licenses until 1923 or three years after the compensation period. If the Committee desired that the people should have a vote immediately after the expiry of the ten years, the amendment would provide for that. There would be a poll every three years up till 1917, and then, according to Mr. Sommers's amendment, there would be no poll till 1921, but thereafter the poll would be again held every three years.

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

Clause 76—Resolutions to be submitted:

On motion by the COLONIAL SECRETARY the clause was amended by inserting after the word "shall," in line 12, the words "subject as hereinafter pro-

vided; also by inserting after the word "in" the words "part one of."

The COLONIAL SECRETARY moved a further amendment—

*That the following words be added to Subclause (3):—"and until after that date the voting paper shall be in the form of Part 2 of the eighteenth schedule."*

Amendment passed; the clause as amended agreed to.

Sitting suspended from 6.15 to 7.30 p.m.

Clause 77—What majority is required for carrying resolutions:

The COLONIAL SECRETARY moved an amendment—

*That in the proviso to Subclause 1 after "shall," in line 1 the words "if Resolution A has been submitted to the electors at the same time" be inserted.*

This was consequential.

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That in Subclause 5 the words "any electoral roll" be struck out and "the appropriate electoral roll or rolls" inserted in lieu.*

It would be impossible for the returning officer to make up the rolls because the electoral boundaries might not always coincide with the boundaries of the licensing districts.

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That at the end of Subclause 5 the words "and the result of the voting" be inserted.*

Amendment passed; the clause as amended agreed to.

Clause 78—Effect of carrying resolutions:

The COLONIAL SECRETARY moved an amendment—

*That in Paragraph (a.) of Subclause 1 after "carried" the words "or in the case of a local option poll taken before the end of the year 1920 if Resolution B is negatived" be inserted.*

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That in line 2 of the proviso to Subclause 1 the word "new" be struck out.*

Amendment passed ; the clause as amended agreed to.

Clause 87—Certain licensees to have their names affixed on premises:

The COLONIAL SECRETARY moved an amendment—

*That after "premises," in line 6, the words "and every person holding an Australian wine and beer license shall have his name painted or fixed as aforesaid with the words 'licensed to retail Australian wine and beer' constantly and permanently remaining and plainly to be seen and read on a conspicuous part of the outside of his licensed premises" be inserted.*

This was consequential on the insertion of the Australian wine and beer license.

Amendment passed ; the clause as amended agreed to.

Clauses 89, 93, and 94 consequentially amended by inserting after "wayside house license" in each clause the words "or an Australian wine and beer license," and the clauses as amended agreed to.

Clause 95—License to be kept by licensee:

Hon. M. L. MOSS: This clause should be struck out. He would not add anything to what he had previously said on the matter.

Clause put and negatived.

Clause 96—Licensed premises not to be open before or after certain hours:

The COLONIAL SECRETARY: This clause had been rather clumsily drawn; while a lodger could not drink at the public bar the same provision did not apply to a bona fide traveller. He moved an amendment—

*That Subclause 2 be struck out and the following inserted in lieu:—"But this section shall not prohibit the sale or consumption of liquor to or by any bona fide traveller, lodger, or inmate if the liquor is not drunk at the public bar of the licensed premises."*

Hon. J. F. CULLEN: Was it not somewhat redundant to repeat the substance of Subclause 1 in Subclause 2?

The Colonial Secretary: It was proposed to strike out Subclause 2.

Amendment put and passed.

The COLONIAL SECRETARY moved a further amendment—

*That Subclause 3 (new) be struck out.*

Amendment passed ; the clause as amended agreed to.

Clause 98—Person found drinking liquor on premises during prohibited hours:

The CHAIRMAN: In this clause in the penalty part of each subclause the following words had been previously inserted:—"For the first offence not less than £5 and for any subsequent offence not less than £20."

The COLONIAL SECRETARY moved an amendment—

*That in Subclauses 1 and 2 the words "not less than five pounds" be struck out and "ten pounds" inserted in lieu.*

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That in Subclauses 1 and 2 the words "not less than twenty pounds" be struck out and "thirty pounds" inserted in lieu.*

Amendment passed ; the clause as amended agreed to.

New Clause 101—Proof of bona fide traveller:

The COLONIAL SECRETARY: In this new clause references were made to Sections 110 and 111; those references should have been to Sections 96 and 97. He moved an amendment —

*That the words "one hundred and ten or one hundred and eleven" be struck out and "ninety-six or ninety-seven" inserted in lieu.*

Amendment passed : the clause as amended agreed to.

New Clause 103—Licensee may refuse to serve applicant for drink on Sundays, etcetera, subject to certain conditions:

The COLONIAL SECRETARY: The clause provided that the licensee should require any person demanding to be served with liquor on the representation that he was a bona fide traveller to write his name and where he lodged during the preceding night in a book kept by the licensee for the purpose. But the clause

failed to provide a penalty for non-compliance. He moved an amendment—

*That the words "Penalty, ten pounds" be added to Subclause 1.*

Hon. M. L. MOSS: Was failure to sign the name in the book to be an offence liable to a penalty?

The COLONIAL SECRETARY: No; but failure to ask for the book to be signed was to be subject to the penalty.

Hon. M. L. MOSS: Then it would be rather a dead letter.

Amendment put and passed.

The COLONIAL SECRETARY moved a further amendment—

*That the words "Penalty, ten pounds" be added to Subclause 2.*

Hon. M. L. MOSS: Was the person to suffer for refusing to sign his name?

The COLONIAL SECRETARY: No, the penalty was to be against the hotel-keeper for providing liquor after a person refused to sign his name.

Hon. M. L. MOSS: Apparently it would be a contravention of the subclause if a person refused to sign his name.

Amendment passed; the clause as amended agreed to.

Clause 100—Penalty on sale of liquor by unlicensed persons:

The COLONIAL SECRETARY moved an amendment—

*That in the penalty the word "thirty," after "first offence" be struck out, and "fifty" inserted in lieu, and that the word "fifty" after "subsequent offence" be struck out, and "one hundred" inserted in lieu.*

This was to bring the penalty into line with other penalties.

Amendment passed; the clause as amended agreed to.

Clause 112—Penalty for supplying liquor to children:

Hon. J. W. LANGSFORD moved an amendment—

*That in line 1 the word "sixteen" be struck out and "eighteen" inserted in lieu.*

This was to bring the clause into harmony with the clause connected with clubs which provided that no liquor should be sold to anyone under 18 years of age.

The COLONIAL SECRETARY: There was no objection to the amendment, but it would apply to other than hotels. It would prevent the holder of a gallon license selling to persons other than those over 18 years of age.

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

Ayes	..	..	8
Noes	..	..	10

Majority against .. 2

#### AYES.

Hon. J. D. Connolly	Hon. W. Patrick
Hon. J. F. Cullen	Hon. S. Stubbs
Hon. V. Hamersley	Hon. C. Sommers
Hon. J. W. Langsford	(Teller).
Hon. R. D. McKenzie	

#### NOES.

Hon. E. M. Clarke	Hon. E. McLarty
Hon. F. Connor	Hon. M. L. Moss
Hon. J. M. Drew	Hon. B. C. O'Brien
Hon. D. G. Gawler	Sir E. H. Wittenoom
Hon. J. W. Hackett	(Teller).
Hon. R. Laurie	

Amendment thus negatived.

Clause put and passed.

Clause 119—Liquors hawked about to be seized and condemned:

On motion by the COLONIAL SECRETARY the word "thirty" after "first offence" was struck out and "fifty" inserted in lieu; also the word "fifty" after "subsequent offence" was struck out and "one hundred" inserted in lieu.

Clause as amended agreed to.

Clause 121—License to be produced on demand:

Hon. M. L. MOSS: It would be remembered that the Committee had struck out Clause 95, which provided that the license should be kept by the licensee. Clause 121 would now have to be amended to be brought into line with the other clauses. An amendment might be added to the effect that the licensee on demand should "within a reasonable time produce his license." The license might be in the possession of the mortgagee or owner, and in that event it should be delivered without cost to the police. He did not desire to see any obstacles placed in the way of those who would be called upon to administer this Statute. The clause should be postponed to enable the Colonial Secretary to get an amendment drafted.

The CHAIRMAN: The hon. member might not have another opportunity to recommit the Bill.

Hon. M. L. MOSS: At the present time he was not ready with his amendment.

The Colonial Secretary: The hon. member if he desired to move an amendment could do so later on in the evening.

Hon. M. L. MOSS: An amendment could not be drafted on the spur of the moment. The amendment he desired to move would be in effect that if the license was in the possession of the owner or the mortgagee the licensee should have an opportunity within a reasonable time of securing it.

Hon. J. F. CULLEN: The administrators of the Act would have nothing to do with the mortgagee. The licensee was the responsible man, and not only on a court day, but on an application for a renewal of a license a licensee would have to produce the license. The Minister had gone as far as he could be expected to go in allowing reasonable time for the production of a license.

Hon. M. L. MOSS: The hon. member did not grasp what the effect of striking out Clause 95 was. Clause 95 provided that every license should be, and should continue to be, in the custody of the licensee. Having cut out that clause, it was necessary in certain instances for the police in administering the Statute to be able to get that license. If the license was in the possession of the owner or the mortgagee there must be something to enable the authorities to get that license. The licensee might say that he could not produce it, and that he was being asked to do something unreasonable because the law permitted him to mortgage, and he could claim that he was not responsible because the third party refused to produce the license. There should be time given to draft an amendment to the clause.

Hon. C. SOMMERS: The Colonial Secretary might give a little time for the drafting of an amendment on the lines suggested by Mr. Moss. The matter was very important.

The COLONIAL SECRETARY: There would be no harm in allowing the

clause to stand over till later in the evening so that an amendment might be drafted.

Hon. M. L. MOSS: There was no desire on his part to say anything further; he had done his duty by pointing out the clause would be unworkable from the administrator's point of view.

Clause put and passed.

Clause 125—Penalty for employing females beyond certain hours:

The COLONIAL SECRETARY moved an amendment—

*That the following be added to Subclause 2:—"and shall on demand at his licensed premises by any inspector produce such book and allow the inspector to examine it: Penally, ten pounds."*

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

*That Subclause 3 be struck out.*

This was consequential on the addition having been made to Subclause 2.

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

Clause 138—Registration of clubs:

The COLONIAL SECRETARY moved an amendment—

*That the following words be added at the end of the clause:—"Provided that the supply or delivery of liquor by or on behalf of any registered club to any member for any money consideration paid or agreed to be paid by such member shall not be deemed illegal by reason of the club being incorporated, but such transaction shall for the purposes of this Act be deemed to have the same effect in law as it would if the club were not incorporated."*

He understood that there were some clubs in existence which were incorporated societies, and there was a doubt as to whether it was not illegal for them to carry on under a club permit. In order to get over that difficulty it was provided in the amendment that notwithstanding that they were incorporated societies they could carry on as if they were not incorporated.

Amendment passed: the clause as amended agreed to.

Clause 140—Conditions as to clubs:

Hon. D. G. GAWLER moved an amendment—

*That the following words be added to the clause:—"Provided that a club shall not be prevented from becoming or continuing registered under this Act by reason of the fact that provision is or can be made for payment out of its funds for the burial of deceased members or for the relief of sick, aged, or necessitous members, or persons who were dependent or partly dependent on any deceased member, or of the fact that the rules do not allow that the benefit or advantage of such provision be shared equally by all the members."*

He had previously endeavoured to effect his object by moving to strike out all the words after "occupier" in line 13 of the clause, but it had been objected that the deletion of those words might allow of the division of profits amongst members, to which there was a strong objection. The present amendment avoided that difficulty, the object being to allow clubs which provided benefits and relief under their rules to come under the provisions of the Act. Clubs which did that deserved every consideration. He particularly desired to give to the Commercial Travellers' Club the opportunity of registering under the Act. That club had very far-reaching and beneficial provisions in regard to mortuary benefits and assistance to aged, sick and necessitous members or their dependents. Provisions of that sort were to be highly commended and encouraged and were entirely free from the objection to clubs having provision for the division of profits amongst their members. No hon. members would object to the profits of a club being devoted to praiseworthy objects such as these.

The COLONIAL SECRETARY: While offering no objection to the amendment, and while admitting that the club mentioned did a great deal of good through its benefit funds, he thought that the principle which the hon. member sought to admit was a wrong one. It was getting away from the purpose of a club, as set forth in the Bill, to make profits and divide them in any way amongst members. He regretted that the amendment had not

been placed on the Notice Paper so that it could be studied more closely. These benefit provisions could be just as well made by the Commercial Travellers' Association apart from the club altogether, although there might be some difficulty through the system having been in existence so long. The amendment might open the door for the establishment of bogus clubs, and in view of the trouble with such institutions in the past that was highly undesirable. Whilst not opposing the amendment he wished it understood that he did not accept the amendment and would not answer for any attitude which the Government might afterwards take.

Hon. R. LAURIE: There were hundreds of members of the Commercial Travellers' Club who never entered the institution more than twice a year, but whose money nevertheless was made applicable to the benefits referred to by Mr. Gawler.

The Colonial Secretary: All members do not contribute to that fund.

Hon. R. LAURIE: All the association members were qualified to get benefits from such fund. He was sorry that the amendment did not go further and cover the scholarships given by the club to the children of members. The system had been in existence for a very long time, and no possible harm could result from its continuance. The club had a surplus of funds and with that surplus was prepared to provide mortuary and other benefits for members.

Hon. S. STUBBS: The club was not formed for the purpose of making profit out of the sale of liquor. There were two classes of members, association members, and those who enjoyed the privileges of an ordinary club. Many members did not enter the club from January to December, but of their £2 2s. annual subscription a certain amount was spent in the upkeep of the institution, and the remainder was earmarked for certain purposes, such as scholarships, and provisions for sick and aged travellers, and also for the burial of deceased members. No possible harm could come from the amendment. Many members of the club had never used the place but joined at his instigation, as one

of the founders, to give the benefit of their subscription to the funds he had mentioned.

Hon. D. G. GAWLER: The arguments of the Colonial Secretary were as to what might happen. He had not pointed out anything that of a certainty would happen. A bogus club was one that allowed casual persons to come in and get a drink when they liked, but such an amendment as the one he proposed could not promote a bogus club. It would be impossible to separate the benefits from the social portion of the club. There were club members and association members, and it was only association members who shared in the benefits.

Hon. J. P. CULLEN: One appreciated the attitude of the Minister in saying he could not pledge the Government in any way in this matter, but the amendment had been carefully drawn and was in opposition to a bogus club. If the amendment was carried by a good majority the Government no doubt would accept it.

Amendment passed: the clause as amended agreed to.

Clause 142—Honorary members:

The COLONIAL SECRETARY moved an amendment—

*That in line one after "honorary" the words "or temporary" be inserted.*

This would provide the same provision for temporary members as for honorary members in regard to notice to be given.

Amendment passed.

The clause was also consequentially amended by inserting after "honorary" the words "or temporary" wherever occurring in the clause, and as amended was agreed to.

Clause 144 was consequentially amended by inserting between "honorary" and "member" the words "or temporary," and agreed to.

Clause 146—Notice of application for registration:

The COLONIAL SECRETARY moved an amendment—

*That in paragraph (c) of Subclause 1 the words "produce to the licensing court the certificate of the inspector of licensed premises hereinafter mentioned and" be struck out.*

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

Clause 139—Supplying or keeping liquor in unregistered clubs:

Hon. M. L. MOSS moved an amendment—

*That in line 1 the words "supplied or" be struck out.*

It was not necessary to repeat the arguments advanced previously about the possibility of the member of a club having a drink of whisky out of his flask and the peculiar position, under Subclause 2, of another member knowing what was going on being liable to prosecution if he did not become a common informer.

Hon. Sir E. H. WITTENOOM: The amendment should be supported. In some clubs a few members kept refreshment which was supplied to friends and not sold; this particularly applied to racing clubs.

The COLONIAL SECRETARY: If the words proposed to be struck out were struck out it would render the whole clause useless, and would open the door to bogus clubs, for without these words we would have the members of a club paying into a fund and being supplied with liquor. The clause was in accordance with the corresponding sections of the New South Wales and the English Acts. He was prepared to consider any amendments the hon. member might suggest to get over the difficulty feared by the hon. member, although such difficulty was not likely to arise.

Hon. M. L. MOSS: This was a new proposal submitted by the Government, and because it had been shown that it was full of pitfalls the Colonial Secretary had turned around and said, "If you do not submit something else which will stop the supplying of liquor, I am going to cram this into the Bill." He (Mr. Moss) could not see that it would open the door to bogus clubs. A member of a club who had a flask of whisky and invited his friend to partake thereof, would be liable to prosecution, while a third member who knew of it and refused to become a common informer would also be prosecuted.

The COLONIAL SECRETARY: To strike out the words would be tantamount to striking out the clause, because, undoubtedly, it would open the door to the supplying of liquor without a license.

Hon. M. L. MOSS: It had been pointed out that the racing clubs kept small supplies of liquor on the premises for the entertainment of visitors; under the clause all members of those clubs would be turned into criminals. He would prefer to see the whole clause go out. What we desired to prevent was the illegal sale of liquor on those premises. It would not be a great straining of the proposed clause to prosecute a man who invited a friend to have a drink in his own house.

The COLONIAL SECRETARY: It would not be inflicting any hardship to prevent a member of a bowling club, or a tennis or rowing club, from keeping liquor in his locker and supplying it to his friends. Without the words proposed to be struck out these clubs would be enabled to keep liquor on the premises and supply it under a fund, or through the medium of a contribution box as an alternative to direct purchase.

Hon. M. L. MOSS: To put a stated sum of money into a box when having a drink would constitute a sale. This kind of proposed legislation would make the Committee the laughing stock of the community.

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

Ayes	..	..	13
Noes	..	..	6

Majority for .. .. 7

#### AYES.

Hon. F. Connor	Hon. E. McLarty
Hon. J. M. Drew	Hon. M. L. Moss
Hon. J. W. Hackett	Hon. E. Stubbs
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. J. W. Kirwan	Sir E. H. Wittenoom
Hon. R. Laurie	Hon. W. Patrick
Hon. W. Marwick	(Teller).

#### NOES.

Hon. J. D. Connolly	Hon. C. Sommers
Hon. D. G. Gawler	Hon. J. F. Cullen
Hon. J. W. Langsford	(Teller).
Hon. B. C. O'Brien	

Amendment thus passed.

Clause as amended (also consequentially) agreed to.

Clause 199—Regulations:

The COLONIAL SECRETARY moved an amendment—

*That in line 6 the words "and of the licenses reduction board" be struck out.*

Amendment passed; the clause as amended agreed to.

New clause 163—Employment of barmaids:

Hon. F. CONNOR: In order to improve the South Australian provision, at the suggestion of the Parliamentary Draftsman, he moved an amendment—

*That all the words after "situated" be struck out and "penalty for a first offence, £10; for a subsequent offence £20" inserted in lieu.*

Amendment put and passed.

Hon. V. HAMERSLEY: Would this clause prevent a woman who was a licensee serving in the bar?

Hon. M. L. Moss: No.

Hon. W. PATRICK: There was no definition of the word "bar-room" used in the clause. Further, the clause made it appear that no females would be enabled to sell liquor in places holding the Australian wine license. This would mean shutting up the wine shops right throughout the State.

Clause as amended agreed to.

New clause—Fraud in connection with registration:

Hon. F. CONNOR moved an amendment—

*That in the last line the words "be liable to a penalty not exceeding £20" be struck out, and "be guilty of an offence against this Act: Penalty, first offence, £10; second offence, £20" be inserted in lieu.*

Amendment passed; the clause as amended agreed to.

New clause—Unregistered person acting as barmaid:

Hon. F. CONNOR moved an amendment—

*That after the word "district" in line 4, the words "shall be liable for the first offence to a penalty not exceeding*

£5. and for any subsequent offence to a penalty of not less than £5 and not exceeding £20" be struck out, and "shall be guilty of an offence against this Act: Penalty, first offence £10, subsequent offence £20" be inserted in lieu.

Hon. E. McLARTY: With regard to these new clauses he would like to say a few words about the wisdom of inserting them because he had not had an opportunity of doing so when they were previously before the Committee. He did not believe in debarring any section of the community from making an honest living. He looked upon it as casting a slur on a certain class of ladies and young women that they should be branded as not of good reputation because they occupied a position in a bar. His opinion was that there were just as worthy and respectable women following the occupation of barmaids as there were to be found in any other calling. There were good and bad everywhere; even in churches we would not find all that we would wish. There were hundreds of young ladies in bars who were just as well conducted and well behaved as many who followed other callings. It was a serious matter to attempt to deprive them from using bars as a means of making what was, after all, an honest livelihood. He would not say that it was a nice occupation for girls to follow but they followed it from their own choice.

Hon. F. CONNOR: The position might be made clear that in moving these new clauses he had not made any charge against the women who were following the occupation of barmaids, in fact he was rather complimentary when referring to them and stated that among them were some of the finest women physically, mentally, and morally. In his opinion, however, it was better that these temptations should be taken away from women.

Hon. E. McLARTY: Without repeating himself he desired to add that the passing of clauses such as these was tantamount to branding the women who followed the occupation of barmaids as not being of good conduct. He would never vote for anything which would in any way restrict the liberty of the people.

Hon. J. W. KIRWAN: There was no desire on his part to interfere in the pleasantries indulged in by members concerning the character of barmaids, but he asked the proposer of the new clauses whether, on reading them closely, they did not go further than he had intended them to go. As had been pointed out, there was no definition of the word "bar-room." Girls would be forbidden to sell, supply, or serve liquor in or about a bar-room. Some of the legal members of one House might state exactly what the definition of bar-room was. In some hotels the bars were adjoining the dining-rooms and often they were only separated by a small window in the wall, and it might be possible for girls occupied in that dining-room being prevented from serving liquor there.

Hon. F. CONNOR: These clauses had been taken from the South Australian Act and had worked very well up to the present.

Hon. J. W. KIRWAN: The Acts in the other States were not always perfect.

Amendment put and passed: the clause as amended agreed to.

New clause—Members and deputies liable to removal and not in general to sit in more than one court:

The COLONIAL SECRETARY moved—

*That the following be added to stand as Clause 20:—"Notwithstanding anything hereinbefore contained, a member or deputy member of a Licensing Court (a) may be removed from office at any time by the Governor; (b) may not (except for the purpose of holding office in more than one court in the capacity of chairman or deputy chairman as hereinbefore provided) be a member or deputy member of another court."*

The object of the amendment was to make it clear that the Governor might remove any member of the court. That was a power which was always reserved to the Governor in regard to members of any board appointed by the Governor.

New clause put and passed.

New clause—Gallon license:



The COLONIAL SECRETARY moved—

*That the following be added to stand as Clause 12:—“(1.) A gallon license shall authorise the licensee to sell and dispose of any liquor in any quantity of not less than one gallon, not to be drunk on the premises in which such liquor is sold. (2.) The minimum quantity shall consist wholly of spirits, or of wine, or of beer, or of some other kind of liquor, and shall be delivered and taken away from the premises at one time, and not by instalments.”*

The new clause merely contained a definition of gallon license as contained in the present Act.

New clause put and passed.

New clause—Bar to be kept closed during prohibited time:

The COLONIAL SECRETARY moved—

*That the following be added to stand as Clause 98:—“Every holder of a publican's general, hotel, wayside house, or Australian wine and beer license shall cause every door or other entrance by which admission can be gained to any bar-room on his licensed premises whether from outside or inside to be kept closed and locked between eleven o'clock at night and six o'clock in the morning, and during the whole of every Sunday, Christmas Day, and Good Friday; provided that any such door or entrance may be unlocked and opened at any time between such hours or on such days in order to allow ingress or egress to the licensee or any employee of the licensee for the purpose of enabling such licensee or employee to obtain and bring liquor for delivery to any person to whom he may then lawfully sell liquor or to do any other lawful act. Penalty—Ten pounds.”*

In another part of the Bill it was provided that the bars should be closed at certain times, but no penalty was provided. The penalties had been struck out of other clauses so that they might be grouped, hence the necessity for a new clause.

New clause put and passed.

First Schedule:

On motion by the COLONIAL SECRETARY the first schedule was amended by inserting after the words “1 and 2 Edward VII., No. 2.” the words “2 Edward VII., No. 4. . . . The Railway and Theatre Refreshment Rooms Licensing Act Amendment Act, 1902.”

Schedule as amended agreed to.

Fifth Schedule:

On motion by the COLONIAL SECRETARY the Schedule was amended by adding license forms for the Australian wine and beer license and the one-gallon license; and consequential amendments were made in the license forms for the Australian wine license, the railway refreshment room license, the railway refreshment car license, and the occasional license.

Schedule as amended agreed to.

Sixth Schedule:

On motion by the COLONIAL SECRETARY the Sixth Schedule was amended by inserting a form of application for Australian wine license, and making consequential amendments.

Schedule as amended agreed to.

Eighth Schedule:

On motion by the COLONIAL SECRETARY the application for transfer was struck out and a new application inserted in lieu.

Schedule as amended agreed to.

Eighteenth Schedule:

The COLONIAL SECRETARY moved an amendment—

*That after the words “the licensing Act, 1910” “part one” be inserted.*

Hon. J. F. CULLEN: The Minister had kept the spirit of his promise but he had not done it in the best way. It would read better if the Eighteenth Schedule were put on the same basis as the Twentieth Schedule, with affirmative and negative answers against the questions. However, he intended to let the new schedule pass in the hope that it would be put right in another place.

Amendment passed.

On motion by the COLONIAL SECRETARY the schedule was further amended to bring it into line with the amendments made in Clause 76.

Schedule as amended agreed to.

Bill again reported with further amendments.

*Further Recommital.*

On motion by Hon. M. L. MOSS, Bill again recommitteed for the purpose of reconsidering Clauses 33 and 121.

Clause 33—Packet license:

Hon. M. L. MOSS: When the Committee voted on this question previously it was not intended to place the holder of a packet license at a greater disadvantage to a publican in regard to Sunday trading. He moved an amendment—

*That the following be added to the proviso inserted on motion by Hon. W. Patrick:—"Unless the person to whom such liquor is sold is being carried on a journey exceeding 10 miles."*

Members could vote for the amendment and yet be perfectly consistent in the support they had given to the proviso, unless indeed—and he could not believe it—there was a dead set being made against these two boats holding packet licenses. It was not only the holders of these packet licenses, but the general public also who had to be considered.

Hon. W. PATRICK: It was to be hoped the Committee would not agree to the amendment, for it would nullify the proviso which had been added to the clause. Seeing that we had decided as a principle that liquor should not be obtained on land on Sundays without great difficulty, special facilities should not be given to obtain it easily on our river on Sundays. There was no analogy between the bona fide traveller covering ten miles on land and the bona fide traveller being conveyed ten miles by water. It was to be hoped the Committee would not agree to the amendment.

Hon. C. SOMMERS: If the amendment were carried, then in fairness to the man who travelled by land, all that man should have to do should be to travel 100 yards, and, explaining that he was on a journey of ten miles, demand a drink.

Hon. F. CONNOR: Suppose one of those boats were to run on a sand bank and the passengers could not get ashore for some hours; surely they ought to be entitled to get a drink.

Hon. J. F. CULLEN: The amendment would mean that the moment the steamer cast off from the wharf the master could say, "I am going ten miles before I come back, so open the bar." It was an absurd position to set up. He had tried to deal fairly with the regular licensee and prevent him from unfair competition by the holders of irregular licenses such as packet licenses.

Hon. M. L. MOSS: That the master of the vessel was travelling ten miles would not be sufficient to procure drinks for other people, because each passenger was supplied with a ticket showing his particular destination.

Hon. R. LAURIE: Mr. Patrick had said if the amendment were accepted it would nullify the proviso. It should be remembered that the Committee on Thursday last had struck out the very words Mr. Patrick had had reinstated this afternoon.

Hon. C. SOMMERS: That was because of the thinness of the Committee.

Hon. R. LAURIE: The least said about the thinness or the thickness of the Committee the better; the fact remained that we had this afternoon nullified the proceedings of last Thursday.

Hon. J. F. Cullen: Well, we must have finality.

Hon. R. LAURIE: We had often waited for finality from Mr. Cullen. The point was that even if the amendment did serve to nullify the proviso, by all means let us do it if it was the will of the Committee.

Hon. C. SOMMERS: It was impossible to avoid taking exception to Captain Laurie's remarks in regard to the interjection made. He (Mr. Sommers) had said the decision of Thursday was nullified to-day on account of the muster of the Committee, and Captain Laurie had retorted that the less said about the majority the better, thus inferring that the majority had been whipped up. He (Mr. Sommers) wished to state that the inference did not apply to him.

Amendment put and negatived.

Clause 121—License to be produced on demand:

Hon. M. L. MOSS: In view of Clause 186 this clause was altogether unnecessary and should be struck out.

The COLONIAL SECRETARY: Clause 95, providing an instruction to the licensee not to mortgage his license, had been struck out, but this clause provided that the licensee should produce his license at his licensed premises. Probably there was very good reason for the clause. While not opposing the suggestion to strike it out he did not wish it to be taken that he agreed to it.

Clause put and negatived.

Bill again reported with further amendments, and ordered to be returned to the Legislative Assembly, requesting them to make the amendments agreed to by the Committee.

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

Message received intimating that the Assembly had agreed to the amendments made by the Council.

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

Message received intimating that the Assembly had agreed to the amendments made by the Council.

#### BILLS (2)—FIRST READING.

1. Workers' Compensation Act Amendment. 2. Tributaries. Received from the Legislative Assembly: Hon. J. M. Drew in charge.

*House adjourned at 10.33 p.m.*

## Legislative Assembly,

*Tuesday, 20th December, 1910.*

	Page
Papers presented .....	2534
Questions: Education Department, Modern School Assistant, Delegate to Conference, Teachers and Inspectors .....	2534
Railway, re-sleeping, Coolgardie, Kalgoorlie .....	2535
Miners' Homestead leases .....	2536
Railway Station, Southern Cross .....	2536
Railway Construction, Magnet-Sandstone .....	2536
Bills: Fremantle Freemasons' Lodge No. 2 Disposition, Council's amendments .....	2536
Redistribution of Seats, 2s .....	2536
York Mechanics' Institute Transfer, 1s .....	2567
Permanent Reserve (Rededication), Returned .....	2567
Annual Estimates, Votes and Items discussed .....	2567

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

#### PAPERS PRESENTED.

By the Premier: 1. Report of proceedings of the Registrar of Friendly Societies for the year ended 30th June, 1910. 2. Factories Act—Regulations relating to the use of phosphorus. 3. Midland Junction Municipality—By-laws relating to advertising hoardings. 4. Bunbury Harbour Board—Amended Regulation. 5. Claremont Municipality—By-laws re Special Roll for Loan Poll. 6. Fremantle Harbour Trust—Annual Report, 1909-10.

By the Minister for Works: 1. Annual Report of the Metropolitan Water Supply, Sewerage, and Drainage Department.

#### QUESTIONS (3)—EDUCATION DEPARTMENT.

*Modern School Assistant.*

Mr. HEITMANN asked the Minister for Education: 1. Is it the intention of the Education Department to bring a lady from outside Western Australia to take the position of 1st assistant at the Modern School? 2. Are there no ladies in our service with the necessary qualifications for the position?

The MINISTER FOR EDUCATION replied: 1. No decision has yet been arrived at, but it is the intention of the Inspector General to recommend a lady from Adelaide for the position. 2. There is no lady at present in the service of the department who possesses the necessary science qualifications.