

Mr. Scaddan: That one vote by which the Government won was just put out of the House.

The PREMIER (Hon. Frank Wilson): I move—

That the House do now adjourn.

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

Ayes	..	..	..	21
Noes	..	..	..	20

Majority for	..	1
		—

AYES.

Mr. Brown	Mr. Jacoby
Mr. Butcher	Mr. Male
Mr. Carson	Mr. Monger
Mr. Cowcher	Mr. S. F. Moore
Mr. Daglish	Mr. Murphy
Mr. Davies	Mr. Nanson
Mr. Draper	Mr. Osborn
Mr. Gordon	Mr. Plesse
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Harper	(Teller).

NOES.

Mr. Angwin	Mr. O'Loghlen
Mr. Bath	Mr. Price
Mr. Bolton	Mr. Scaddan
Mr. Coiller	Mr. Swan
Mr. Gill	Mr. Taylor
Mr. Gourley	Mr. Troy
Mr. Holman	Mr. Walker
Mr. Horan	Mr. Ware
Mr. Hudson	Mr. Underwood
Mr. Johnson	(Teller).
Mr. McDowall	

Question thus passed.

House adjourned at 11.55 p.m.

Legislative Assembly,

Thursday, 13th October, 1910.

	PAGE.
Lands Department and Charges of Corruption ..	941
Personal Explanations ..	941
Questions: Norseman-Esperance Railway project ..	944
Esperance District ..	944
Land Transactions, Dalwallinu ..	944
Message Recommending Bills ..	945
Appropriation Message ..	945
Bills: University Endowment, 1s. ..	945
Land and Income Tax, 1s. ..	945
Loans Conversion, 1s. ..	945
Perth Municipal Gas and Electric Light- ing, 1s. ..	945
Katanning-Shannon's Soak Railway, 1s. ..	945
Dumblebyng-Moutyaning Railway, 1s. ..	945
Health, Com. ..	953
Licensing, Com. ..	953
Motion: Government Business, Precedence on alternate Wednesdays ..	945
Election of Chairman of Committees ..	945

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

LANDS DEPARTMENT AND CHARGES OF CORRUPTION.

A Royal Commission.

The MINISTER FOR LANDS (Hon. J. Mitchell): I wish to announce that, as in the course of the no-confidence debate which closed last night, charges of corruption were made in connection with the administration of the Lands Department, I have asked the Government to appoint a Judge of the Supreme Court as a Royal Commission to fully investigate such charges and such other charges of a like nature as may be submitted. Cabinet have agreed to my request and a Commissioner will be appointed forthwith.

PERSONAL EXPLANATIONS.

Mr. George and the No-confidence Division.

Mr. GEORGE (Murray): It was my determination and desire last evening to take the first opportunity I could to tender to this House and, through it, to the country, an explanation of why I refrained from recording my vote on the no-confidence debate division. I had hoped when it was known to the hon. the Minister that I had made a priority of application to him, he would have been courteous enough to allow me to speak first. His announcement would have come far more effectively after I had

finished my remarks, that at the present time. What I have to say is this. My preface has been made to show that, not at the bidding of a powerful newspaper, but at the bidding of what I consider the rules that should govern the conduct of a man's life, I tender this explanation to the House and the country. We had last evening the very painful spectacle of member after member of the Opposition rising to make statements in regard to the honour and integrity of the Minister for Lands, on whose side of the House I am sitting, and it seemed to me it was unfair to the House, unsatisfactory to the country, certainly not desirable for the Minister himself, that we should be asked to vote upon the question before we had heard the hon. gentleman in defence. Taking that view, I communicated it to those on this side of the House who have a right to hear it, and having these opinions, I stated then that I was not prepared to vote until the hon. gentleman had had an opportunity to defend his honour. Whether these charges have foundation or not I do not know. Personally I believe the hon. gentleman will be able to clear himself of everything. I know too well how it is possible to see two sides of a question, and how, when one desires to see the wrong side, that side only appears to be the one apparent. It would have been far better in the interests of the House, after what had occurred, if the Premier could have seen his way to refrain from calling on the loyalty of his colleagues to vote on a question upon which they had only heard one side. I also want to make my position clear in this respect. I have no desire to see the members of the Opposition side occupying the Treasury benches, and so far as I can, and I tell them so frankly, I will do my best to prevent them from doing so. Even with these views, if I sit on this side, I, with other members, contend we have the right, if there is anything charged against those we are supporting, to have an explanation given to us, an explanation satisfactory to our consciences and showing us, at any rate, that we are not doing wrong to support them. These are the reasons why I did not record my vote; these are the reasons which, so far as I

am able to carry them out in the future and until I see something stronger than I have seen up to the present, will cause me to follow the dictates of my honour throughout my career in Parliament.

Mr. Gourley and Dalwallinu Land Transactions.

Mr. GOURLEY (Leonora): By way of explanation I wish briefly to refer to the statements made in the House last evening by the member for Mount Magnet. For some time past letters have been appearing in the Press, wherein I have been implicated with certain land transactions as to conditional purchase leases. I wish to give my explanation regarding certain land taken up by Mr. Court of Leonora, also do I wish briefly to refer to the statement made by the member for Mount Magnet when he said that I had undoubtedly acted as agent for Mr. Court and Mr. Bonner. Now, I wish to say in regard to the matter of Mr. Bonner, that that gentleman was never in my office, nor have I had any transactions with him since last March. I met him in the streets of Perth last March and since then and up to the present I have not spoken to him; I have had no transactions with him since March, nor do I wish to have any transactions with that gentleman. I would say to the Minister for Lands that it would be advisable if Mr. Bonner were kept out of the Lands Department. I have had no dealings with him, I have never acted as his agent in any shape or form. With regard to Mr. Court, I may say that he came to Perth last February to purchase land at the Three Springs; he went to Three Springs and found that the price asked for the land was too high. On his return to Perth he made an application for land at Dalwallinu. I did not meet him on his return at the time, and I had no idea he had put in an application for any land. Some time afterwards I met Mr. Court in the street and he told me what he had done. After this land was taken up by Mr. Court, Mr. Stacy came to my office and asked me whether I thought that Mr. Court would sell the land. I replied that I did not think he would, and he asked me to submit an offer to Mr. Court for £150.

I wired to Mr. Court submitting that offer, and he replied that the land was not for sale and he had refused an offer of £100 a block. No further transactions transpired in connection with this matter. Mr. Court has never written to me, neither have I written to Mr. Court up to the present moment, and there have been no communications between us with regard to the land held by him at Dalwallinu. Some few weeks ago Mr. Moor came to my office and told me that he had been informed that I had certain lands for sale at Dalwallinu belonging to Mr. Court. I told Mr. Moor that I had no such land for sale, and that the land had never been offered for sale. I also told him that I had wired to Mr. Court on Mr. Stacy's behalf, and that the reply that I got was that the land was not for sale. Mr. Moor rushes into the Press and makes a statement that I offered to sell him the land for £400, and he goes on to say that he had an English friend who was desirous of purchasing this land. How could I have offered the land for sale for £400 when it was never placed in my hands for sale. He asked me further about the land, and I casually remarked to him that Mr. Court might take £500 for it, but that I did not think he would sell. Then on Mr. Moor's behalf and on behalf of his English friend, I wired to Mr. Court and asked him if he would sell the land. And the reply I got was that he would take £1,600 for it. I submitted that offer to Mr. Moor and gave him a seven days' option of purchase, subject to the approval of the owner; those are all the dealings I had in connection with the matter. The statement has been made to the House that I have dealt in conditional purchase lands, and I wish to state to the House, and through the House to the country, that the statements which have been made by Mr. Moor are not true. I am prepared to admit that I sent a telegram to Mr. Court on behalf of Mr. Moor, and I am prepared to admit that I gave Mr. Moor the seven days' option of purchase at the price asked by Mr. Court, in order to enable him to inspect the land. I put in the option that I gave to Mr. Moor, that it was at the approval of the owner. The House will readily

understand as far as I am concerned that I am not guilty of the charges which have been made against me by Mr. Moor, and in view of the remarks of the Minister that he is desirous that a Royal Commission shall be appointed to investigate certain charges made against him, I may say also that I favour that Royal Commission, and will be prepared to go before it in order to exonerate myself with regard to these charges.

Mr. Angwin: What has that to do with the Lands Department?

Mr. GOURLEY: I desire to make this statement to the House in order to show that I am not to blame. Mr. Moor has rushed into the Press, and stated that I was connected with these land transactions. This will have a detrimental effect upon myself, and I wish emphatically to say that the statement made by Mr. Moor, that I offered the land to him for sale for £400, is not true. I think that is quite sufficient for me to say, and that it will clear me from any implication with regard to land transactions levelled against me by Mr. Moor.

Mr. TROY: May I, Mr. Speaker, also make a few remarks?

Mr. SPEAKER: By way of personal explanation?

Mr. TROY: Yes, and I regret the necessity for it. I did refer last night to this case of Mr. Court's land at Dalwallinu. I referred, of course, to what I deemed to be Mr. Gourley's association with the sale of that property. I may be permitted to read my remarks. I said:—

I am very diffident about making any charge against my own colleague of his not being entirely accurate when he denies any participation in the sale of Mr. Court's blocks, but I can only believe what I take to be his own handwriting. If it is not his own handwriting it must be a forgery and if it is a forgery I hope he will take action at the earliest moment to bring the people responsible to book for it.

That is all I have to say. I do not know that Mr. Gourley's statement has anything to do with the charges against the Lands Department, or that there is any necessity in connection with it for the appointment of a Royal Commission. I

drew attention last night to the letter bearing Mr. Gourley's signature, and if it is not Mr. Gourley's signature I hope he will take the earliest opportunity of instituting proceedings against the person responsible for the forgery. I have no more to say. The position is a painful one. I have no desire to read the letters of my colleagues, but since the leader of the Opposition made a statement in the first place, and since this matter had to be discussed, I felt it my duty to read this letter bearing the signature of the member for Leonora, and giving Mr. Moor an option over the three properties. As I have stated the letter contains Mr. Gourley's own signature, and if it is not his I hope he will take proceedings, and in those proceedings that he will be supported by all hon. members.

Mr. GOURLEY: May I further explain? When Mr. Moor came to me he asked me how many blocks Mr. Court held, and I told him that he had four blocks. I found, however, that Mr. Court had three blocks, and that the other block which I thought Mr. Court held was held by Mr. Bonner. It shows clearly that if Mr. Court had written to me in connection with this property he would have told me that he had only three blocks. I told Mr. Moor when he came to me that I thought there were four blocks, and when he asked me to give him the seven days' option to inspect, I put down four blocks. One of these, however, happened to belong to Mr. Bonner.

Mr. Collier: You deny having the blocks for sale?

Mr. Gourley: Yes.

QUESTION—NORSEMAN-ESPERANCE RAILWAY PROJECT.

Mr. HUDSON asked the Premier: 1. Is it the intention of the Government to redeem the promise of the ex-Premier, Sir Newton Moore, to send the Advisory Board to revisit the Norseman-Esperance district, and to give a definite reply to the request of the goldfields deputation in connection with the Norseman-Esperance railway? 2. If so, when?

The PREMIER replied: 1 and 2, Yes, in accordance with the reply given to the

hon. member for Brown Hill on the 6th September last, as follows:—"Instructions have been issued for a classification of the country referred to as early as possible. After the completion of the classification the Advisory Board will make a further examination." The matter will be dealt with as soon as possible after the report of the Advisory Board has been received.

QUESTION—ESPERANCE DISTRICT.

Mr. HUDSON asked the Minister for Lands: 1. Have notices been given for the resumption of pastoral leases in the Esperance and Fitzgerald districts? 2. If so, for the resumption of—(a), how many such leases; and (b), what are the numbers of such leases? 3. What was the total area for which notice was given? 4. What distance on either side of the surveyed line to Esperance will such resumed lands extend? 5. Have applications been received for lands formerly included in any pastoral leases in the districts named? 6. By whom have such applications been made, and, if so, for what area? 7. Have any applications been approved, and, if so, when? 8. As of what class has the land included in such applications been treated?

The MINISTER FOR LANDS replied: 1, Yes. 2, (a). 15. (b), Nos. 414/95, 460/95, 465/95, 466/95, 470/95, 473/95, 480/95, 487/95, 488/95, 489/95, 498/95, 2695/102, 2705/102, 2675/102, 1077/102. Resumption of the four additional leases was approved on the 10th instant, and notices are now being issued: 471/95, 436/95, 450/95, 500/95. 3, About 536,000 acres. 4, Fifteen miles. The four additional leases referred to in sub-paragraph (b) of No. 2 will include a 30-mile radius from Esperance town. 5, Yes. 6, J. A. V. Dempster, Maud Dempster, Mary Margaret Dempster—10,500 acres. 7, No. 8, See No. 7.

QUESTION—LAND TRANSACTIONS. DALWALLINU.

Mr. TROY (without notice) asked the Minister for Lands: Will the Minister

make available to members all the papers relating to the land held by the Myers family at Wongan Hills and Dalwallinu, the land lately held by Mr. Nielsen at Dalwallinu and the land held by Mr. Court at Dalwallinu, in the same manner as the files were made available to Mr. Lovekin and Mr. Woods, so that at least the representatives of the people might have the same consideration paid them as is given to those who are not representatives of the people?

The MINISTER FOR LANDS: I will be pleased to make these papers available to the member and will place them on the Table.

Mr. Scaddan: When shall we see them?

The MINISTER FOR LANDS: The member for Mount Magnet can see them to-morrow and I will put them on the Table at the next sitting.

Mr. TROY: I want to be perfectly clear about this. Do I understand that the Minister promises to put the papers on the Table of the House on Tuesday?

The MINISTER FOR LANDS: I shall be pleased to make the papers available to the member to-morrow if he wishes, and I shall be very pleased, if I can, to lay them on the Table on Tuesday next.

MESSAGES RECOMMENDING BILLS.

Messages from the Governor received and read recommending the following Bills:—

1. University Endowment.
2. Land and Income Tax.
3. Loans Conversion.

APPROPRIATION MESSAGE.

Message from the Governor received and read recommending appropriation in connection with a Supply Bill (£719,410).

BILLS (6)—FIRST READING.

1. University Endowment.
2. Land and Income Tax.
3. Loans Conversion.
4. Perth Municipal Gas and Electric Lighting.

5. Katanning-Shannon's Soak Railway.

6. Dumbleyung-Moulyinning Railway.

MOTION — GOVERNMENT BUSINESS, PRECEDENCE ON ALTERNATE WEDNESDAYS.

The PREMIER (Hon. Frank Wilson) moved—

That on Wednesday, 19th October, and on every alternate Wednesday thereafter, Government business shall take precedence over all other notices and Orders of the Day, as well as on the days already provided.

Mr. SCADDAN (Ivanhoe): Could not the Premier see his way clear to allow private members' business to be dealt with on Wednesday, 19th October, and let the motion take effect after that date? Again, could not some of the private measures, of which early notice had been given, be raised to a more prominent place on the Notice Paper?

The Premier: Which of them in particular?

Mr. SCADDAN: There were the Workers' Compensation Act Amendment Bill, the Tributors Bill, the Bread Act Amendment Bill, and the Early Closing Act Amendment Bill; each of these was well worthy of consideration.

The PREMIER: The Workers' Compensation Act Amendment Bill, he was afraid, would not be ready by next Wednesday.

Mr. Hudson: The report is due on Tuesday next.

The PREMIER: That being so, he would be prepared to devote Wednesday, 19th October, to private members' business. With the permission of the House he would alter the motion to read, "That on Wednesday, 26th October," etcetera.

Motion altered accordingly.

Mr. ANGWIN (East Fremantle): It would have been better if the Premier had brought down a motion providing that members should sit an extra day in the week. For some years it had been the custom to do everything possible by way

of curtailing private members' business. No private member's Bill ever got beyond the second reading, because it was the custom of the Government on private members' days to continue motions, and in consequence the Orders of the Day were never reached. The Government might just as well say straight out that they would refuse to allow a private member to bring in any Bill whatever. He had raised the same objection year after year and he thought it was time some reform should be introduced. He would vote against the motion.

Mr. JOHNSON (Guildford): A motion for an extra day's sitting would have been preferable to that before the House. During the regime of the "continuation" Government it had been a common practice for a whole host of most important measures to be brought down at the end of the session. When Opposition members protested against this as, for instance, in the case of the agricultural railways, they were told that they were opposed to the principle of the Bill; and when in turn those members protested against this unfair attitude they were told that they should have devoted more attention to the business of the country in the earlier stages of the session. Those who told them this forgot that if there had been any waste of time earlier in the session it was the fault of the Government. Last year he had told Sir Newton Moore, the then Premier, that in the next session he would give the Government a chance to increase the days of sitting, and that if they did not avail themselves of that opportunity he would show them no quarter at the end of the session. It was wrong to call upon members at the end of the session to sit unearthly hours. He would warn the Premier that this year there would be no rushing important matters through at the end of the session.

Mr. HOLMAN (Murchison): No opportunities were afforded private members of bringing anything before the House. It was now only two months to Christmas, yet nothing had been done. There were many important questions which pri-

vate members had placed upon the Notice Paper and which they should be afforded an opportunity of discussing. Of the very few private members' days already allowed this session one or two had been frittered away by the Government in a desire to block the Workers' Compensation Act Amendment Bill. Not one matter brought forward by a private member had been allowed to go through; not one had been discussed or dealt with in any way. Presently the Government would be endeavouring to rush the most important matters through in the shortest possible period without allowing discussion or inquiry of any sort. The session had started six weeks too late and, owing to the action of the Government, the time up to date had been frittered away and nothing had been done. Only last night the House had seen clearly that the intention of the Government was to bludgeon measures through without allowing consideration of them. He had a most important notice of motion on the Notice Paper at the present time, dealing with the head of the House, the Speaker. It was of vital importance, because the gentleman filling the honourable position of Speaker should hold the respect and carry the support of every member of the House. In consequence, that motion should be dealt with at the earliest possible moment and not be allowed to hang over the head of the Speaker. The Premier was not treating private members fairly when he endeavoured to take away private members' day. There was now only about eight weeks in which to transact the whole of the business, and instead of the Premier agreeing to sit one or two extra days a week he desired to rob private members of their own special day. The attitude of the Government was distinctly unfair, but it was in accordance with the methods practised on that side. Last night the Government had been saved by a man in pyjamas, and in future the Government would be known as "the pyjama Government." Not only should the Premier agree to sit an extra day per week, but in view of the proximity of Christmas he should be prepared to sit

from half-past two o'clock in the afternoon. If the Premier would but confer with members of the Opposition the business of the House would be facilitated and a much better spirit would obtain in the Chamber.

Mr. Bolton: We should never sit after 11 o'clock at night.

Mr. HOLMAN: If the Government attempted to bludgeon their measures through, then members would be justified in taking what defensive action might be within their power. It was not to the credit of the Government that they tried to rob private members of their only opportunity of dealing with matters that should be dealt with.

Mr. UNDERWOOD (Pilbara) supported the motion. For four years he had not seen a motion of any use carried that was brought forward on private members' day, and it was time members considered whether it was worth the waste of time and light and various other things having private members' day, discussing matters not even interesting enough for debate, and of much less importance to the country. The member for Murray objected to the use of the word "tripe," but there was no word quite so good to express the material members were asked to discuss on private members' day. Therefore he would support striking out "private members' day" altogether. According to the member for Murchison, members were going to be robbed by this motion; but the man who would rob members of the rubbish dealt with on private members' day would be doing the best possible thing for members. The Premier was to be thanked for bringing forward the motion. With regard to sitting on other days, he (Mr. Underwood) was prepared to sit as long as the Premier would sit.

Mr. FOULKES (Claremont): A large section of the community had requested him to introduce a Bill amending the Criminal Code, and dealing with offences upon children; but as this Bill would probably rank No. 19 or No. 20 on the list of Bills brought forward by private members, so that it would be hope-

less for a private member to try to get it passed, he appealed to the Government to take it up as a Government measure. It would be seen it was a measure requiring most serious consideration from members on both sides. If we were to get the Licensing Bill passed, for which he was most anxious, it would be necessary to give the Government the fullest time possible for the discussion of the measure. He supported the motion.

The PREMIER (in reply): While anxious to consult the convenience of members as much as possible, at the same time it was necessary to pass business which was of the utmost importance and in the interest of the State, as the Government believed. When the member for Guildford was Minister the hon. member kept the House sitting late on one or two occasions. There was no wish to have the House sitting after 11 o'clock at night, but at times it was necessary to sit late to get the business through. He would have great pleasure, as he had already intimated when announcing the business for the session, in consulting with the leader of the Opposition as to the business to be got through, as to how it was to be got through, and as to how long we should sit; and if an understanding could be arrived at, all the better. He hoped an understanding would be arrived at, but he resented any imputation that the Government wished to block private members' work. The Government would be very happy to give every opportunity, so far as the time available would permit, for dealing with the Bills submitted by private members; but it was obvious to all that the two main Bills introduced by private members were as far advanced as Government measures. There had certainly been a fortnight's respite over which no one had any control, but for six weeks no business had been put through. He hoped the House would do business even if it were necessary to sit on Fridays as well as taking alternate Wednesdays. In few Parliaments of Australia did private members get every Wednesday through the session; the opportunity to discuss private

business had to be curtailed, and very often earlier in the session than was now proposed. If members did not wish to finish by Christmas it would be necessary to sit over the new year, but if we were to get through by Christmas it would be the duty of every member, no matter on what side he sat, to render assistance by earnest regard for work. It was complained there was not work done, and no work before the House; but even in the short time at his (the Premier's) disposal he had shown evidence of desire for work by the number of Bills brought down. The measures would be available as quickly as possible. As the Notice Paper was cleared, other business would be put on to enable members to have every opportunity of studying the measures.

Question (as altered) put and passed.

ELECTION OF CHAIRMAN OF COMMITTEES.

Mr. DRAPER (West Perth): The first Order of the Day is the Committee progress on the Health Bill, and it will be necessary therefore to appoint a Chairman of Committees. I am quite a young member of the House, but I have known the present temporary Chairman (Mr. Taylor) ever since I have been in the House, and I feel sure that in the time he has occupied the position of Temporary Chairman he has only added to the respect and cordiality which exists towards him from both sides of the House.

Mr. Swan: You almost look as if you meant it.

Mr. DRAPER: I do mean it. I have no reason whatsoever to say anything I do not mean as regards the member for Mount Margaret; and notwithstanding interruptions from the Opposition side, the statement I make is cordially endorsed by almost the entire House, that the member for Mount Margaret when he has occupied the Chair has shown by the manner in which he has conducted the proceedings of the Committee that he is fitted for the position which is one of great importance; and, when we have that, not only a man fitted for the position, but also a man who is respected on

both sides of the House, I can see no reason why that member should not be appointed to a further step in the positions available to him in this House. I have much pleasure in moving—

That the member for Mount Margaret (Mr. Taylor) be elected as Chairman of Committees.

Mr. JOHNSON (Guildford): While to an extent I agree with the remarks made by the member for West Perth, still I cannot help noticing the fact that his motion is not moved with any desire to assist the party on the Opposition side, or even out of any respect for the special ability the member for Mount Margaret may possess, but rather is it moved with a desire to weaken the forces of the Opposition in order to assist the Government in their troubles. I leave it to the member for Mount Margaret to use his own judgment as to whether he will allow himself to be placed in the position, not because of any great respect held for him or his political opinions by those on the Government side, but rather because he is being used to undermine the influence of his own party. To give the hon. member the opportunity to consider his position, and realising that after all it is the duty of the Government to fill this position from members sitting on their own side of the House without attempting by this means to weaken the Opposition, I will move that the member for Claremont (Mr. Foulkes) be elected to this position. I could with equal force and equal truth repeat the remarks made by the member for West Perth. The member for Claremont has filled the position of Temporary Chairman, and in my opinion he has had equally as much experience as the member for Mount Margaret, and has equal ability, and, as he sits on the Government side of the House, he should receive any position in the gift of those who constitute the majority in the Chamber. Feeling that the hon. member is qualified to fill the position, and that he is justified in expecting it, and that it is the Government's duty to fill the position from their side of the Chamber, I move—

That the member for Claremont (Mr. Foulkes) be elected as Chairman of Committees.

Mr. FOULKES (Claremont): I thank the member for Guildford for suggesting my name to the House. It is a fact that I have been acting as a Chairman of Committees for the last seven years; but I am most anxious to see that the Licensing Bill is carried this session, as it is a subject in which I have taken great interest ever since I have been a member of this House; and as that Bill is in the Committee stage, and as my vote would be lost in the Committee stage in connection with that Bill if I were appointed Chairman of Committees, I beg to ask the member for Guildford to refrain from bringing my name forward as a candidate for the position.

Mr. TROY (Mount Magnet): I understand that the member for Mount Margaret has not agreed to the nomination made by the member for West Perth. Is that the case?

Mr. TAYLOR (Mount Margaret): If I had had any intention of disagreeing, I would have taken the same opportunity as the member for Claremont did of saying so. I certainly agree to the submission of my name to the House.

Mr. HEITMANN (Cue): In other circumstances I would have been most happy to take the first opportunity of congratulating the member for Mount Margaret on having this honour conferred upon him. But viewing all the circumstances and without taking any exception whatever to the action of the Government—for one is forced to admit that, in politics, at times parties must play the game to the fullest extent and I do not blame the Government for taking one vote from their opponents, not in the least—I regret exceedingly the fact that one of our own members, Mr. Taylor, one who has been returned to this House by solid men, men who have fought for him, men who have listened to his views, sought him, trusted him, sent him into this House to support them by vote and voice, to assist them in placing those measures they believe to be necessary on the statute book, should have decided to accept nomination for the position. We have the sad spectacle of this old lion, one whose voice has often been raised loudly against the party now supporting him, one who found it at

times impossible to express in language his contempt for those from whom he is now accepting a favour, deciding practically to go against his party. I regret this exceedingly. Let me say to the member for Mount Margaret that it is on no account in admiration of his ability, nor through any desire to assist him, if he desires assistance, that they are supporting him. It is known that this office carries with it certain emoluments, but it is not for this reason that those he has fought for years, fought hardest of all, have decided to give him their support; they have other reasons than those I have mentioned, for they want to cripple this side of the House if it is possible. Mr. Taylor has gained this honour at the expense of what he has retained up to the present time, that which to me at all events is the most valuable of all possessions, for I always consider, in going to a place, or in leaving one, if I can carry with me the respect and good will of my fellow men then I am rich indeed. Mr. Taylor while gaining this position will forfeit in my opinion the respect and the good will of those men who have battled for him disinterestedly, who have fought for him, and who expected him in return to be loyal to the post they conferred upon him. He is weakening this side of the House by one vote, and this we know will mean a good deal now. To Mr. Taylor I want to say this: It is not a personal matter, for I would have been glad indeed to be able to congratulate him on his elevation to this honourable position; but—I do not want him to take this in a personal manner—it is a grief to me that the honourable member is marring his career, is signing his political death warrant.

Mr. TROY (Mount Magnet): Recognising the modesty of the member for Claremont, and recognising also that there are other gentlemen on the Government side of the House who could well fill the position I move—

That the member for Murray (Mr. George) be elected as Chairman of Committees.

I cannot understand the diffidence of members on the other side of the House in accepting nomination for the position.

When one mentions that they are fitted to fill the position of Chairman of Committees they are overwhelmed with confusion. How extraordinary is this sudden attack of modesty, which might become them certainly, but which has not been known to exist until this moment. I remember when this coveted honour was bitterly fought for among Ministerialists. Did not the members of that party have to meet in caucus in order to settle the claims of the various disputants? The position of Mr. Speaker himself was, I regret to say, settled in that manner between our present Speaker and the late Mr. Illingworth. Was not the member for Claremont much incensed when the post some time ago was conferred upon Mr. Daglish?

Mr. Foulkes: On a point of order, the member for Mount Magnet has no right whatever to make an assertion of that kind. I remember I gave way when that question was decided, and the fact that I did so, at a time when I knew the post was vacant, showed how little value I attached to it. I was not a candidate for it.

Mr. TROY: I accept the assurance of the member for Claremont. Wonders will never cease. Here we are discovering virtues we did not think certain gentlemen possessed. Anyhow I know that the member for Perth was anxious for the position at one time, and I hope that on this occasion he will get an opportunity of being nominated. If he does so I believe he will receive the endorsement of a great number of members of this Chamber.

Mr. George: I am glad to hear you are not serious about me.

Mr. TROY: If I have suggested anything with regard to the attitude of the member for Murray it is because his interjection leads me to believe he will not accept the nomination. Despite that, however, I intend to nominate him for the position. I think he possesses the qualities which would make him most competent to fill that office. He has strength and he has capacity, and I think he will have greater capacity in the Chair than in his present seat.

Mr. George: Draw it mild.

Mr. TROY: I wish to make a few remarks on the general position we now find ourselves in. I appreciate the qualities of the member for Mount Margaret but let me assure him that the Government, who have nominated him through the member for West Perth, have no desire to give him consideration because of any personal regard for him.

Mr. Scaddan: They will drop him after the next election.

Mr. TROY: Nor do they offer him the position on account of any belief they possess of his great capacity for filling it, but they desire to take one vote from this side of the House, seeing that when an important division takes place they must win at any cost. When we remember that these people have quarrelled over the position, fought over it, have had to hold a meeting to decide the position, and that there has been bad feeling for weeks because of it, it is extraordinary that to-day they are willing to nominate a member from this side of the House, especially considering that during the last six years they have never put forward one motion to give any emolument, any place of honour, to any member of this side of the House. They do so to-day because they desire to get certain measures through the House this session which might tend to defeat this party on the next appeal to the country. That is the only reason for which they have nominated the member for Mount Margaret. They say "Take away his vote and there is one less on that side and there will be one more on ours." That is the position of affairs now in evidence. It is not an honest position, it cannot be honest because it is not based upon any precedent. They have always refused the position to a member of the Opposition, and I sincerely hope that the member for Mount Margaret will not allow himself now to be made use of. I do not for a moment doubt his fitness, in more favourable circumstances, for the position of Chairman of Committees, but to-day, considering what the party are called upon to do for the people, every vote is required, and I hope Mr. Taylor will not cause the loss to his party of one vote. I appeal to him in this matter. We all appreciate

him and we feel sure he is taking an action which will play into the hands of the Government, and which will do great injury to his own party and to the people.

Mr. GEORGE (Murray): I think it is as well that, as soon as possible, the member for Mount Magnet should know what my views are. I fully appreciate at their utmost value any compliments he has paid to me, but I shall decline the nomination, and for this reason: I have not the time for one thing, nor do I think I am constituted by nature to occupy a position like that suggested to be offered to me.

Mr. Collier: It is good that you recognise it.

Mr. GEORGE: I suppose there are people who perhaps if they had pluck enough to own up to their own defects, would have plenty to own up to. I am convinced that it does not detract from a man that he should be able to stand up and own that perhaps he has an infirmity of character. So far as my friend the member for Mount Margaret is concerned, and I am pleased to call him my friend, I have known him since before most members on the Opposition side of the House came into the Chamber. We were always strongly opposed to one another politically, and we are so now, but that is no reason why one should refuse to render justice to the good qualities of another. If the member for Mount Margaret intends to submit himself for the position I am glad, for I should like to see him there. As to whether it has been settled by this party in caucus or not I do not know. There are insinuations about, but I have not attended any meetings of the party since the Premier has been in power, for the simple reason, and for no other, that I have been out of town. If I had been desirous of taking a position of a vastly higher importance upon myself than that spoken of now, I had the opportunity, the courtesy was done me, but I was unable to accept it for private reasons altogether apart from political issues. If my friend over there takes the position of Chairman of Committees I am satisfied he will make a good Chairman. Those are the best wishes I can

give him. There is nothing in his career that I know of which provides any reason why I should not shake hands with him, even if I fight him at times in this Chamber.

Mr. ANGWIN (East Fremantle): I have much pleasure in nominating the member for Swan for the position of Chairman of Committees. For a considerable time that member occupied the position of Speaker and I do not know that during that time, in regard to his conduct in the Chair, one word could be said derogatory to him. No doubt if he had been successful at the following elections he would have been in the Chair again in the new Parliament; unfortunately, however, he did not have the opportunity of being elected to that position. Mr. Jacoby having filled the Chair so ably for some years I do not know why on this occasion we should not offer him the position of Chairman of Committees. By doing so I think the House would be doing the right thing. One thing it would do, and that is it would save the member for Mount Margaret from marring an honourable career. When that member realises that the member for West Perth was put up to nominate him as Chairman of Committees, and that an eager effort was made by the Minister for Mines, and the two Government Whips to second him, he should realise the true position.

Mr. Holman: You should have heard the Minister for Mines on him years ago.

Mr. ANGWIN: That mere fact should be sufficient to make him realise that this position is put on to him not for his benefit, not for the benefit of the country, but for the sole reason of bringing about his downfall at the forthcoming elections. There is no doubt about that, and I consider that if the member for Mount Margaret takes a position such as this, after having the nomination seconded by the Minister for Mines, with whom I have heard him exchanging abuses times without number, he is doing a very wrong action. On many occasions I have had to hold the member for Mount Margaret by the tail of the coat in order to keep him from

"getting to" the Minister for Mines. I have kept him away from the Minister, and this is the man who is going to accept the nomination of Chairman of Committees. If any person had told me this a week or two ago, I should have been inclined to call him——

Mr. Bolton: Mad.

Mr. ANGWIN: Mad would not sufficiently express it. I would not believe that a man who flashes his virtues throughout the length and breadth of the State, and points out what he has done in the interests of his party, would sell himself for a paltry sum of £200 per annum. I regret that the Government have adopted the tactics which they have followed to-day. It has never been done previously in the history of Western Australia. The Ministry did not have the pluck or courage to nominate the member for Mount Margaret. Why? Because they might have taken another man to cover up their actions as far as the people in the country are concerned. I think hon. members know the member for Mount Margaret without my speaking of his virtues. He has preached them himself so long. We also know that the member for Swan can fill the Chair well. He has carried out the duties and he knows full well the various decisions which have been arrived at in times gone by. We know that during the period he filled the position of Speaker his decisions were accepted on almost every occasion without dissension; hon. members agreed, by their very obedience to the decisions which he arrived at, that he was filling the position of Speaker fairly, honestly, and admirably. Consequently I have very much pleasure in moving—

That the member for Swan (Mr. Jacoby) be elected as Chairman of Committees.

Mr. SWAN (North Perth): I desire to say a word or two before the member for Swan rises to give his decision in the matter, and in order to do so I will second the nomination. I wish to speak at this stage because personally I believe the member for Swan is the most suitable man on the

other side of the House to occupy the position of Chairman of Committees. I might have refrained from speaking until possibly he had declined the nomination, and then I could have nominated some other member, but I wish to be straightforward, and say that I honestly believe that I could not conscientiously nominate any other member. For that reason I wish to make a few remarks in supporting the nomination of the member for Swan. Prior to my election I held the opinion, innocently like many others until their eyes have been opened, that in dealing with a question like this we looked at it from the point of view that it should be the desire of the House to place an occupant in the chair without any party consideration, the man best fitted to fill the position. I think it is quite unnecessary for me to say that my innocence has disappeared during the time that I have been in Parliament. I am well aware that party politics lead us to funny schemes at times. Members on the Ministerial side of the House get up and speak of the member for Mount Margaret as though they had a high opinion of him. I do not suppose that any of them have as great a regard for the member for Mount Margaret as I have myself. They profess to take into consideration his qualifications for the position and they profess their personal regard for him. I think I can safely say that I would go further in any direction to prevent the member for Mount Margaret from sacrificing personal interest than any member on the Government side of the House, and I will take every opportunity of doing my best to prevent what I consider political trickery being perpetrated while I am in the House. It is patent to every fair-minded person in the House and out of it that this is a deliberate party job, that the hon. member for Mount Margaret has been put up by the Government solely for the purpose of making a difference of two votes in Committee, and I want to express my feelings as far as the Standing Orders of the House will allow me against tactics of that description. I believe there are members on the other

side of the House who feel as strongly as I do. I want to say that as a member of the Labour Party, supposed to be caucus bound, that if my party had asked me to play up to such a political trick as this, I would have thrown them over. I recognise that this is a difficult question to discuss, because one cannot separate the personal element from it, but I know, notwithstanding what the result may be, if the hon. member for Mount Margaret consults his own conscience, he will know that speaking as I am doing I am as good a friend of his as any hon. member opposite, and that it is with no personal animus that I am speaking in this way. I will not, in justice to myself or to the people who sent me here, allow what I consider to be the limit in party political trickery to be played without expressing my opinion in this way. I wish to repeat that I sincerely hope that the member for Swan, who has had experience in this House, who has filled the honourable position of Speaker in an able way prior to my coming here, will see his way clear in the interests of clean politics and notwithstanding party considerations to submit his name to the House, when I will have the greatest pleasure indeed in supporting him.

Mr. JACOBY (Swan): I wish to thank the member for East Fremantle for his references to myself. I appreciate them very deeply, and also the references made by the member who has just resumed his seat. Had my name been proposed by one of the hon. members with whom I am associated I should have considered the matter very carefully, and not lightly refused it, but in the circumstances I regret very much, placed as I am in the position of being nominated by the gentleman who has just spoken, that I cannot accede to the request.

Mr. Scaddan: You are pretty rough on the member for Mount Margaret.

Mr. HOLMAN (Murchison): I intend to endeavour to exhaust the names of members on the other side of the House. As one who has been more closely associated with the member for Mount Margaret than any other

hon. member in this House for the last nine years, I am sorry indeed to think that he would accept this nomination from the source from which it has emanated. Had it been thought we were in the position to confer the honour on my comrade, no one would have been more pleased to give him support and speak in his favour than myself. Many is the time in this Assembly that I have stood up for the hon. member when he has been abused and criticised unfairly and ungenerously by some of those who are now endeavouring to place him in this position. I have stood by him and assisted him to carry him through and he has assisted me. Had the opportunity arrived when we would have been in a position to offer him even a higher office than that which it is proposed to confer on him now, none would have more readily supported him than myself. Just fancy the Minister for Mines supporting the nomination! One can read *Hansard* and see what he has had to say about the member for Mount Margaret, not only in this Assembly but also on the public platform. The member for Greenough has, too, on more than one occasion very freely criticised the member for Mount Margaret.

The Minister for Mines: They get it back sometimes.

Mr. HOLMAN: They get it back very often with interest, and no one has deserved it more than the gentlemen I have named, and in all probability they will get it again in the future with interest. I do not think it is playing the game, knowing that hon. members opposite are willing to sacrifice many things for the position, when we find that on this occasion when the vacancy has occurred they refuse to fill it. The fact of the member for Mount Margaret taking this position will mean that we will lose a vote on this side of the House and that the other side will gain a vote. We know on every possible occasion that matters have been pretty close in Committee and we have seen his honour the Speaker brought into the Chamber to record a vote in order to save the party on the other side, when they have endeavoured to pass measures which have

been opposed by the people in the country and by hon. members on this side of the House. In looking through the records of this country and of other countries I have failed to find an occasion where in such matters the Speaker has exercised his vote in Committee. As practically a good many of those aspirants to the office of Chairman of Committees have been exhausted I intend to move in the direction of nominating the member for Irwin for the position. I think that gentleman has by his attitude in this House shown that he can fill the Chair just as well as most members. We know well that he is not what we would call a talking member, but I do not think that we should have a talking member in the chair, because I claim that the duty of a chairman should be to watch over those who are doing all the talking. There is no one more fitted to fill the position than the member for Irwin. I have great pleasure in moving—

That the member for Irwin (Mr. S. F. Moore) be elected as Chairman of Committees.

Mr. BOLTON (North Fremantle): In order to have an opportunity of speaking on this question I beg formally to second the nomination of the member for Irwin. I regret there has been the slightest levity introduced into this matter. My remarks will be brief indeed. No man regrets more than I do that the parting of the ways has come between myself and the member for Mount Margaret. It has been said by hon. members on this side of the House when those who have supported this party for years have found it for certain reasons desirable to sever their connection with the party, that we have been unnecessarily severe in calling them rats. If there is one man whom I thought would always be loyal to the last to this party it is the member for Mount Margaret. Before I saw any legislative halls I knew him personally and by repute and I had the greatest admiration for the work he had done. No one regrets more than I do that the parting of the ways has come and I regret that the hon. member should be induced to sell his party for

any emoluments whatever they may be or for any reason whatever.

Mr. PRICE (Albany): As one who has been personally acquainted with the member for Mount Margaret, probably for many years longer than any other member of the Chamber, as one who knew him under far different conditions and circumstances from those which obtain today, as one who saw him in the heyday of his youth and energy and enthusiasm on behalf of the party with which he has been so long associated, I feel that I cannot allow the present opportunity to pass without expressing my feelings in regard to the extraordinary step taken by the members on the other side of the House in regard to this matter; because it is quite apparent that there has been a pre-arranged movement amongst the members on the other side. We have heard the member for Swan state that were he nominated by anyone on the side of the House on which he sits he would be pleased to accept the nomination. I feel that when making that remark the member for Swan hardly realised the grave reflection he was casting on the nomination of the member for Mount Margaret. Let me say were this an honourable proposal on the part of the Government, or the hon. member who is representing the Government in this matter, the member for West Perth—could I feel that it arose out of a sincere desire to assist a member on this side of the House I would certainly hail the proposal with the sincerest pleasure; no one would feel more gratified than myself that the member for Mount Margaret, or any other member on this side of the House who required assistance should receive those emoluments which pertain to the occupancy of the position for which the member for Mount Margaret has been nominated. But may I ask, if the Government and their supporters were sincere in their desire to do honour to a member on this side of the House why was it that a member, sitting here, who has filled that position in the past, who filled it for a considerable period not on the nomination of any one person, but by the express desire of the whole of the members of the Chamber, and upon whose retirement from that

chair expressions of regret at the retirement, and of approbation at the manner in which he had filled the office were received from both sides of the House—why was that hon. member not given a chance of refusing the position this time? If the Government were sincere in their desire to do honour to any member of this side of the House, why have they deliberately ignored the claims of the member for Brown Hill? I regret exceedingly, and no man can feel more deeply than I do, the regrettable position in which the member for Mount Margaret has allowed himself to be placed in this matter. I can only repeat the remarks made by a member a few moments ago and say I feel that in accepting this, which I can only term a bribe from the other side, unfortunately the member for Mount Margaret has precipitated the parting of the ways between himself and the party with which, for so many years, he has been honourably associated, and with which I had hoped he would always be associated. I do sincerely hope, and I plead with the hon. member, that he may see the pit that the members on the Government side have dug for him, and recognise that he is standing on the brink of that pit, and that his only salvation is to refuse to be a party to one of the most glaring pieces of political trickery ever perpetrated in this or any other Parliament.

Mr. COLLIER (Boulder): I should not have spoken but for the fact that my silence might have been taken to mean that I am in agreement with some of what I may term the ungenerous remarks that have fallen from certain of my colleagues in regard to the member for Mount Margaret. I think on an occasion such as this, no matter what views may be held as to the decision of the hon. member, it is not quite a fair thing to accuse a member with a record of loyalty to the labour movement such as the member for Mount Margaret has—it is not quite a fair thing to use, at least such expressions as that he has been bribed, or that he is selling us. One may disagree with his decision in offering himself for the position, but I do think that on an occasion such as this the least we might do is to show a little generosity to an old member of our

own party. Let me also say that there is a good deal of lop-sided logic in some of the arguments used. For instance, it is asserted that it is a trick on the part of the other side. I am not going to argue whether it is or not; but if members on this side say the efforts of the Government to deprive this side of a vote in Committee constitutes a trick, or an action not quite straightforward and which should not be tolerated, then surely the argument applies to our side, when in making a further nomination we attempt to deprive the Government side of a vote in Committee. It does seem to me that if the Opposition are justified in attempting to deprive the Government side of a vote in Committee by nominating one of the Government's supporters, the Government are on no lower political ground in attempting to deprive this side of a vote in the same manner. That is the view I take. I should not have risen but for the fact that my silence might have been taken to mean that I agree with the statement that the member for Mount Margaret is selling us for £200 a year, or that he is accepting a bribe. I think those remarks unkind and ungenerous in the extreme, and that they might well have been left unsaid.

Mr. S. F. MOORE (Irwin): I understand that during my absence from the Chamber I was nominated for the position of Chairman of Committees. I beg to decline the honour.

Mr. GILL (Balkatta): This matter is of so much importance that I think it would be unwise to allow the motion to go without saying a word upon it. I am altogether in accord with most of the remarks made this evening. I regret very much that the position should have arisen which has called forth those remarks, but I think those remarks justified. The remarks of the member for Boulder I disagree with entirely. I look upon the position from a standpoint different from that taken by the member for Boulder, because on no previous occasion within my knowledge has such an action been taken by any Government in the Parliament of Western Australia.

The Minister for Mines: In 1901 Mr. Leake nominated Mr. Harper who was sitting in Opposition.

Mr. GILL: Has not the custom always been that when a Government have a substantial working majority they snap up everything possible?

Mr. Holman: It was the custom to give it our side until the Government grabbed it for their supporters.

Mr. GILL: I agree that the disposal of this position should not be a party question; but until it is laid down clearly that it shall not be decided upon party lines, but merely on point of merit in the candidates I say such tactics as have been adopted here this evening are most reprehensible. The member for Mount Margaret has not been nominated out of any regard for him, for this side, or for the business of the House. It is nothing more nor less than a move made with the object of defeating the Labour party. I regret exceedingly that the member for Mount Margaret has allowed himself to be nominated for this position, and I feel it is painful to have to stand here and see one who has been a pioneer in this movement being used as he is on this occasion.

Mr. TAYLOR (Mount Margaret): May I be permitted to make a few remarks? Under circumstances similar to those in which I am placed it is not usual for one to offer any remarks, but in view of the statements which have been made by some members of the party to which I belong—statements which I think are quite uncalled for, and, indeed, most ungenerous towards myself, I would like to say a word by way of reply. While there may be held on this question views different from those which I hold myself there is, in my opinion, no necessity for the strong indictments that have been made against my personal honour as a representative of the people in this Chamber. Now it is, I think, due to me that hon. members should be sure of their ground before they charge me in the way they have. The members for Albany and North Fremantle made, indeed, a strong point in saying that by accepting this position, or by allowing myself to be

nominated for the position and submitting myself to the House, I should bring about the parting of the ways, and that I could no longer remain true to the principles with which I have been associated, and which I have advocated for more than a quarter of a century. It has also been said that this is really a bribe to myself. Those hon. gentlemen who occupy the Treasury bench and those who support them have, I think, sufficient knowledge of me, seeing I have been for 10 years a member of this House, to know that there is no possible chance of purchasing me or my principles in any way. in the House or out of it. I want to say if I am appointed to this position by a majority of the members of the House, I will accept it, and will try to do my duty in the position as I have done by the party with which I have been associated for a quarter of a century; and if the acceptance of that position prevents me in the slightest degree from putting forward the views I may hold on questions before the House when I am not sitting in the chair, I shall at once relinquish that post. I say it is for the people whom I represent, the labour people of this country, to judge as to whether, in submitting myself to the House for the position which is in the gift of the House, I have departed from any of those principles for the advocating of which I have been returned to Parliament. If the House thinks I am competent and capable of fulfilling that position after years of experience as a member and three years as Deputy-Chairman—during which I have done a good deal of that work—if members think I am capable of filling that position to the satisfaction of the House and with credit to myself, I would be wanting if I did not submit myself to the will of the House. I shall regard it not only as an honour to myself, but as an honour to my constituency and to the party to which I belong if I am thought capable of filling the position.

Mr. SPEAKER: The member for Albany used an expression which I must call upon him to withdraw. I intended to do so before, but I expected that the

member for Mount Margaret would himself take exception to it. The member for Albany said that the member for Mount Margaret was about to accept a bribe.

Mr. Price: In what sense must I withdraw?

Mr. SPEAKER: In the ordinary sense.

Mr. Price: I said I felt a certain thing.

Mr. SPEAKER: The hon. member said the member for Mount Margaret was about to accept a bribe.

Mr. Price: With all due respect to the Chair, I must deny having said that the member for Mount Margaret was accepting a bribe.

Mr. SPEAKER: All right; if the hon. member denies it that is sufficient.

Mr. Price: I must absolutely deny having said it. If there is any doubt about it could we not get the record?

Mr. SPEAKER: There is no occasion; I am satisfied to take the member's word.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. TROY (Mt. Magnet): Having opposed the nomination of the member for Mt. Margaret and favoured the appointment of the member for Murray, I may conclude my opposition with a few remarks. It is no use labouring the question, but we cannot get away from the fact that after all it is a matter of tactics of both sides of the House. The Ministerial party have nominated the member for Mt. Margaret, not because they believe he has more ability than members on their own side of the House, or even than members on this side of the House, but because he is the only member of the Opposition who will accept the nomination despite the wishes of his fellow members on this side. The member for Boulder, I consider, has taken a most illogical position, inasmuch as while he admits that neither party is more virtuous than the other in regard to these tactics, at the same time he can hardly excuse the conduct of a member of his own side being untrue to his party any more than he

would excuse a member of the Government side being untrue to his party. This is the position. If Government members will not damage their own party by taking one of their members and putting him in a certain position, we are justified, on the Opposition side, in not giving away any advantage to our opponents. When Mr. Taylor takes the Chair that will be the position. There is nothing high nor lofty in the business; it is all party tactics. The Ministry nominated the member for Mt. Margaret for this position because it will deprive the Opposition of a vote when the necessity arises, and the member for Mt. Margaret takes this position against the wishes of his own party. There are members on the Government side who would like the position; the member for Swan says he would like it if he were nominated by his own party; but though members on the Government side would like the position, they have sufficient loyalty to their cause and their chief to refuse to submit themselves for election, because they know that if they do so they will be doing an injury to their party and their party will lose a vote. That is just the position. I leave the matter now in the hands of the member for Mt. Margaret; if he desires to play into the hands of his opponents let him do so. But in regard to principle some further proof is required of adherence to principle than mere talking principles. A man is judged also by his actions.

Mr. Underwood: Oh, let it go for Heaven's sake!

Mr. TROY: If the hon. member by taking this position will weaken his party that is fighting for principles then he is not adhering to principle.

Mr. Underwood: We know all about that.

Mr. TROY: I am obliged to the member for Pilbara for his assurance that I have even convinced him; but I want to convince the member for Mount Margaret not the member for Pilbara. The member for Pilbara would not allow himself to be made use of in the manner that the member for Mt. Margaret is doing. However, I hope the member for Mt.

Margaret will take the wisest step possible in the circumstances.

Question (that Mr. Taylor be elected) put, and a division taken with the following result:—

Ayes	..	..	..	24
Noes	..	..	..	17
				—
Majority for				7

AYES.

Mr. Brown
Mr. Carson
Mr. Collier
Mr. Cowcher
Mr. Daglish
Mr. Davies
Mr. Draper
Mr. Foulkes
Mr. George
Mr. Gregory
Mr. Hardwick
Mr. Harper

Mr. Horan
Mr. Layman
Mr. Male
Mr. Mitchell
Mr. Monger
Mr. S. F. Moore
Mr. Murphy
Mr. Nanson
Mr. Osborn
Mr. Plesse
Mr. F. Wilson
Mr. Gordon

(Teller).

NOES.

Mr. Angwin
Mr. Bath
Mr. Bolton
Mr. Gill
Mr. Goarley
Mr. Heltmann
Mr. Holman
Mr. Hudson
Mr. Johnson

Mr. McDowall
Mr. O'Loughlin
Mr. Price
Mr. Scaddan
Mr. Swan
Mr. Troy
Mr. Ware
Mr. Underwood

(Teller).

Question thus passed; Mr. Taylor elected as Chairman of Committees.

Congratulations.

On Mr. Taylor taking the Chair in Committee on the Health Bill.

The PREMIER (Hon. Frank Wilson) said: I beg to extend to you, Mr. Taylor, my hearty congratulations on your having been elected to the responsible position of Chairman of Committees. I do so after having had considerable experience of you as Acting Chairman on many occasions for a number of years, and I feel sure I am echoing the opinions of the great majority of members of the House when I say that you, by your strictly impartial behaviour in the Chair, will merit the support of members of the House.

The CHAIRMAN: I thank members for electing me.

Mr. Angwin: Not all members, only a portion.

BILL—HEALTH.

In Committee.

Resumed from 15th September; Mr. Taylor in the Chair, the Minister for Mines in charge of the Bill.

Clause 7—Incorporation of Central Board:

The CHAIRMAN: An amendment had been moved that in line 1 all the words after "The" be struck out and the following inserted in lieu, "general administration of this Act shall be under the control of a Minister of the Crown."

Mr. BATH: On the night the member for Bunbury, the ex-Premier, announced his intended resignation the Committee were discussing the clause and the amendment. The Minister for Mines had sought to justify the retention of the provision as it stood in the Bill for administration by a central board of health, and the discussion narrowed down to a choice between administration by that board and administration by a medical officer directly responsible to a Minister of the Crown controlling that department. Members who advocated the latter did not necessarily advocate the establishment of a separate department, though public health was a matter sufficiently important to warrant the constitution of a new department, and if one were established there would be few people who would not agree to it, because everywhere public health was receiving increased attention, and by the discoveries and researches of medical scientists we were able to cope with diseases and insanitary conditions that in the past levied a very heavy toll of life. The Minister for Mines declared it was necessary to fix the responsibility. It was for that very reason one advocated the constitution of a separate department and the appointment of a medical officer of public health responsible to the Minister. With a board there was divided responsibility as well as weakness in administration; and there was no public concern where it was more necessary to have promptitude in action, or to have those charged with the administration able to move quickly and promptly and without the encumbrances of red-tapeism or the

necessity for consulting a number of individuals, than with public health matters. Numerous instances could be quoted, the introduction, say, of one of the scourges imported from Asiatic countries, such as bubonic plague, cholera, or smallpox. It was on those occasions that promptitude in action was the great essential, if the epidemic were to be nipped in the bud. The Minister tried to voice an argument for the retention of the central board by saying that members had advocated the constitution of boards in other directions, such as an advisory board responsible to Parliament to report on railway propositions. The two things were not parallel. One was to report on a particular matter, the construction of a railway, and the other dealt with the administration of public health. The latter proceeded from day to day, from week to week, and from year to year. It was a matter of administration, and in health matters administration was the all important factor. It was admitted on all sides, not only by those who advocated a central authority with considerable powers, but also by the advocates of the local authorities, that we must have effectual central control in the matter. The member for Roebourne had tried to convict him of inconsistency when he said that on the one hand he (Mr. Bath) had declared in favour of local government, while on the other hand he desired to concentrate the power in the hands of a central administration. If the hon. member would read what he said he would see he had formed an incorrect idea. We should get effective local administration if it were possible to obtain it, but all knew that in Western Australia the inadequate franchise, and the fact that such a franchise enabled those most vitally interested in preventing effective health administration to control the local governments, made it almost impossible to secure effective administration by reposing the whole, or a large amount, of the powers in the hands of the local authorities. Nearly every witness who gave evidence before the select committee in 1905—those from the central board, as well as those voicing the views of the local

authorities—agreed that it was necessary to give control to a central authority. There would be smoother working through a direct department, or a medical officer of health responsible to the Minister, than with the present Central Board of Health. It must be remembered that those who had as it were partial representation on local boards had full representation so far as this Parliament was concerned, and through Parliament to the Minister of the Crown who, for the time being, would be placed at the head of this department of public health. While they would invest the Principal Medical Officer with sufficient power to enable him to act with promptitude in the direction of public health, if that officer were likely to overstep the mark, to act in an arbitrary manner not justified in the circumstances, or in a way that might be unduly oppressive on the local authorities, even when they carried out their duties properly, the people, through their representatives, would be able to bring that influence to bear which would secure either a change in the methods of the officer or the substitution of some other officer in his place. It had been said that we must have a central board made up of a number of individuals, as it was necessary to include those skilled in various branches of public health work. The Minister said it was not only necessary to have a medical officer, but also to have an architect who was acquainted with public buildings, and scientists.

The Minister for Mines: A bacteriologist.

Mr. BATH: There would have to be, according to the Minister, scientists skilled in the principal branches of medical research, so that the various sides of the work might be represented. But one could have all that advice and assistance without constituting a central board. There should be in the chief officer of health one who by his credentials and ability would be able to give that thorough and prompt general administration which was so essential. He would naturally, in carrying out his duties, gather round him a staff repre-

senting the various branches of public health work. He would have all skilled men, and at the same time we would concentrate the responsibility on one individual; whereas, with the central board, the responsibility would be divided, and it would be difficult to say where the responsibility should be fixed. These arguments had actuated him in advocating the constitution of a department or sub-department of health, or rather the selection of one officer who would be the head of the Health Department, and who would have the responsibility under a responsible Minister of the Crown. By that method we could ensure much more effective administration than could be secured under the constitution of a central board as set out in the Bill.

The MINISTER FOR MINES: In the first place he desired to assure members that in regard to this measure he looked upon it as one of such great importance that he had not the slightest intention in any circumstance of treating it in the nature of a party question. He would leave it to the good sense of the Committee to decide how to act. In asking members to agree that the administration should be subject to the powers given to the Minister in the Bill, he would urge that there should be a central board instead of a principal medical officer, and it would be wise in this respect to carry the measure as drafted. In the event of the amendment of the member for Cue being carried, he would have the Bill redrafted to make provision for the Minister to control the measure, and for the appointment of a principal medical officer. In such circumstances the Bill would have to be remodelled, but no great delay would be occasioned, if that were necessary, as the Bill would be ready to be proceeded with next Tuesday. The object of the member for Cue was to get Ministerial control.

Mr. Heitmann: That is quite so. I want direct Ministerial control.

The MINISTER FOR MINES: The member for Brown Hill argued for a principal medical officer. Under the Bill there was provision for a central board

with expert advisers and—a point not mentioned by the member for Brown Hill—two representatives of the local authorities also on the board. We must have the local authorities.

Mr. Johnson: Why?

The MINISTER FOR MINES: In a country such as this with enormous areas, it would be absolutely impossible to administer, at the present time anyhow, a measure of this sort if all administration were controlled by a Government department. Having the local authorities, it was suggested that instead of there being only a principal medical officer there should be a board consisting of a principal medical officer and two expert advisers and, for the purpose of trying to create harmony between the local authorities and the central authorities, two representatives of the local authorities. The State would be grouped into two divisions, each of which would elect one representative to the board. The local authorities would be able to push forward the desires and aspirations of the local boards, and thus cause the better working of health matters generally. Some member had suggested it would be better to get rid of the two nominee members, but that would, to his mind, be a mistake. The appointment of representatives of the local authorities would create better harmony and feelings between the local authorities and those controlling the administration of the measure. It must be understood that the Bill was one dealing with highly technical details almost from start to finish. The Minister understood the desires of the public, but when it came to a question of administration, although he could give effect to the desires of the people, the only means of administration must be by a principal medical officer, who to a great extent would be supreme. As opposed to that system, there was the one suggested in the Bill whereby there should be obtained the advice of two experts, and of two nominees from the local authorities. The Committee should agree to the clause as it was printed, but if the amendment were carried on a division

it would make no difference. The good sense of members should lead them to understand that with a central board of five members there would be better administration than if the whole thing were under the control of one officer.

Mr. JOHNSON: As a general principle he objected to the delegation of such work to a board. As a general principle it was wrong, but nothing could be worse than leaving the control of the health of the people to an extent to an irresponsible board. We knew well that the board to-day was not giving general satisfaction. To-day the Minister had absolute power over the board, but he did not exercise that power; it was generally recognised that the administration was in the hands of the board. The Minister made a big point of the fact that apart from the experts on the board there would be two representatives from local boards. How could the Minister expect that these divisions would get the same representation on the board as would be given by 50 members of Parliament, if the administration were under the control of the Minister. For instance, to-day there was representation granted to the Eastern Goldfields, and the gentleman who was supposed to represent the goldfields represented merely Kalgoorlie, because his association was confined to Kalgoorlie. Previously there was a representative from Boulder, and he represented only Boulder. If the Minister had control of the administration of health it would become the responsibility of each member of Parliament to take an active interest in the welfare of his own district from a health point of view, and then every member would become a direct representative as far as the health of his particular electorate was concerned. There was nothing more important than that the health of the people should be directly under the control of the people, and there was only one way to bring that about and that was by Ministerial control. It was pleasing to see that the Minister was not making a party question of the matter.

The MINISTER FOR MINES: If members would look at Clause 44 they

would find that the fullest power was given there to enable the desire sought by hon. members to be given to the Minister; the Minister would be able to supersede any act or any notice of the central board.

Mr. UNDERWOOD: It was absolutely necessary for the health of the people of the State that considerably more attention should be paid to the question in the future than had been the case in the past. In the past there had been the system of the medical officer controlling the whole question of health, and it had failed to give satisfaction. That being so it became necessary to try different methods. The health of the people was one of the most, if not the most, important question in Western Australia, and was worthy of the attention of the Minister of the Crown. The Minister said that we would have to deal to a great extent with the merely practical details.

The Minister for Mines: Technical details.

Mr. UNDERWOOD: Our railways, our education, and our mining and all these things consisted entirely of technicalities; but there was a bigger question than that. The Minister seemed to be of opinion that this should be handed over to a medical officer because there were technical details.

The Minister for Mines: I do not want that; I want a board.

Mr. UNDERWOOD: Under the board system we would not be controlled by a board but a principal medical officer: a principal medical officer who had been reared and who had lived all his life among what might be termed a medical men's trades union, and according to what we knew of human nature, he would have the interests of his fellow men in that profession at heart. If everything that was drafted by way of regulation for controlling medical men, and medical men required control just as well as tram drivers or timber cutters, in whatever regulation were framed, the principal medical officer would always consider the interests of the profession to some extent against the interests of the general public. If members turned to an issue of the

Government Gazette published in 1891 they would find regulations controlling medical officers. The pamphlet containing those regulations had been allowed to go out of print, and the only place where one could find the regulations under which these men were employed was in an issue of the *Government Gazette* of 1891. There were many regulations laying down what a medical officer had to do for his money, but in every instance, except attending a civil servant free of charge, there was a proviso that the doctor could use his own discretion, and that had been brought about by the fact that we had allowed the whole question to be administered by the medical profession instead of having a Minister in control. The position would be that we proposed to appoint a board, the controlling officer would be a permanent head and he would be made chairman and would be appointed during the pleasure of the Government and would retain his appointment practically for life. His colleagues on that board would be appointed from time to time and it would follow, except in very rare cases, that the whole of that board would be dominated by the principal medical officer. The Minister, instead of having this board, should appoint permanent officers of the civil service to help him to carry out the work. It was clear that with permanent officers working under a Minister, as in all other departments, we would have far more satisfactory results than we were ever likely to get under the system of handing the whole of the control over to the medical profession. There was a certain amount of truth in the contention that it was not fair to stand up in the House and criticise officers of various departments who had not the right to reply. If we made the Minister responsible for this department, then there would be no occasion to criticise anybody else in respect to the administration of the department. We had in our midst robbers of the worst kind making excellent livings by selling nostrums that were in some cases injurious and in almost all worthless; yet these people were frequently pillars of the church and considered to be right thinking citizens. Why had they been allowed to

continue their nefarious practices? To a very great extent because the medical profession had not dealt fairly by the general public.

The Minister for Mines: They are asking for the power to do so.

Mr. UNDERWOOD: To allow the medical profession to control the Act which was supposed to control the profession would be to hand over to the profession too much power altogether. It was to be hoped the amendment would be carried.

Mr. MURPHY: The amendment was deserving of support. As ex-chairman of an important local board of health he could say there were in every locality local conditions which no central board could know anything of and which could only be efficiently dealt with by the local authorities. As far as his experience went he knew that in regard to these local conditions there was nothing but interference by the central board, notwithstanding the ignorance of the board in respect to these conditions. Much of this interference was indulged in merely to show authority, regardless of consequence. Under Clause 44 the Minister could exercise all the powers conferred upon the proposed central board; but the Minister would never take it upon himself to exercise these powers until a dispute took place between a local authority and the central board. Perhaps it was right, but certainly in ninety-nine cases out of a hundred the Colonial Secretary, whoever he might be, would uphold the action of the central board in such a dispute. There was no reason why a principal medical officer could not advise the Minister as well as could the central board. Apart from the Principal Medical Officer the members of such a board were by no means qualified to give an expert opinion with regard to the health requirements of any particular locality. There was a danger in abandoning Ministerial control: for instance, it was a bad day for the State when the administration of the Fremantle harbour had been passed over to a trust. As ex-chairman of the Fremantle Local Board of Health he could say that while doing nothing to improve the health of Fremantle the central board by their

interference had very often made it a great deal worse.

Mr. BOLTON: Judging the central board on results up to date that body should be wiped out. There had been friction all the time between the central board and the local boards, yet under the Bill it was proposed to give the central board additional powers. For some years the presence of Dr. Lovegrove at the head of the central board had been tolerated, notwithstanding that it was most unsatisfactory to the local boards; and although the Minister had power to interfere he had taken no action whatever, indeed he had backed up Dr. Lovegrove until, eventually, the services of that officer had to be dispensed with. The same acute position would again arise, and he (Mr. Bolton) could not conceive the present Colonial Secretary disagreeing with the central board. The provision under Clause 44, giving the Minister power of veto, would be of no use whatever. The House should have the right to hold the Minister responsible. It was to be hoped the amendment would be carried, if only for the reason that it would result in doing away with the existing friction between the central board and the local authorities.

The MINISTER FOR MINES: The references to the alleged friction existing between local authorities and the central board was somewhat incomprehensible in view of the fact that at the last conference of municipal associations in Western Australia a resolution had been passed affirming the Bill and the principle of the central board as against control by a principal medical officer.

Mr. Bolton: There were present at that conference only 18 out of 104.

The MINISTER FOR MINES: The secretary of the health department also had advised that the local authorities had passed resolutions agreeing that the system of a central board was more convenient for them than the placing of the control under one officer. If we abolished the Central Board of Health it would be necessary to have a chief medical officer, or a commissioner of health. The administrator of the Bill must be a permanent

officer, so that we would be giving full power to one man instead of to a board on which the local authorities could have representation. Taking all the circumstances into consideration, the Central Board of Health was more likely to give satisfaction.

Mr. UNDERWOOD: It might occur with the present Minister, but no chief medical officer would get past him (Mr. Underwood), if he were Minister, regulations protecting the medical profession such as there were in existence to-day. It was possible to get Ministers with sufficient intelligence to control the heads of their departments and not to be controlled by them.

Mr. HEITMANN: Little interest was displayed in health matters by Ministers, Parliaments or Governments in this State, because the responsibility was taken from the Minister and put on a board. The whole qualification for the laymen to be elected to the board proposed in the Bill would be membership of a health board or municipal council; but that really was a disqualification, because these laymen would be representing vested interests, which would prevent them speaking plainly with regard to matters that would most likely affect the persons responsible for their appointment. In control of these departments we should have the most highly trained men we could get. Where was the responsibility now on the gentleman who came down from Kalgoorlie once a month and spent an hour at a meeting of the Central Board of Health? There was no sense in doing business in that way, and we asked no qualification from this gentleman. The tendency throughout the other States of Australia was to bring health matters as close as possible to Parliament. It meant greater attention to health matters, and the criticism that was evoked in Parliament meant progress. The many technical matters to be dealt with could not be dealt with by laymen. It was not a new system that the amendment advocated. We had already adopted the system in our railways and in other departments of having administration by responsible officers, and no department

was of more importance than a health department.

The Minister for Mines: You will get no more Ministerial control with a chief medical officer than with a board.

Mr. HEITMANN: It was better to have one man to whom the Minister could look and upon whom the Minister could place the responsibility. Now the Principal Medical Officer could say, "The board did it," and there was an end of it. The object of the amendment was that the Minister should pay greater attention to health matters than had been the case so far; it meant more progress and a higher standard of efficiency in public health matters.

Mr. ANGWIN: The largest gatherings of those taking an interest in local government matters had condemned on more than one occasion, and by large majorities, the system of administration by a central board. The Minister, realising that dissatisfaction existed, to get over the difficulty proposed to give local boards of health the opportunity of nominating two members to a central board; but these persons so nominated would not be persons of professional ability. The number of gentlemen on local boards with professional ability was very small. If it was necessary to have a board at all it should be a board of departmental experts. We had in our departments several officers holding the highest diplomas in health it was possible to obtain, also the Government Architect, engineers skilled in sewerage matters, the Government Analyst, and the Crown Law officers. The Minister pointed out that members of local boards who had to go to the electors might not carry out their duties in a proper manner because they might give offence in doing so. That might or might not be so, but if it were so how much more would that state exist in regard to the central board, where the members had to earn their livelihood in a private capacity. Officers of the department were, it would probably be found, in favour of Ministerial control.

The Minister for Mines: They want a central board.

Mr. ANGWIN: If the Minister would give the officers of his department an opportunity to deal with the health of the State, grant them sufficient inspectors, let them see that the local boards carried out their duties properly, throw a greater responsibility on the local boards and let those boards know that they must look after the health of their district, everything would go much better. If the Bill were carried as it stood it would mean greater neglect on the part of local boards. The Minister had said that not much dissatisfaction existed at present with the central board. In the East Fremantle district there had never been any disagreement with the central board, and for this reason: The central board visited the district and the inspectors went around, with the result that certain orders were issued with regard to dairies in the district. Those orders were obeyed, and the result was that every dairyman cleared out of the district and never returned.

Mr. Brown: You would have the same with experts.

Mr. ANGWIN: The difference would be that the orders issued to the local boards would be framed in such a manner that the public health would be protected; whereas to-day, where there were some inexperienced men without professional standing issuing orders, without knowing whether they were necessary or not, dissatisfaction arose. At present many matters were put before the central board by the Principal Medical Officer and, in the absence of professional men on that board, it would not be known whether that advice was right or wrong, and instruction were issued which might cause, and did cause at times, great dissatisfaction.

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

Ayes	..	..	..	21
Noes	..	..	..	21

A tie .. 0

AYES.

Mr. Angwin
Mr. Bath
Mr. Bolton
Mr. Collier
Mr. Gill
Mr. Gourley
Mr. Heltmann
Mr. Holman
Mr. Horan
Mr. Hudson
Mr. Jacoby

Mr. Johnson
Mr. McDowall
Mr. Murphy
Mr. O'Loghlen
Mr. W. Price
Mr. Scaddan
Mr. Swan
Mr. Troy
Mr. Ware
Mr. Underwood
(Teller).

NOES.

Mr. Brown
Mr. Carson
Mr. Cowcher
Mr. Daglish
Mr. Davies
Mr. Draper
Mr. Foulkes
Mr. George
Mr. Gordon
Mr. Gregory
Mr. Hardwick

Mr. Harper
Mr. Keenan
Mr. Male
Mr. Mitchell
Mr. Monger
Mr. S. F. Moore
Mr. Nanson
Mr. Plesse
Mr. F. Willson
Mr. Layman
(Teller).

The CHAIRMAN: It is my task to vote for the "Ayes." It is unnecessary for me to give my reasons as I have already indicated to the House my views on this question.

Amendment thus passed; the clause as amended agreed to.

Clause 8—Seal of central board:

The MINISTER FOR MINES: Owing to the result of the division just taken it would be necessary to re-draft these clauses, therefore he would move to report progress. As to the result of the division, he might again inform members that it was his desire that the Bill should not be treated in any way as a party measure, and that members should vote according to their convictions in order to frame a satisfactory Bill. He intended, as in connection with the present amendment, to accept what alterations might be decided upon by the Committee, unless they should be of a nature that would, in his opinion, destroy the Bill.

Progress reported.

BILL—LICENSING.

In Committee.

Resumed from 13th September; Mr. Taylor in the Chair, the Attorney General in charge of the Bill.

Clause 32 — Packet Licenses — [An amendment had been moved by Mr.

Murphy to strike out the words "Provided that Section 111 of this Act shall not apply to a packet license"]:

Mr. MURPHY: It was the desire of all members, no matter what their opinions might be on the liquor question, that before the session closed some form of local option should be given to the people to deal with at the next general elections. The amendment had been moved by him because by Clause 111 no hotel would be allowed to sell liquor on Sundays, Good Fridays, or Christmas Day to anyone but a boarder, or a bona fide traveller; and in connection with packet licenses, permission had been given in the past for the sale of liquor on boats leaving Perth and going down the river on excursion trips.

The Premier: Their customers are limited.

Mr. MURPHY: Their customers were so numerous that the publicans would like to have them on Sunday.

Mr. O'LOGHLEN: The evils pictured by the member for Fremantle did not exist. When the committee reached Clause 111 it was to be hoped the member for Fremantle would be found supporting the leader of the Opposition in providing for Sunday opening during limited hours, and that would do away with the necessity for telling lies in order to secure liquor. Having travelled on these excursion steamers during the past three years he had never been a witness of drunkenness.

Mr. Murphy: I did not say that.

Mr. O'LOGHLEN: Then what was the object of striking out the subclause?

Mr. UNDERWOOD: It was desired that the House should pass a local option bill, and if that could not be done it was absolutely necessary that some bill should be passed—a short bill for preference—dealing with the control of the liquor traffic, and leaving the local option clauses out. There was a section which represented the liquor trade who wanted to close up everything connected with the sale of alcohol, excepting the publicans licenses, and there were the opponents of the trade who wanted to close up everything including publicans' general licenses. He found himself between these two,

If the member for Fremantle reconsidered this question, he must surely drop it.

Mr. SCADDAN: Why should we give unlimited license to boats plying on the river any more than to any other part of the State? There would be less drinking on Sunday, requiring less watching, and less perjury in the courts, and also in the streets if the hotels were permitted to be open on Sunday during limited hours. This limited sale of liquor on the Sabbath could also be made to apply to packets, and the penalty could be made so severe for selling outside those hours that the result would be less drinking on the Sabbath.

Mr. MURPHY: It was his intention to move at a later stage that the whole question of the bona fide traveller should be struck out, and that there should be no such thing; and that under no circumstances, except in the case of sickness, should any hotel or club be permitted to supply liquor on Sunday.

The ATTORNEY GENERAL: A person travelling on boats was a bona fide traveller within the meaning of the Act, and if on landing he went to a public house he would be entitled to obtain a drink. There were only seven of these packet licenses in existence in the State at the present time, and before hon. members decided to deprive the boats of the privileges of supplying liquor on Sunday they should ask themselves what would be the result of doing this.

Mr. Angwin: Knock off some of the profits of the ship owners.

The ATTORNEY GENERAL: That was exactly what the result would be, and the ship owners would be affected to such an extent that probably it would not pay them to run boats at all.

Mr. Angwin: They ran them before they had the license.

The ATTORNEY GENERAL: These boats could not be run profitably without a packet license. The opportunity had been given him to peruse the balance sheet of one of the principal boats, and it showed exactly the amount that was derived from passenger fares and from the sale of liquor, both intoxicants and temperance drinks. But for the sale of drink and other refreshments these boats

would show a heavy loss on their running. As it was, they showed no profit. It must be recognised that these boats travelling on Sundays afforded innocent and acceptable recreation to large numbers of the general public, and he ventured to think that if by reason of the acceptance of the amendment we were to lose these boats from the river we would be paying too much for establishing the principle. He did not know that there had been any demand for the action proposed by the member for Fremantle. Personally he would prefer that no intoxicants were sold on these boats, at least while he was on them, but if one had to judge between the boats selling intoxicants and the doing away of these boats altogether, one would prefer to maintain the existing conditions. He hoped members would consider the practical consequences of their action if they were to deny the boats the privilege of dispensing intoxicants on Sunday.

Mr. SCADDAN: The Attorney General had been wrong in his assertion that a person travelling on a boat could, immediately after leaving the boat, obtain liquor at a shore hotel on the score of being a bona fide traveller. That was incorrect because the only distance contemplated in the clause dealing with bona fide travellers was the distance between the place where the traveller had slept the previous night and the house at which he demanded liquor.

Mr. Gill: If he started from Perth he could get liquor on arrival at Fremantle.

Mr. SCADDAN: The Minister had said that such a man could go away from Perth and on his return demand liquor ashore.

The Attorney General: No.

Mr. SCADDAN: It was well known that down the river certain hotels existed simply on the traffic they obtained under the bona fide travellers clause, and that boats ran from Perth to these down-the-river hotels in order that the licensees thereof might secure the Sunday trade. The position was absurd, and should not be tolerated.

Mr. KEENAN: The clause the leader of the Opposition proposed to insert

would mean that during certain prescribed hours liquor might be sold on Sundays. But the steamers that ran on the river might be tied up to their moorings during the greater portion of these hours, and therefore would not be engaged in river traffic. Obviously the clause could not be made to apply to the steamers. These steamers ran, at the most, one or two trips on the Sunday; therefore the position which the leader of the Opposition feared could not arise, namely, the steamer continuously plying on the river throughout the Sunday in order to sell liquor. It was with some difficulty that the steamers got a full load of passengers for two trips a day, and if these trips were multiplied they would not get the public. He (Mr. Keenan) differed from the assertion of the Attorney General that the steamers would not run if their packet licenses were taken away from them and that they managed to continue their existence only by reason of the sale of liquor. From personal observation he knew that the amount of liquor consumed on these steamers on Sundays was infinitesimal. In all the trips he himself had taken he had not seen anyone the worse for liquor. He hoped the Bill would not be framed on the lines of laying down absurd rules for the conduct of human beings. If the Bill were framed on reasonable lines it would be a success, but if hon. members were going to attempt to make artificial angels of human beings the measure would be an absolute failure. He hoped the amendment would not be agreed to.

Mr. BATH: While the Attorney General had assured the Committee that the Sunday liquor trade on these steamers was so great that it was absolutely necessary in order to allow the boats to run, the member for Kalgoorlie, speaking from experience, had told hon. members that the amount of liquor sold on these boats on Sundays was infinitesimal. It seemed to him (Mr. Bath) a libel on human nature to say that people could not have a day on the river without spending all their time in the bar of one of these boats. He failed to see the justification for differential treatment as between these

packet licenses and other licenses prescribed in the Bill. Whatever might be the motive of the member for Fremantle—and some said he had moved his amendment in the interests of public houses—he (Mr. Bath) had intended himself to move this amendment, and consequently he was going to support it.

Mr. BROWN: Unless an assurance was forthcoming from the Minister in charge of the Bill that the steamers would not be allowed to sell liquor on Sundays he would support the amendment.

Mr. ANGWIN: Until two years ago nothing had been heard of the necessity for making any difference between these packet licenses and other licenses set forth in the Bill. This innovation was introduced in the Legislative Council by a gentleman of the legal profession who had been defeated in an application in court, and who moved an amendment to a Bill dealing simply with wine licenses in order to provide that these pleasure steamers could have their bars open on Sundays. There was no need for these pleasure steamers to sell liquor on Sunday. It was absurd to say people on these steamers did not get drink. How was it then that some of them were so overcome that they fell into the river? We should abolish the sale of intoxicating liquor on these steamers for the sake of the women and children who wished to enjoy river excursions on the Sabbath. It was a fact that these steamers would run for almost nothing as long as they had the bar trade.

Mr. JOHNSON: It was apparent the Attorney General supported the provision in the interests, not of the public, but of the proprietors of the steamers.

The Attorney General: That is not the case.

Mr. JOHNSON: Many people refused to travel on these boats because of the disgraceful scenes that occurred through the bar trade. We should consider the interests of the women and children first. Surely men could do without liquor during the hours these boats were trading. Many men made fools of themselves owing to the alcoholic liquors they consumed on these trips. It was distinctly objec-

tionable to continue this bar trade on Sundays. If it was continued the natural corollary would be to open hotels on Sundays.

Amendment put and a division called for.

Mr. Brown: The member for Murray, Mr. George, was seated at the writing table on the Government side of the Chamber and could not be seen by the teller.

Mr. George: What is the question?

The Chairman: The question was put clearly to the Committee and the hon. member should have heard it. As the hon. member was within the precincts of the Chamber his vote must be taken according to the side of the House on which he was seated.

Division resulted as follows:—

Ayes	..	..	..	16
Noes	..	..	..	25

Majority against .. 9

AYES.

Mr. Angwin	Mr. Johnson
Mr. Bath	Mr. Monger
Mr. Brown	Mr. Murphy
Mr. Carson	Mr. Osborn
Mr. Collier	Mr. Scaddan
Mr. Foulkes	Mr. Troy
Mr. Gill	Mr. Layman
Mr. Gordon	(Teller).
Mr. Heitmann	

NOES.

Mr. Bolton	Mr. McDowall
Mr. Cowcher	Mr. Male
Mr. Davies	Mr. Mitchell
Mr. Draper	Mr. S. F. Moore
Mr. George	Mr. Nanson
Mr. Gourley	Mr. O'Loughlen
Mr. Gregory	Mr. Plesse
Mr. Harper	Mr. Price
Mr. Holman	Mr. Swan
Mr. Horan	Mr. Ware
Mr. Hudson	Mr. F. Wilson
Mr. Jacoby	Mr. Underwood
Mr. Keenan	(Teller).

Amendment thus negatived.

The Chairman: If a member desired to address the Chair during a division there was no necessity for the member to cover his head.

Mr. Horan: Is that an innovation?

The Chairman: The Standing Orders were silent on the point, though it was the custom of the House of Commons for members to be covered when addressing

the Chair during divisions. It was unnecessary, he thought, to do so.

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

Ayes	..	..	..	25
Noes	..	..	..	15

Majority for .. 10 ..

AYES.

Mr. Bath	Mr. McDowall
Mr. Cowcher	Mr. Male
Mr. Daglish	Mr. Mitchell
Mr. Davies	Mr. S. F. Moore
Mr. Draper	Mr. Nanson
Mr. Gourley	Mr. O'Loughlen
Mr. Gregory	Mr. Plesse
Mr. Harper	Mr. Price
Mr. Holman	Mr. Swan
Mr. Horan	Mr. Ware
Mr. Hudson	Mr. F. Wilson
Mr. Jacoby	Mr. Underwood
Mr. Keenan	(Teller).

NOES.

Mr. Angwin	Mr. Johnson
Mr. Bath	Mr. Monger
Mr. Brown	Mr. Murphy
Mr. Carson	Mr. Osborn
Mr. Collier	Mr. Scaddan
Mr. Foulkes	Mr. Troy
Mr. George	Mr. Layman
Mr. Gill	(Teller).

Clause thus passed.

Clause 33—Railway refreshment room licenses:

Mr. MURPHY moved as an amendment—

That the following words be added to the clause:—"Provided that the provisions of Section 113 herein shall at all times apply to refreshment room licenses granted under this Act."

The ATTORNEY GENERAL: As the clause stood it would be open to persons to obtain refreshment at railway refreshment rooms within half an hour of the arrival of the train and for half an hour after its departure. The section in the Act contained the words "within a reasonable time." An endeavour was now being made by the clause as it stood to provide something more strict than existed before, although the practice for years past had been that no liquor should be sold except within half an hour of the arrival and departure of trains. It would be an exceedingly difficult matter at stations to discriminate between a bona fide traveller

and a resident, for when a train stopped and passengers got out to obtain refreshment in a hurry there was a big rush, and discrimination would be practically impossible. Evidently the reason the amendment had been brought forward was to meet the case of refreshment rooms at stations such as Perth and Fremantle. In those cases trains were arriving so frequently that the refreshment rooms might be said to be open all day on Sunday. Objection might be taken to that, but he was not aware that there had been any serious abuse or that people flocked to those refreshment rooms to obtain drink. If the clause were retained as printed no harm would be done.

Mr. SCADDAN: Under the clause refreshment rooms were able to keep open on Sundays. It was doubtful whether under the clause the refreshment rooms were not brought under the restrictions of Clause 111.

Mr. DRAPER: What was the effect of the words "subject to the provisions of this Act"? By a refreshment room license the licensee was permitted to serve customers at certain times on the railway station. Under Section 111 it was provided "no licensee shall sell on Sundays except to a bona fide traveller." Would it not be possible for the provisions of this clause to be brought into the one under discussion owing to the insertion of the words "subject to the provisions of this Act."

Mr. MURPHY: Under the circumstances it would, perhaps, be well to withdraw the amendment.

Amendment by leave withdrawn.

Mr. SCADDAN: Did the Attorney General intend that at railway refreshment rooms liquor should be permitted to be dispensed on Sunday?

The Attorney General: I will look into the point.

Mr. SCADDAN: Was it intended that they should sell to bona fide travellers?

The Attorney General: They could under Sections 111 and 113.

Mr. SCADDAN: The Attorney General was arguing that the clause was put in in order to enable the proprietors of railway refreshment rooms to dispose of liquor to any person in the time men-

tioned, and not discriminate between a bona fide traveller and any other person. The clause as it was drafted, however, compelled discrimination.

The ATTORNEY GENERAL: The refreshment rooms at Perth and Fremantle were not open on Sunday. As far as other places were concerned, there would be no danger in the clause as it stood.

Mr. HOLMAN: What about outside places where there were refreshment room licenses? At places like Mullewa a man might have to wait on a station a considerable time for a train, and he should be entitled to get a drink. Provision should be made where travellers by any trains, excepting along suburban lines, should be able to get a drink. As the clause stood the refreshment rooms would not be permitted to open.

The Attorney General: They are open to bona fide travellers.

Mr. HOLMAN: Persons waiting for a train might not all be bona fide travellers not having come in three or five miles.

The ATTORNEY GENERAL: Cases such as that referred to by the member for Murchison were not sufficiently numerous to warrant an alteration of the clause. Sunday travelling, other than on suburban lines, was not often indulged in in the State, for the simple reason that trains did not run to any extent. While sympathising with persons who might have to wait on a railway station for a train, they could not be very numerous, and moreover it was always open to them before they went to the station to purchase a little stimulant, or after boarding the train they could soon qualify as bona fide travellers.

Mr. HOLMAN: Licensed houses had to close at 11 o'clock at night, and trains were travelling at all hours of the night, especially on the Murelison line. Under the Bill it would not be possible for the refreshment rooms to open after 11 o'clock. Provision should be made at the refreshment rooms to allow night travellers to obtain drink when they desired to do so.

The Attorney General: I will make a note of that.

Mr. SCADDAN: Before the clause was passed it might be mentioned that the

amendment which was moved by the member for Fremantle was handed to him by the trade, and the hon. member got confused by the alteration which was made on the Notice Paper.

Clause put and passed.

Clause 34—Railway restaurant car license:

Mr. SCADDAN: Would the Attorney General state whether Clause 111 applied to this clause?

The Attorney General: I am looking into that.

Mr. SCADDAN: The dining car arrived in Kalgoorlie on Sunday morning, and the question arose as to whether the people on the train were bona fide travellers seeing that they were arriving with the train.

Clause passed.

Clause 35—Theatre refreshment room license (Consequential)—struck out.

Clause 36—Spirit Merchants' License:

Mr. FOULKES moved an amendment—

That the following proviso be added: "Provided that no such license shall be granted or renewed so as to authorise any person carrying on the business of a retail grocer or any other retail business whatsoever, except that of a liquor merchant, to sell any liquor in the course of such business after the end of the year 1911."

The reason for making the period 1911 was to give ample notice to enable people to dispose of their properties.

The ATTORNEY GENERAL: The spirit merchants' license was a wholesale license and the clause authorised the licensee to sell imported spirituous liquor or wine in quantities of not less than two gallons or any imported fermented liquor in quantities of not less than eight gallons. The amendment if carried would prevent any wholesale merchant from carrying on a retail business. Many of our storekeepers were both wholesale and retail. Surely there was already sufficient protection, seeing that the quantity was large and that the liquor must be imported and must be sold in the original casks in which it was imported. The whole intention was to give a license to the importers. Of these licenses there

were 16 in existence, eight of which were held at Fremantle.

Amendment put and negatived.

Clause put and passed.

Clause 37 (Consequential)—struck out.

Clause 38—Two-gallon license:

Mr. ANGWIN moved an amendment—

That after "gallons" in line three, the words "to persons holding a license under this Act," be inserted.

It had been said that these licenses were necessary in order to comply with the Commonwealth Act. A two-gallon license was really a brewer's license, and when we issued a brewer's license we should confine the brewer to supplying retailers or persons holding licenses under the Act. It was necessary that we should as far as possible reduce the number of forms of licenses. Under the Bill a local option clause was being introduced; but when it came to the taking of a local option poll it would be found that the people of the various districts would concentrate their attention on the number of general licenses in the district and would pay no attention whatever to the number of two-gallon licenses. For that reason the scope of these licenses should be restricted.

The ATTORNEY GENERAL: Possibly there would not have been much objection to the amendment but for the fact that the gallon license had already been struck out. This being so if the amendment were carried its effect would be to drive the private consumer who desired liquor for his own house into the hotels to purchase it. Certainly he could go to the spirit merchants for imported wines and beers, but if he desired the local article he could only get it at the public houses. Why should this monopoly be given to the public houses? If the Committee were willing to grant gallon licenses, then there would be no serious objection to the amendment.

Mr. BATH: The satisfaction of the member for Fremantle with the statement of the Attorney General that in certain circumstances there would be no serious objection to the amendment was easily understood; because in the list of amendments made by the Licensed Victuallers

Association it would be found that this was classed among those to be supported. Seeing the quarter from which the support was coming made one diffident about accepting the amendment. But having regard to the fact that the arguments which had been successfully urged against the gallon licenses could with just as great propriety be urged against the two-gallon licenses he (Mr. Bath) would support the amendment.

Mr. MURPHY: It seemed that besides himself no other member of the Committee was supposed to receive instructions from outside. He knew of no person who took instructions with regard to his opinions on the Liquor Bill from any section of the community, unless indeed it were the member for Brown Hill, who looked at this question from one direction only.

Mr. O'LOGHLEN: The publicans seem to have had the big end of the stick so far.

Mr. MURPHY: With the help of the member for Brown Hill the publicans were likely to get it in respect to this amendment also.

Amendment put and negatived.

Clause put and passed.

Clause 39—Eating, boarding, and lodging house license:

Mr. MURPHY moved an amendment—

That the following be added as a subclause:—“(2) No liquor of greater quantity than is required for immediate consumption by a boarder, lodger, or other person as aforesaid shall be obtained or kept by the licensee on his licensed premises at the one time.”

There was no necessity for much argument in urging the acceptance of this amendment.

The ATTORNEY GENERAL: The object of the amendment was not at all far. The clause merely provided that persons holding these licenses could send out for liquor, and they could not keep it on the premises.

Amendment put and negatived.

Clause put and passed.

Clauses 40 and 41—agreed to.

Clause 42—Occasional license:

Mr. FOULKES: These licenses were granted by the stipendiary magistrates,

but no notice was given of any applications for them, and they were granted on many occasions when they were not required. Provision should be made that notice of applications should be duly advertised.

Mr. Horan: That is an impossibility.

The ATTORNEY GENERAL: These permits were granted to persons holding licenses to enable them to extend their hours on occasions like the opening of a railway, or dances. There was no abuse of the privilege, and if notice had to be given the privilege might just as well be abolished.

Mr. FOULKES: Many people objected to attending these festivities because these extended hours were given to publicans. Objection was taken mostly because of the absence of notice. Some notice of making the application should be given. The Attorney General might note the point.

Clause put and passed.

Clause 43—agreed to.

Progress reported.

House adjourned at 10.40 p.m.

Legislative Council,

Tuesday, 18th October, 1910.

	PAGE.
Papers presented	971
Question: Local Court procedure	972
Bills: Game Act Amendment, 1A.	972
Fertilisers and Feeding Stuffs Amendment, 1A.	972
Electoral Act Amendment, 2A.	972
Parks and Reserves Act Amendment, Com.	979
Supply, £719,410, 1A.	983
Chairman of Committees, temporary	979

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Goldfields Water Supply Administration—Annual