

Hon. G. RANDELL (Metropolitan): I beg to second the motion. I have only had a casual look through the Bill, but I am satisfied that every provision is made with a view of properly carrying out the intentions of the Presbyterian Church. On reading the marginal notes it will be seen that every protection is given to the individual churches, and the members of the Presbyterian Church. As the Colonial Secretary has stated, it is a formal measure, and takes the place of an Act that has been in existence for some time. It is usual in such cases to give such assistance when we are satisfied that no acts of injustice are likely to be done to the individual churches of the union, and the objects here are to enable the ruling body of the Presbyterian Church to carry out the wishes of the assembly. I notice in one clause they are not able to sell any of the lands without the authority of the Government. [*The Colonial Secretary*: That is usual.] Yes, that is the usual thing, and is quite proper in an Act of this description. As far as I have glanced through the clauses of the Bill—perhaps it is a little presumptuous on my part to express an opinion, especially after the opinion given by Mr. Burt—but it seems to me that every care has been taken to make the measure workable for the Presbyterian Church of Western Australia.

Question put and passed.

Bill read a second time; also passed through the remaining stages without debate or amendment.

[*Sitting suspended for seven minutes.*]

ADJOURNMENT.

The COLONIAL SECRETARY, in moving that the House at its rising adjourn until 2.30 p.m. the next day, said the business of the session was about concluded and His Excellency the Governor would prorogue Parliament on Wednesday at 3 o'clock; but he asked members to assemble earlier than the appointed time for prorogation, so that if there were any formal matters to put through, they could be dealt with. There were two or three formal Bills, such as to validate the rates of a roads board,

purely formal matters, the Bills containing only one clause, which it might be necessary to pass.

Hon. R. F. SHOLL: Could the Colonial Secretary give an assurance that the small Bills were of no importance, because some of these small Bills had a sting in their tail. He did not know if any member was anxious to attend the prorogation.

The Colonial Secretary: A quorum must be formed.

Hon. R. F. SHOLL would not be one even to make a quorum.

Hon. W. Maley: Out of respect, members must be present.

Question put and passed.

The House adjourned accordingly, at ten minutes past 6 o'clock, until 2.30 the next afternoon.

Legislative Assembly,

Tuesday, 11th August, 1908.

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The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

RAILWAY COMMISSIONER, RESOLUTION.

On motion by *the Premier*, the following resolution passed by the Assembly

was ordered to be transmitted to the Legislative Council, namely—"That an appointment by His Excellency the Governor of Mr. J. T. Short as Commissioner of Railways, at a salary of £1,500 a year, in the terms of Executive Council minute, be approved."

ELECTION ARRANGEMENTS.

The PREMIER (Hon. N. J. Moore) said: During the debate on the Supply Bill, it was suggested by the Leader of the Opposition that the Government should take the House into its confidence as soon as possible in regard to the date for the ensuing elections. It is necessary, as members are aware, to give at least 14 days' notice prior to the issue of a writ for an election; and the Government propose to give that notice to-morrow. This House will, in that event, be dissolved on the 21st August, and the writs will therefore be in order if issued on the 26th August. Under section 69 of the Act, the date for nomination shall not be less than seven nor more than thirty days after the date of the writ; and this will bring the nomination day to the 3rd September. The date fixed for polling shall not be less than seven nor more than thirty days from the date of nomination; so that will enable the elections to be held on Friday the 11th September. The Government therefore suggest that this date shall be fixed for the elections. One of the reasons actuating the Government to adopt this date is that, as members are aware, the American Fleet will be visiting our shores, and it is desirable, if at all possible, that the elections should be over prior to the arrival of the fleet. Ministers and other members will be engaged in extending hospitality to the members of the visiting fleet, and it would be practically impossible to do that if the elections were coming on at the same time. I know it is not a usual precedent to notify this House as I have done to-day; but I desire to take the House into the confidence of the Government as far as possible, and it is this desire which has actuated me to take this opportunity of giving members notice.

PAPERS PRESENTED.

By the Premier: 1, By-laws of the Local Boards of Health of Claremont and Subiaco. 2, Regulation under the Fisheries Act, 1905. 3, By-laws of the Municipalities of Busselton and Perth. 4, Permits granted to Engine-drivers under Mines Regulation Act.

By the Minister for Works: 1, Additional by-laws of the Peppermint Grove road board. 2, Additional by-laws of Mourambine road board. 3, By-laws of the Goldfields Water Supply Administration.

QUESTION—PERTH MARKETS.

Mr. DAGLISH asked the Premier (without notice) whether he would lay on the table of the House all papers relating to the taking over of the management of the Perth Markets by the Government. He desired to ask the question as he would have no farther opportunity to bring on the matter, and he would like to have the information made available for publication.

The PREMIER, in reply, said he had no objection to laying the papers on the table.

ADDRESS-IN-REPLY, PRESENTATION.

Mr. SPEAKER reported that he had received the following reply from His Excellency the Governor:—

"Mr. Speaker and gentlemen of the Legislative Assembly, I thank you for your Address in reply to the Speech with which I opened Parliament, and for your expressions of loyalty to our Most Gracious Sovereign.

Fred. G. D. Bedford, Governor."

QUESTION—COAL SEAMS NEAR GERALDTON.

Mr. STONE asked the Premier: 1, Will the Government consider the desirability of having the coal seams near Geraldton tested in the same manner that a previous Government tested the Colliery field, in order to ascertain the commer-

cial value of the same? 2, Will the Government have the land in the vicinity of the said coal seams reported on as to its suitability for farming settlement? 3, In the event of the coal being of a commercial value and the land being adapted for close settlement, will the Government consider the advisability of running a light railway line in close proximity to the above-mentioned land and coal seams?

The PREMIER replied: 1, Yes. 2, Yes, such as is not alienated. 3, The question will be considered after such reports have been received.

QUESTION—COUNCIL FRANCHISE.

Mr. BATH asked the Premier: Will the Executive Council avail themselves of the excellent opportunity of testing the opinion of the electors of Western Australia on the question of—(a) Whether the Legislative Council should be abolished, or (b) Elected on a household franchise, or (c) Elected on an adult franchise, or (d) the franchise reduced from £25 to £15, by authorising a referendum to be taken on these issues at the forthcoming general election?

The PREMIER replied: No provision exists in the Western Australian Constitution Act for referring any proposed amendment of the Constitution to the electors in the manner indicated in the question.

QUESTION — MINISTERIAL MOTOR CAR.

Mr. BATH asked the Premier (without notice): Does he approve of the Colonial Secretary having the Government motor car forwarded at the State expense to the goldfields, to be used in canvassing for his colleague the Minister for Mines?

The PREMIER replied: I am not aware that the Colonial Secretary has used the motor car for that purpose. As a matter of fact the Minister visited many portions of his electorate with a view of going into certain requests which he was unable to consider when on his electioneering tour. I do not know that the Colonial Secretary, by proceeding in that manner, has done anything which he should not have done.

Mr. BATH: My question referred to the Colonial Secretary, not to the Minister for Mines. The Colonial Secretary was not then conducting an electioneering campaign.

The PREMIER: The Colonial Secretary took the opportunity, as the House had adjourned for a week, of making a tour through his province in order to look into local requirements which he had refused to do on a former visit, on account of then being a candidate for re-election. The Colonial Secretary also took the opportunity of visiting several centres, as it was extremely difficult for him to do so when the House was sitting. Deputations waited upon him at Davyhurst, in regard to the erection of a public battery at The Callion, also in regard to the reduction in crushing charges; and the hospital committee waited on him regarding hospital matters. A deputation waited on him at Mulline in regard to crushing charges and public battery facilities. He travelled from Menzies to Morgans by ordinary train, and when at Morgans he received a message from the roads board at Laverton to visit that centre, as they had several requests to put before him. He had a special engine to take him down from Morgans to Laverton, and returned from Laverton by ordinary train: A special engine which was standing idle at Malcolm took him from Malcolm to Leonora. There the mayor and town clerk put before him a request in regard to the water supply, also as to facilities for the mechanics' institute, and urged the immediate erection of a warden's court. At Gwalia, the secretary of the Miners' Union, Mr. Dowd, waited on him with a request for a grant for a recreation ground.

STANDING ORDERS SUSPENSION.

The PREMIER moved—

That until the end of the session the Standing Orders be suspended so far as to enable Bills to be passed through all stages in one day and Messages from the Legislative Council to be considered on the day on which they are received.

He said: This is the usual motion introduced at the end of the session of Parliament, with the object of expediting business. On this occasion, however, we are in the position that there is nothing of much importance to come before us, nor is there any likelihood of an attempt being made to rush an important measure through the House without due consideration.

Question passed; Standing Orders suspended accordingly.

BILL--PRESBYTERIAN CHURCH PROPERTY.

Introduced by the *Attorney General*, and read a first time.

Second Reading.

The ATTORNEY GENERAL (Hon. N. Keenan), in moving the second reading, said: This Bill is to repeal the law relating to the management of the real and personal estate of the Presbyterian church in the State of Western Australia, and to make other provisions in lieu thereof. The Presbyterian Church in Western Australia, when the present Act was passed in 1884, consisted of but a single congregation connected with the General Assembly of the Presbyterian Church of Victoria. It was merely a branch of the church there. Now, however, it is an autonomous church, comprising a general assembly, three presbyteries, and seventeen congregations, besides mission stations in various places. In consequence of the altered state of government of the church in Western Australia, it becomes necessary to have an Act placed on the statute-book to enable the church to govern in accordance with a scheme of government provided by the General Assembly. The church authorities having adopted the particular Bill now before the House at their last General Assembly, requested the Crown Law Office—on an authoritative decision of the late Speaker, Sir James Lee Steere, reported in *Hansard* of June to October, 1901, page 744—to bring it before Parliament as a public measure instead of a private Bill; and the late Speaker having ruled to that effect on the occasion

referred to, it was not in my opinion within my rights to demand that the Bill should be brought forward and treated as a private measure. I have here a printed pamphlet which records the proceedings of the Presbyterian Church at their last General Assembly. This is portion of the minutes of proceedings of the General Assembly held in November, 1907, page 16:—

"Consideration of the report on the Church Act was resumed. A deliverance thereon was adopted as follows: 1, Adopt the report. 2, Adopt the Bill as settled by Mr. S. Burt, K.C. 3, Authorise the Moderator to do and perform in the name and on behalf of the Assembly all such acts and things as may be requisite for ensuring the presentation of the Bill to the Legislature."

Then a vote of thanks was passed to the special committee to whom the task had been entrusted of preparing the Bill and submitting it to the Assembly. These are the facts. The Bill having been received by the Crown Law Department was handed by me to the Parliamentary Draftsman with instructions to examine it to see if it in all respects conformed with the measures on our statute-book for the enjoyment of property held from the Crown; and the Parliamentary Draftsman has attached a minute saying that he has carefully perused the Bill and made some alterations therein, and that the Bill as presented to the House is in accordance with the precedents laid down in all similar measures. I therefore move—

That the Bill be now read a second time.

Mr. T. H. BATH (Brown Hill): Not being a Presbyterian, I cannot pronounce upon the merits of this Bill, and I do not wish to offer any opposition to it except to call attention to Clause 10 dealing with lands acquired from the Crown. [*The Attorney General*: That is common law.] My opinion in connection with these matters is that, instead of the consent of the Governor, which means the consent of the Executive Council, being given, it should always be the consent of Parliament, precisely the same as in connection with a

proposal to alter the dedication of a reserve. In that case the proposed alteration has to be embodied in a Bill and submitted to Parliament, and I think the same course should be taken in regard to lands given to religious bodies by the Crown. We should exercise care in seeing that these lands are used strictly for the purpose for which they are given; and if an alteration is proposed it should be approved by Parliament in the same way as the rededication of other reserves is provided for by the submission of Bills to this House.

Mr. W. D. JOHNSON (Guildford): I desire to support the remarks of the Leader of the Opposition. It is distinctly undesirable that we should leave in the hands of the Executive Council the decision as to whether certain lands granted from the heritage of the people to a particular church should be disposed of. We can understand that while it may be possible for any church or any particular section to influence the Executive Council, it may be a different thing altogether where there are two parties sitting in Parliament whose special duty it is to criticise and investigate all these matters. That is the only portion of the Bill to which I desire to take exception; and in Committee I shall move to amend Clause 10 and insert a provision so that the approval of Parliament must be asked before any of these lands can be sold. This is rather a large measure to put before Parliament at this stage of the session; but after all it is only a matter purely affecting the Presbyterian Church and one that should not seriously interest Parliament. I understand from the Attorney General that the measure is asked for by this body and that it requires the Bill, and I have nothing farther to say but to express my belief that Parliament should decide when we have granted a church a parcel of land whether it can dispose of the land or not.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Daglish in the Chair.

Clauses 1 to 9—agreed to.

Clause 10—Property acquired by gift from the Crown:

Mr. JOHNSON moved an amendment—

That all the words after "consent" in line 5 be struck out, and the words "of Parliament" inserted in lieu.

The ATTORNEY GENERAL: The original Act conferred on the minister and two elders of the Presbyterian Church all lands the property of the church whether acquired by the church or devised by the Crown to the church for church purposes; and subject to leave to be granted on application to the Executive Council, those commissioners were entitled to mortgage the lands for church purposes. There was no property in the ordinary sense held by the commissioners. The lands granted to the church in trust could only be used for the purpose of carrying out the trust. But it frequently became necessary to raise money for church purposes; and by the original Act of 1884 the trustees had the right and power to mortgage any lands granted by the Crown on consent being obtained from the Governor-in-Council. That consent was not lightly obtained. The Governor-in-Council was most particular not to grant permission unless fully satisfied by declaration that the moneys to be raised were for church purposes. In other words they were to be in accord with the original trust. It would not be wise to hold up the whole of the church business pending the consent of Parliament to any of these frequent transactions.

Mr. Johnson: The hon. member should deal with selling the land.

Mr. Foulkes: The proceeds of sale must be devoted to church purposes.

The ATTORNEY GENERAL: The permission to sell could only be obtained by satisfying the Court that the trustees were authorised by the members of the church to sell. The position was that this property was now in the trust of these three gentlemen named in the original Act, and it was now asked that the new constitution might be recognised. That was simply the object of the Bill. The House would not adopt such a rigorous and unnecessary provision as to compel these people to come to Parlia-

ment for permission to mortgage or lease any of their land.

Mr. JOHNSON: One could follow the hon. gentleman in the question of mortgaging these lands, but there was objection to the proposal that the church should sell the land.

The ATTORNEY GENERAL: Before they could apply for an order to sell it would be necessary to show that the Crown was a party to the transaction by giving consent. That consent must be endorsed as provided in Clause 19, otherwise it would not be a valid sale. This was no unusual course. When the Crown granted land such as it did for a trades hall, it frequently allowed the trades hall to sell the land or to surrender it for the purpose of buying another site. It would be ridiculous to come to Parliament for approval of a step of that character.

Mr. WALKER: While other denominational bodies in this State were incorporated, it was not possible for the Presbyterian community to become incorporated because of the existence of the Act passed in the early days which this Bill sought to amend. He failed to see any reason for restricting the sale of church lands which had been alienated by the Crown, and which while not utilised were of no value to the State. If the amendment were passed, the effect would be that every form of dealing with the church land, even a proposed lease of land now unused, could not be effected until the matter had been discussed and sanctioned by Parliament. If the House were at the time not in session, the opportunity for leasing land might have passed before Parliament could deal with it in the next session. The clause was framed to render dealings in the land expeditious; and if Ministers granted too indiscriminate permission to deal with the land they could be called to account by Parliament. If the clause would facilitate the turning to public utility or private use of these unused church lands, this would benefit the State, and anything preventing their being so utilised would be detrimental to the State.

Mr. JOHNSON: Under the clause, any church would be entitled to obtain a

Crown grant; and then by merely obtaining the Executive Council's approval which meant the consent of the Government, the church trustees could sell for private use any land granted originally to be held in trust for church purposes. Though he did not anticipate such would happen, church lands might by this means be disposed of even for hotel purposes.

Amendment negatived; the clause put and passed.

Clauses 11 to end—agreed to.

Title—agreed to.

Bill reported without amendment; the report adopted.

Third Reading.

Bill read a third time, and transmitted to the Legislative Council.

BILL—WINES, BEER, AND SPIRIT SALE AMENDMENT.

Licensing Suspension.

Introduced by the Premier, and read a first time.

Second Reading.

The PREMIER (Hon. N. J. Moore) in moving the second reading said: As I have recently intimated, it is the intention of the Government, should they be fortunate enough to retain possession of the Treasury benches after the general elections, to bring down an amending and consolidating measure dealing with the liquor laws, the principal feature of which will be the question of local option. In the meantime it has been thought advisable to bring down a Bill to provide against farther licenses being granted until the new measure has been dealt with. This Bill is limited in its operation, and I cannot see that it will inflict injury on any individual or create any monopoly, as its operation will be limited to one ordinary licensing meeting. A somewhat similar Bill was introduced by Mr. Illingworth towards the end of 1906. That measure was dealt with as a no-party measure in this House, and passed on the voices; but on being referred to another place, it was rejected. In the interval there has been a considerable change in the personnel of that other Chamber, and

it is thought there is every likelihood of the present Bill receiving more favourable treatment. The Government, as I say, have determined to introduce a comprehensive amendment of the liquor laws; it is demanded by the people, and it is necessary in the public interest. We consider, therefore, in view of the conflicting evidence arising out of recent legislation on this question in New South Wales and Victoria, that every inquiry should be instituted in regard to the operation of those measures. There is a considerable difference, for instance, in the compensation clauses of the Acts of Victoria and New South Wales; while a new measure is now being piloted through the Tasmanian Legislature, and there is also amending liquor-law legislation before the British House of Commons. The Bill now before hon. members provides that after the commencement of this Act and so long as it shall continue in force, no publican's general license, hotel license, or wayside-house license, and no provisional certificate shall be granted under the provisions of the Wines, Beer, and Spirit Sale Act 1880, or any Act amending the same; provided that nothing herein contained shall prevent the granting of a license for premises in respect of which a provisional certificate has already been granted by the licensing court. It is also provided that the Government may from time to time suspend the operation of this measure in any place where no licensed premises are situated within a radius of fifteen miles or upwards. The strongest point of objection taken to the previous measure of this kind was that under such Bill it would not be possible for a licensing bench to refuse the renewal of a license in a case where it was found a house was not being well conducted. In the present Bill, it is provided that the licensing magistrates shall have full power and authority as heretofore to grant the transfer of any existing license to any new premises erected or in course of erection, or to grant a publican's general license to the holder of an existing wine and beer license, or to refuse the renewal of any license when an objection to such renewal has been duly taken and established. The Act is to remain in force until the

end of the first session, that is to say, it will cover the next licensing court. With the facts we have before us it is desirable to suspend the issue of new licenses for the reason that the most contentious portion of any amending legislation will be that of compensation, and it is undesirable to increase the number of possible claimants in this direction. I do not think I need say anything farther about the Bill. It is imperative that whatever Government is in power, it must take the opportunity of introducing legislation dealing with liquor laws. I am satisfied that this measure will obtain a favourable reception at the hands of the House.

Mr. T. H. BATH (Brown Hill): I have no intention of opposing this measure, in fact the provisions of the Bill have my cordial endorsement; but at the same time I want to say I think if the promises of the Government in regard to licensing reforms had been carried out, there would have been no necessity for the presentation of this measure at this very late stage of the present Parliament. In 1905 the then Premier at the time of the general elections, and after, made a very definite promise that local option would be introduced at an early date. He stated that he was of the opinion that the measure that had been introduced by the Labour Government in 1905 was altogether too drastic, and he stated it was his intention to include local option in a Bill to amend the licensing laws. In 1905 the hon. member for Claremont introduced a Bill on somewhat similar lines to the present one for the suspension of the granting of licenses pending the introduction of the measure which had been promised. In 1906, with the change of the personnel of the Ministry, the promise made by Mr. Rason was again repeated. In that year, in answer to a question from this side of the House, the Premier stated it was the intention of the Government to introduce a comprehensive measure in 1907. During that session of 1907 the then member for West Perth (Mr. Illingworth) introduced a measure on the same lines as that introduced by the member for Claremont, and

both measures received very cold treatment, not from the Ministry as a whole, but from individual members of the Ministry, and from members on the Ministerial side of the House. The year 1907 arrived, and the promise made in 1906 that the Bill was to be introduced was not carried out. I wish to say that there has been no justification whatever for the delay, because whatever may have been the attitude of the Ministerial Party as a whole, there had been a solid party of 17 on this side committed to local option, and ready to support the Government in the introduction of that measure and carry it through. Therefore the excuses that other matters of a more relative nature had claimed their attention cannot be urged as a justification for not introducing this, because the members of this party would sooner have had the opportunity to discuss local option and to lend their assistance to carry it through, rather than have had the time of the House taken up with the introduction of measures which occupied considerable time, and which were objectionable, and which were certainly not deserving of the same support as this question of local option and licensing reform, and to which the Government were pledged as far back as the time of the elections in 1905. Therefore, I feel that the House and people who favour local option have been played with in this matter, and while I am giving support to this Bill, I wish to say that the measure should not be necessary at this time, but that we should have had a measure of local option and licensing reform in operation. The same arguments apply to the question of the reform of the Legislative Council, and I for one object to promises being made and broken in the manner that promises have been treated in the life of the present Parliament.

Mr. J. C. G. FOULKES (Claremont): I rise to support this Bill; it is an old friend of mine, I have introduced it to this House three if not four times. [Mr. Holman: And the Government have tossed it out.] Sometimes they have, and sometimes they have not. The first Government that introduced the Bill was the Daglish Government. I can remember

very well when the Leader of the Daglish Government made exactly the same speech as the Premier has made to-day. He pointed out that it was necessary before we introduced legislation dealing with local option that the first thing to do was to see that no farther licenses were granted; it was necessary to clear the ground before dealing with legislation conferring local option. At that time I remember Mr. Rason was Leader of the Opposition, and when the Bill came to its second reading all the members who are now on the Opposition side were the only supporters of it; they were Mr. Daglish and his party. The whole of the members on the Opposition side favoured it, and some of them are here to-day. It was opposed on the second reading, and it was not on the question of time. Time went on, and the Daglish Government passed out of office. I considered it my duty to bring forward this Bill, and time after time I was opposed, not, it is true, by the members on the Labour side of the House. I quite admit on some occasions they are fairly sensible, and whenever I brought this Bill forward they were practically the only supporters I had. As time went on I gathered strength. I remember the member for Albany always supported me. [Member: He did not support you the first time.] He was one of the few men who was always prepared to support me in this Bill as brought forward, but invariably there were many members on this side of the House who opposed that Bill. My reason for speaking is to say how glad I am to see that there are members on this side of the House who will support this Bill this time. It is a Government measure, the elections are coming on, and I am glad to say that there is repentance even at such a late stage. This is not the eleventh hour, but it is the eleventh hour and 55th second. [Member: It is a deathbed repentance.] Yes, it is a deathbed repentance. It is quite true that the Premier pointed out that the House agreed to this Bill, and he took care to remind the House it was thrown out in another place, but now he says there are some new members in that Upper House, and it will have a better chance of going through.

I want to inform this House that the chief man who was opposed to this Bill in the Upper House was the representative of the Government, the Colonial Secretary. He is the man who had this Bill thrown out. I shall now go down from here to the Upper House, and it will give me infinite pleasure to see this Minister eating out of the hand of the Premier. [*The Premier*: Let us throw it out if you do not want it.] I am perfectly sincere about this Bill, but incoming Ministers have opposed it for the last two or three years. [*Member*: All of them?] If they have not spoken against it, they have voted against it. I am not speaking of last session.

The Premier: Look at the difference now in the Bill.

Mr. FOULKES: The Bill is practically word for word the same, except the last clause.

The Premier: One provides for one, and the other for four licensing meetings.

Mr. FOULKES: We were prepared to accept any suggestions as to time. We want the main principle established. I shall be glad to vote for this Bill, but it would give me pleasure if someone divided the House and made those who are opposed to this Bill go into the Lobby.

Mr. W. C. ANGWIN (Fremantle East): I am pleased, indeed, to see that the Government have introduced this measure, only it does not go far enough. It deals with three licenses, but I would rather have seen no licenses issued pending the bringing in of the Bill to consolidate the liquor laws. There is one license, the wine and beer license, that is becoming to-day a curse to this country. It was put into the original Act for the express purpose of providing solely for the product of Western Australia; but we find now that all kinds of wines can be sold as long as they are the product of Australia. I was hoping that the Premier would have included a clause dealing with this matter in this Bill. The time has arrived when something should be done to try, if possible, to stop the increase in the number of these wine shops. I prefer to see a

hotel license granted rather than a license to sell wine. The wine licenses are doing more harm to the State than any other license. They are not under the supervision of the police as the other licenses are, consequently we have not the same means of trying, if possible, to see that the licensees carry out the provisions of the Act in a proper manner. Just a few weeks ago I attended the sitting of a licensing court at Fremantle. There were two applications for wine licenses there, and in spite of the protest from the Inspector of Police that one applicant should be put into the witness-box the license was granted, and the person whom the inspector wished to examine did not put in an appearance. That did not appear to make any difference; the magistrate was satisfied that the license was required, although the premises were next door or almost opposite to a hotel, and the applicant himself was not in attendance, being represented by a solicitor. In spite of the protest of the Inspector of Police, that license was granted. There are one or two other things that took place at that time. Fortunately they did not get into the Press, or the Premier might have taken action. I welcome the Bill as it is, though it does not go far enough. I trust those in another place will see fit this time to allow the measure to become law.

Mr. J. SCADDAN (Ivanhoe): At the outset I wish to assure the Premier that I am going to support the measure, because I desire on this measure, as on others, to be consistent. I do not wish it to be inferred from this that the Premier has been inconsistent on the subject. He may be able to state the reasons why he opposed the measure on a previous occasion and why on this occasion just on the eve of a general election he desires to bring a similar measure before the House. In my opinion this is nothing more nor less than an electioneering dodge. There is no sincerity in the matter at all. Would it not be sufficient for the Premier to tell the public that in the event of having a majority he intends to bring down a consolidating measure in the first session of the next Parliament?

But in order to gull the people into a belief in his sincerity in this matter, because we know the Premier and the Attorney General are aware the public of the State do not think for a moment the Government are sincere on this matter from their previous utterances, therefore they try to make the people believe they are going to show their sincerity on the eve of a general election by suspending the granting of any farther licenses. What attitude the Attorney General is going to adopt in this matter I do not know.

Mr. Collier: There are the Kalgoorlie licensed victuallers.

Mr. SCADDAN: They are already holders of licenses, therefore the Attorney General is safe in that direction; but I want to know how he will be able to twist the arguments he expressed in 1905 on a similar measure into supporting the measure now before the House.

The Premier: Compare the Bills.

Mr. SCADDAN: The Bill as pointed out by the member for Claremont is practically the same measure as that brought down on a previous occasion. The measure is practically the same; there is no difference in principle. The Attorney General on that occasion used every possible argument to induce the House to throw the measure out. One argument used was this, that the granting of farther licenses would have no effect on the decision in the event of local option being granted at a future date. In this direction the Attorney General said the only argument in favour of a measure of this kind would be in the event of the law permitted local option, and local option deciding in favour of a decrease of licenses, that the compensation to be paid would be less.

The Attorney General: I admitted that to be an argument in its favour.

Mr. SCADDAN: You admitted that to be an argument against it. The Attorney General said it did not prove anything of the sort because if we suspend the granting of fresh licenses those already in existence will increase in value, with the result that when the local option poll is taken it might increase in value the existing licenses, and the Government might have to pay greater compensation.

To show his opposition to the measure he used that argument, but I do not think he believed in it. If it was good then it is good to-day. The Attorney General to be consistent should certainly oppose the measure now before the House. I will read what the Attorney General said, to save him the trouble of looking it up. On the 30th November 1905 he said this:—

“But for the present I admit that this Bill is justified by the mover on the sole ground that there is a possibility of the licensing benches granting some new licenses, and thereby increasing the amount the State will have to pay if such licenses have to be subsequently bought out on a compensation basis. That ground is of no real practical value; because, if we prohibit by law the creation of new licenses, we shall immediately give an inflated value to all new licenses. I do not think that the House can reasonably be called on to pass this Bill with no better or stronger ground than that for its acceptance.”

So the Attorney General went on in that strain. In this connection I think the Attorney General might give reasons why he intends supporting the Bill on the present occasion.

The Attorney General: I will do it.

Mr. SCADDAN: I admit the Attorney General has changed his opinion on so many occasions that he has become a past master in the art of giving reasons for so doing.

The Premier: You are copying him.

Mr. SCADDAN: I would like the Premier to pin me down to where I have somersaulted on any measure. It is all very well for the Premier to make an assertion across the floor of the House; but I am making an assertion from *Hansard*. The Premier on the 6th December voted against the measure.

The Premier: I voted like you with my party.

Mr. SCADDAN: A party of eleven. It was not a party combination by any means, and it cannot be said to be so. I want to point out that it appears to me there is only one desire on the part of the Government in bringing down the

measure, that is to make the people believe they are sincere in their desire to bring about liquor law reform.

The Premier: Do not measure the Government with your own bushel.

Mr. SCADDAN: The member for Claremont says that when he has advocated liquor law reform on previous occasions he has had to look for support from the Opposition side of the House.

Mr. Foulkes: Not altogether.

Mr. SCADDAN: Certainly not. But it would be interesting to have pointed out to us how many supporters of the Government at the present time, members sitting behind the Government, have expressed their sincere belief at any time that we ought to have a reform of the liquor laws. Outside the member for Claremont, and two others, I do not think any other member can be pointed out. The member for Claremont has made his statement and it is just as well that it should go forward with the electioneering tactics of the Government. And if the people of the country want liquor law reform in the next Parliament they had better return a majority of members of the Opposition to that Parliament.

The ATTORNEY GENERAL (Hon. N. Keenan): The hon. member as usual looked for some motive to put his finger on to be able to say it is a disgraceful motive for the Premier to bring in the Bill. That is natural and proper on his part. It is his duty; and he rises to his duty with great regularity. I am afraid he has taken an improper pleasure in it. What is the position which justifies a measure of this kind? It is simply this, that we are convinced there is a legitimate risk of a licensing bench by hasty consideration granting licenses in some of the districts of the State. I myself have always had the view in regard to licensing benches that if we create them we ought not to interfere with them in any way. I have absolutely refused, as members know when suggestions have been made, to in any way hint to licensing benches that they should grant or refuse an application that has come before them. That position has not always obtained.

When Sir Walter James was in power he issued a circular pointing out to licensing benches that they ought not to grant licenses; but I have always looked upon it as an interference of a kind which is wholly improper to come from the Executive. The position is that although the Executive may desire that new licenses should not be granted, if we are of the opinion that we should not interfere with licensing benches we cannot give effect to that desire. I am aware from what has been brought to my knowledge that licenses have been granted where undoubtedly it is a matter of extreme doubt whether the licensing benches had acted wisely or not [*Interjection by Mr. Scaddan.*] The hon. member will allow me to judge from information I have received.

Mr. Scaddan: But you denied the fact.

The ATTORNEY GENERAL: I will tell the member from information I have received—he must allow me to know what I am talking about. I would like to point out to the House that the objection I have taken to a measure of this kind being brought forward in the past is that it would create a monopoly of existing licenses. What was proposed in both previous instances was to entirely suspend the law. No application could be made it is true; but on the other hand neither could there be objections against existing licenses. If members will do me the justice to read the only speech which I delivered on this question since I took office—the one delivered in September, 1906—they will see that I elaborated on that point. I said that measures of that kind did not deal with licenses existing.

Mr. Scaddan: The member for West Perth is laughing at you.

The ATTORNEY GENERAL: He was not here. There was another member for West Perth at that time, and may I be permitted to say I think he was a more ardent teetotaler than the present one. I do not wish to indulge in any argument on the matter. I urged then and to-day I urge that it is a bad principle to put a ring fence around existing licenses and say: there let them stand until a measure is brought forward for local option.

Mr. Collier: That is what the Bill does.

The ATTORNEY GENERAL: It does not. I would like to point out to the member that the Bill brought forward by the member for Claremont and the Bill brought forward by the late member for West Perth did not in any way deal or allow dealing to take place with existing licenses, and that appears in *Hansard* in the debates of September, 1906. If the hon. member will look at the speech he will see that I pointed that out in every possible phase of the question. After quoting the clause of the Bill, I pointed out—

"This simply means the transfer of an existing license. The licensee will have this Bill protecting him, giving him a monopoly without fear of competition, with no danger, no matter how rotten his premises, of losing his trade because of the erection of new premises more commensurate with public requirements. If the licensee is so foolish as to build premises worthy of the place, he can obtain a transfer. But that is the only redeeming provision in the Bill."

I then dealt with the Bill clause by clause. The objection I took in 1905 was one to a measure not exactly similar in character to the present one. For the information of the member of Boulder I will read him the proviso to Clause 2, which says:—

"Provided also, that the licensing magistrates shall have full power and authority as heretofore to grant the transfer of any existing license to any new premises erected or in course of erection, or to grant a publican's general license to the holder of an existing wine and beer license, or to refuse the renewal of any license when an objection to such renewal has been duly taken and established."

Therefore under this measure we reserve power to the bench to grant the transfer of a license to any new premises or to those in course of erection, and also to grant a license for premises in respect of which a provisional certificate shall have been granted before the commencement of the Act.

Mr. Scaddan: That is the proviso, but what about the principle?

The ATTORNEY GENERAL: The proviso is of as much importance as any other portion of the Bill.

Mr. Scaddan: What is the principle?

The ATTORNEY GENERAL: To take away the power to grant a publican's general license, an hotel license, and a wayside house license for any premises not licensed at the present time. Only limited authority is granted to the licensing benches while the Act is in operation. The powers of the benches are, however, only taken away for a limited period. Unless one were satisfied there were cases where licensing benches had been actually granting applications which should not have been entertained, no measure of this character would be justified. So long as a created tribunal shows that it can deal with the matters brought before it from a commonsense view and in all justice there is no necessity to attack that tribunal; but if one is not satisfied with the decisions arrived at then it is necessary to take action.

Mr. Angwin: Are you satisfied that some of the tribunals have gone astray?

The ATTORNEY GENERAL: I am satisfied that an application was granted which was to the grievous disadvantage of the State.

Mr. Holman: Whose application was that?

The ATTORNEY GENERAL: It would not be fair to mention the name, but I will let the hon. member have the information privately if he desires it. I do not desire to criticise severely here those who are discharging honorary duties. Unless a bench is liable to err a measure of this kind would not be justified. For the two reasons I have mentioned—and in these reasons I am sure I will receive the support of every member who honestly desires to see that undue licenses are not granted—I am not prepared to oppose the passing of this measure.

Mr. H. BROWN (Perth): My objection to the measure is the same as was advanced in 1905 when the member for Claremont (Mr. Foulkes) introduced a Bill for a similar purpose to the present one. On that occasion the Attorney

General said it was absolutely unnecessary to cast any reflection on the licensing benches. On the eve of a general election a measure of this sort should not be brought down, and members should be able to go before their constituents and be prepared to stand or fall by the Local Option Bill which we understand the Premier will introduce next session. Here are some of the arguments used by the Attorney General against the Bill of 1905, which was almost a similar measure to the present one. He said:—

"It seems to me there are only two grounds on which this Bill can be based. First, that the licensing benches throughout the country have not carried out their duties in such a manner as to justify their present powers being left in their hands. But is it possible to say that justly? It may be said by those who are in all circumstances opposed to the granting of licenses. But I believe that reasonable men, who do not hold extreme views, will not be prepared to endorse a vote of censure on the licensing benches throughout the State. . . I have no hesitation in saying that no man can justly accuse the existing benches of consisting of men who will grant any license not warranted by the circumstances of the case. . . I do not think that this is an occasion for discussing views of that character. When a comprehensive measure is introduced to deal with the licensing laws, and to put severe restrictions on all licenses, then will be the time to arrive at the true value of Bills of this character. But for the present I submit that this Bill is justified by the mover on the sole ground that there is a possibility of the licensing benches granting some new licenses, and thereby increasing the amount the State will have to pay if such licenses have to be subsequently bought out on a compensation basis."

The people have not asked for this Bill and it would be better to wait and let members stand or fall by their attitude on the local option or prohibition measure. We do not want the Bill at the present time, as the Attorney General said in 1905. We should have confidence

in the licensing benches of this State. It will be 12 months before legislation dealing with the question of local option or prohibition will be passed.

Mr. E. C. BARNETT (Albany): I support the second reading of the measure. The only regrettable circumstance to my mind is that the Bill of 1905 did not become law. I do not desire to cast any reflection on the licensing benches of the State but I repeat the expression now which I used previously, that it is not the licensing benches who should say whether fresh licenses should be granted, but the people who are living in the locality of the proposed new licenses. It is these people who will be particularly affected by the granting of the licenses, and it should be left to them to say whether they want the hotels or not. They know more than anyone else whether the neighbourhood in which they live would be affected either beneficially or otherwise by the granting of new licenses.

The PREMIER (in reply): The only objection to this Bill is that several members consider members of the Government have been inconsistent in their action in regard to this measure. I do not see that that affects the Bill in any way. One of the reasons that prompted me to bring this measure forward was a circumstance which occurred prior to the last Licensing Act. The Government had been subdividing land in the proximity of a railway station, and it was anticipated that certain blocks would be purchased by persons desiring to acquire hotel or stores sites. An application was lodged at the same time for an hotel license in the proximity of the station but not on Government land. I know the Government have no power to instruct the licensing bench, but I considered that, in the best interests of the State, it would be advisable for any applications for a provisional license to be held over pending the survey and throwing open of the land. Any increased value that would accrue to the property in the neighbourhood of a railway built by the Government should go to the State, and I telegraphed to the chairman of the bench

to the effect that I considered it would be in the interests of all parties if no applications were received until the Government land was thrown open. No notice was taken of the telegram, and that is one of the reasons which has prompted me to bring forward this measure.

Mr. Foulkes: Was the license granted?

The PREMIER: Yes.

Mr. Foulkes: Had the Bill which has appeared every year for the past three or four years been passed, the state of affairs mentioned by you would never have occurred.

The PREMIER: The Attorney General has explained very distinctly the material difference between the present Bill and the one the hon. member refers to. He has pointed out that that Bill was introduced in October, and there was no likelihood of any measure being brought forward until the next session which would be in July of the following year. This is totally different from the present measure which operates over only one licensing meeting. Members generally appear satisfied with the measure, which I brought forward only to redeem a promise, and with no idea of its being an electioneering dodge as has been suggested by the member for Ivanhoe.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Daglish in the Chair.

Clause 1—agreed to.

Clause 2—New Licenses not to be granted:

Mr. ANGWIN moved an amendment—

That the words "publican's general license, hotel license, or wayside house," in lines 2 and 3, be struck out.

There were a large number of licenses which were not referred to in the measure before the Committee, and it was wise that they should be brought within the provisions of the measure. No licenses should be granted during the short period covered by the Bill. There was probably no member more constant in his attendance at meetings of licensing courts than he, and perhaps for that very reason he

did not possess the confidence in that tribunal which some members appeared to have. By striking out the reference to publican's general license, hotel license, and wayside-house license, and making the clause simply refer to licenses under the control of the licensing benches, it would be provided that all licenses should be affected and that no new ones could be granted during the time the Act was in force.

The PREMIER: However desirous one might be of falling in with the suggestion, it would simply mean that if the Bill were amended it would have to be laid aside, because the Bill would need to be reprinted before it could be reported to the House, and in that case it would not get to the Legislative Council until to-morrow, just before the prorogation.

Mr. Scaddan: That would be sufficient; it would show that the Government had introduced the measure.

Mr. ANGWIN: Without the amendment suggested, the Bill would be almost useless. All licenses should be included. As the measure was only to operate for three months it would cover only one sitting of the licensing court.

The ATTORNEY GENERAL: The only license not covered by the Bill which might lead to intoxication was the wine and beer license, but for some considerable time past wine and beer licenses had not been granted because they were not required. There would be no objection to including wine and beer licenses in this Bill but for the objection that the Bill would need to be reprinted. It was evidently a careless omission, but if we reprinted the Bill the measure would not be passed.

Mr. ANGWIN, having no wish to see the Bill thrown out, asked leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 3—Duration of Act:

Mr. FOULKES had intended to move an amendment so that the measure would remain in force until the 31st December, 1909: but seeing that an amendment to the Bill might prevent its passage, he would be satisfied if the Premier would

promise to introduce at the commencement of the first session of the next Parliament a similar Bill to this, so that in the event of the larger Bill being thrown out by the Legislative Council on the last day of the session, as might easily happen, there would be a measure in force prohibiting the granting of new licenses until the end of 1909.

The PREMIER: In the event of the larger measure not becoming law there was no reason why this smaller measure should not be re-enacted. It would be no use sending down the larger measure to the Legislative Council on the last day of the session, and on the other hand it was no use anticipating trouble. Certainly the unanimity that would prevail with regard to local option after the general elections would require the Bill to be sent down to the Legislative Council in good time.

Clause put and passed.

Title—agreed to.

Bill reported without amendment; the report adopted.

Third Reading.

Bill read a third time, and transmitted to the Legislative Council.

BILL — CLAREMONT MUNICIPAL RATES VALIDATION.

All Stages.

Received from the Legislative Council, and on motion by the *Minister for Works* read a first time.

At 6.15, the *Speaker* left the Chair.

At 7.30, Chair resumed.

The MINISTER FOR WORKS (Hon. J. Price) in moving the second reading said: This is a Bill to validate certain rates made by the Municipal Council of Claremont. It is a purely formal measure, and its necessity is due to the unfortunate position the municipality of Claremont was placed in last year by reason of the very severe sickness of the town clerk. His position at that time was taken by an understudy, and the result was that certain formalities prescribed by the Municipal Corporations

Act were not complied with. The position was farther complicated by the fact that about the same time the council had introduced the ward system, with the result that the whole of the councillors went out and a fresh body was elected. In these circumstances various irregularities unavoidably occurred in the making up of the rate-book and the striking of the rate, the chief of which are as follow:—

(1.) Section 391 of the Act was not complied with, the statement in writing to be signed by the mayor not being made nor signed, nor did the council prepare the estimate required by Subsection 3; (2.) The rates were struck by resolution of the Council, but the rate-book was not made up and completed in the month of December, nor signed by the mayor under Section 394; (3.) Notices of rates under Section 394 were published in the *West Australian* and *Morning Herald* newspapers on the 20th January, 1908; but the mayor had not previously made the memorandum in the rate-book, and the notices published did not purport to be copies of any memorandum in the rate-book, nor did they purport to be signed by the mayor, as they were in fact signed by the then acting town clerk. The solicitors to the council have advised that in these circumstances the rates are invalid. I am sure that as this is a mere informality due to circumstances over which the council had no control, the House will not hesitate to validate the rates and put the council in that financial position eminently desirable. At present anyone could object to pay, and the Government have therefore been asked to bring forward the Bill. It is not an unusual measure, for a somewhat similar set of circumstances occurred recently in connection with the Cue Roads Board.

Question put and passed.

Bill read a second time; also passed through the remaining stages without debate or amendment, and transmitted to the Legislative Council.

BILL—PERMANENT RESERVE (YORK) REDEDICATION.

The PREMIER (Hon. N. J. Moore) in moving the third reading said: It will

be in the memory of members that when this measure was previously before the House, I gave an undertaking that prior to pressing the third reading I would wire to York with the idea of finding out whether the people interested in athletic sports had any objection to the passage of the measure. I have received the following reply from the member for the district:—"Received telegram; ample reserves for recreation purposes; essential alteration effected." That disposes of the objection that it might be wise to have a confirmation of statements made during the course of the second reading of the Bill.

Question passed.

Bill read a third time and returned to the Legislative Council.

BILL—MIDLAND JUNCTION BOUNDARIES.

The ATTORNEY GENERAL (Hon. N. Keenan) in moving the second reading said: This Bill has been brought in at the request of all the interested parties. There is at present a certain block of land at Midland Junction which is surrounded by the municipality but is not included therein. It is the property of the Midland Railway Company, and the municipality have for some time past been desirous of including it in the municipality. The Midland Railway Company, through their attorney, have expressed their concurrence with the passing of the measure.

Mr. T. H. BATH (Brown Hill): The member for the district (Mr. Johnson) is unavoidably absent this evening, but he informs me that the Bill will meet the wishes of the municipality and residents, and he gives it his hearty support.

Question put and passed.

Bill read a second time; also passed through the remaining stages without debate or amendment, and transmitted to the Legislative Council.

BILL—HEALTH ACT AMENDMENT (RATES).

The MINISTER FOR WORKS (Hon. J. Price), in moving the second reading,

said: This is another Bill to validate rates which, owing to an informality, are in danger of not being collected. There are thirteen roads boards with their boundaries co-terminal with those of the health boards dealing with the same districts, and in each case the personnel of the roads board and the health board is practically the same. It has been the custom for the purpose of economy for the roads boards to strike the health rate at the same time and on the same notice-paper as they strike the roads board rate. As a matter of fact the roads board rate is struck for the period from the 1st July to the 30th June, whereas the health rate is struck for the period from the 1st November to the 31st October. The consequence is a serious informality in connection with the striking of the health rate of some of the roads boards, and some ingenious ratepayers having discovered the irregularity, have refused to pay the rates necessary to safeguard the public health in these localities. I ask the House to treat the Bill as a normal one.

Question put and passed.

Bill read a second time; also passed through the remaining stages without debate or amendment, and transmitted to the Legislative Council.

BILL—PERMANENT RESERVES (SUBIACO) REDEDICATION.

Second Reading.

The PREMIER (Hon. N. J. Moore), in moving the second reading, said: This measure relates to two permanent reserves situated in the municipality of Subiaco. In connection with the first it is proposed that a certain portion of the school site shall be excised from the said reserve and included in a permanent reserve which at present is dedicated to the municipal council. The Subiaco Council are willing to grub and clear a portion of the ground for the school reserve necessary to give the boys a suitable extension to their playground. If it is found that any additional land will be required in the future to the west of it, the Public Works Department are prepared to grant them an extension. The

council have stated that they are willing to guarantee that a high fence will be erected between the bowling green and the school residence as soon as the necessary extension is granted. According to the municipal council, they are prepared in consideration of this being granted, to remove the fence and re-erect same at the cost of the municipality and at the same time clear a strip of the boys' playground a hundred yards wide between the school and the south-west corner, and also where necessary level the existing playground; at the same time to put down an asphalt cricket pitch and water a row of trees if planted along Hamersley Road. The matter has been referred to the Education Department and apparently they are quite prepared to accept the offer of the municipal council. From a plan attached it is shown that the portion that is taken is a small and irregular-shaped block and will not interfere with the present school site. The other matter referred to is in regard to the proposal to take a certain portion from the reserve and hand it over to the Children's Hospital Committee. This application for that extra portion of land was made some time ago by Mr. C. Moore, who is largely interested in the children's hospital movement. At that time it was pointed out that it was necessary to have some additional land in the event of any infectious disease breaking out in the hospital, and it was thought that this portion could well be excised and handed over to the children's hospital committee. The matter received consideration at the hands of the various departments, and the committee of the children's hospital in writing to the Minister for Works stated:—

"We have now the honour to make formal application for the grant of an additional piece of land giving a frontage to Thomas Street and Broome Road or as near thereto as possible. This additional land is absolutely necessary for the following reasons: 1, We are advised by Drs. Saw, Andrew, and Black that the outpatients department must be removed from the inpatients ward to prevent disturbance of patients in latter portion of hospital from noise, etc., of outpatients. The present site

does not lend itself to this removal. 2, By being able to connect in a direct line with the drain at corner of Thomas Street, we shall be able to save some £200 in pipes, etc."

The matter was forwarded to me in my capacity of Minister for Lands, and I stated there was no objection, but it would be necessary to have a Bill prepared to have the lot revested. The plan attached shows the position of this lot referred to, and I think as there is not likely to be any objection raised to the rededication, it is a matter that we might well agree to. It is in the interest of a good work, and as this necessity for an additional area has been pointed out by the various medical gentlemen, I think the House will not do wrong in accepting the proposed measure. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill passed through the remaining stages without debate or amendment, and transmitted to the Legislative Council.

MOTION—FACTORY INSPECTOR'S RETIREMENT.

On motion by Mr. Daglish, ordered "That all papers relating to the retirement of the late Chief Inspector of Factories (Mr. F. Vincent) be laid on the table."

MOTION—MUNICIPAL FINANCES.

Mr. H. BROWN (Perth) moved—

That there be laid on the table of the House—1, A list of municipalities to which the Government propose refunding half the Police Court fines, and the amount to be paid to each. 2, A list of municipalities that are indebted to the Government on account of overpayment of Municipal Subsidies, and the amount owing by each.

After the speech he made a few nights ago, there should be no necessity to repeat his remarks on this question. He had endeavoured to assist the Government in their financial strait to obtain a sum of between £20,000 and £30,000. The

House heard a rather lame argument the other night from the Treasurer, who said he could not see his way to expend a sum of £800 to get back this £20,000 or £30,000. It had been exemplified during the last few months that in connection with the trouble that the Government had had with the War Office at home—a trouble that extended over some years—that in order to recover £2,000 or £3,000 they sent an official home to fight their claims. After that officer had spent a considerable time in going through various statements and going to England, the cost to recover that amount, one was quite on the safe side in stating, was £1,000 or more. In the best interests of the House a statement should be laid on the table showing the indebtedness of the various municipalities, especially when it was found that large sums had been overdrawn and the Government had made loans to these various municipalities some of which had been refunded and others had not. When a large sum in dispute like the present was in doubt members should be informed who the delinquents were.

Question put and passed.

MOTION—ESTIMATES, UNEXPENDED BALANCES.

Mr. H. BROWN (Perth) moved—

That there be laid on the table a return showing the unexpended balances of votes on last year's Estimates.

Members had heard the Treasurer state to the country that he had effected a huge saving on the Estimates during the past year. He (Mr. Brown) knew there had been a saving in the city of Perth. For instance there were the Hospital buildings, provision for which was made on last year's Estimates, and which would have involved an expenditure of £3,000 odd. Those buildings were not carried out; hence the saving by the Treasurer. Other items also had not been expended, and he thought it well, at all events before the elections came on, that these amounts should be known to members and the country generally.

The TREASURER understood the hon. member was moving for a return of unexpected balances, etcetera. The un-

expended balances were all published in the Public Accounts.

Mr. Bath: We had not got them yet.

The TREASURER: Those for the year ended June 30th 1907 had been published. The hon. member would find the particulars on pages 14 and 15 of the Public Accounts.

Mr. Bath: The member for Perth wanted the amounts for the year ended June 30th last.

The TREASURER: Those were not ready. They would be published in due course and presented to Parliament.

Mr. Bath: The Treasurer could give them if he would.

The TREASURER: Of course not. The accounts had to be balanced, then audited; and under the Audit Act they were to be published in the form he mentioned and presented to Parliament. It was idle for the Leader of the Opposition to say the Treasurer could give this information before the balances were audited. The member for Perth was moving for information which the law already provided must be given, and which in due course would be presented to this House in the Public Accounts; therefore the motion was unnecessary. As soon as the Auditor General completed his audit, the accounts would be published. The hon. member should withdraw the motion.

Mr. T. H. BATH (Brown Hill): The member for Perth was asking for information in respect of the financial year ending the 30th June, 1908, and the Public Accounts for that year had not been issued. True, the Audit Act made provision for the information to be tabulated and published in the Public Accounts and in the Auditor General's report which was generally submitted to the House a long time after the information was of any value to members; but if the Treasurer was willing to supply the information there was nothing to prevent his making it available before the Public Accounts were issued.

The Treasurer: The balances could not be made available until they were audited.

Mr. BATH: The audited accounts could not be made available, but the information in the records of the Treasury

could be made available. The Treasury knew the unexpended balances, and the information the department could supply would be sufficient for all purposes, though it would not have the rubber stamp of the Auditor General on it.

Mr. H. BROWN (in reply) : The Treasurer must be aware that the information sought was for the year ending 30th June, 1908, and that it could be supplied, because it was only a matter of a few hours' work to turn over the ledgers. He hoped the Treasurer would not put any obstacle in the way of supplying this information.

The Premier rose to speak.

Mr. Bath pointed out that the member for Perth had already replied.

Mr. SPEAKER: Liberty was usually given to a Minister to make a statement, though it was the rule not to allow any member to speak after the mover had replied.

The PREMIER had no wish to use a privilege not allowed to other members. He merely wished to point out to the member for Perth that it would be more satisfactory if the return was supplied with the stamp of the Auditor General on it. The Government desired to keep nothing back; but it was not a question of only a few hours' work to get out a detailed statement of this kind. Reference to the list of unexpended balances on the Estimates would show the work that would be required. However, the Government had no objection to making the return available as soon as possible.

Question put and passed.

MOTION—MILK SUPPLY, COMMISSION TO INQUIRE.

Mr. H. BROWN (Perth) moved—

That in the opinion of this House it is desirable that a Royal Commission be appointed to inquire into the milk supply of the metropolitan district.

He said: This motion should appeal to members. The other day the Premier voluntarily appointed a Royal Commission to inquire into the meat supply; and I think that this House should agree to the appointment of this Royal Commis-

sion I ask for, seeing that it is also a matter in which the purity of the food supply is embraced. A few years back Mr. Lander was appointed inspector of health under the Central Board of Health, without being asked whether he was in favour of the appointment or not. He simply received a telephone message that he had been appointed. Now we know that because of his criticisms, his appointment was recently cancelled by the board. The very disgusting details he pointed out as existing in connection with the milk supply in the city and suburbs occasioned the Government to take action. I have before me most disgusting details as to the state of dairy cattle in and around Perth, but I shall not weary the House by repeating them. These details also apply to some of the cattle imported by the Government. I have also a letter, which can be proved, saying that the present veterinary surgeon acting for the Government in making the tuberculin tests was the individual who tried to deceive the late Government veterinary surgeon by trying to put the tuberculin test to the cattle under observation by the Government officers. Without going into details, the House is aware of the reports that have been in the Press from time to time, and it is not my intention to go into these disgusting details, but they can be fully proved if a Royal Commission is appointed. I trust members who have read the daily Press for the last few months will be agreeable to an inquiry being held.

Mr. J. BREBBER (North Perth) : I second the motion. I think that inquiry into the matter is necessary seeing that so much depends upon the milk supply of Perth and suburbs. Inquiry may allay the doubt existing in the minds of the people of Perth as to the quality of their milk supply. I have no wish to magnify the thing to any extent. I think that the reports that were in the papers were rather more alarming than the circumstances as placed before the Central Board of Health warranted; nevertheless seeing the agitation has been prominently brought before the people, it is only right that some inquiry should be made

to show that the milk supply of Perth is in a satisfactory state or not so bad as it is alleged to be.

The HONORARY MINISTER (Hon. J. Mitchell): Listening to the member for Perth, one would be led almost to believe that the milk supply of Perth is in a bad way. The Government realise that the food supply of the people should be as pure as possible and that every care should be taken to keep it as pure as possible; and with that object in view the Central Board of Health have undertaken the task of bringing the inspection in this important item of food supply to the highest possible standard. We are endeavouring to do what is done in other places all the world over where milk is used. We know that in the older countries there is a system of rigid inspection which keeps the milk supply absolutely good, and the Central Board of Health are endeavouring to bring their inspections into line with the inspections as applied in the Eastern States and the older countries. It is true that 'Mr. Lander has presented some cases of diseased animals, but whenever he has made representations to the department they have been listened to. However the case is not as the member for Perth has presented; he has very much overstated the case. Everyone knows that cows are subject to tuberculosis. Practically all dairy herds in the world are more or less affected, but it does not follow that because they have tuberculosis they are in a disgusting condition. That is overstating the case. These inspections have been undertaken more or less for the past year, and our dairy cattle are proved to be in very fair condition. It is impossible that cows may be guaranteed free from disease for any length of time. We know that cows subjected to the test once every six months often respond after passing two tests satisfactory, and we know that the heavier the milker the more subject the cow is to the disease. The Government recognise that it is necessary that the milk supply should be kept as pure as possible, and they are perfectly willing to appoint any Commission to inquire into the matter that may be considered

necessary. I am not opposing the motion. If the House thinks it desirable that a Royal Commission should be appointed there is no reason why one should not be appointed, but I would like the House and the people to feel that all that is necessary is now being done by the Central Board of Health in connection with this matter. There is no special reason just now why we should be asked to appoint a Royal Commission because, as a matter of fact, the milk supply of Perth is being put on a satisfactory basis.

Hon. F. H. PIESSE (Katanning) : After the assurance given by the Honorary Minister that this matter is being closely watched by the Central Board of Health, there should not be necessity in the circumstances for appointing a Royal Commission which may be costly and will not effect the desired object any more than the stringent administration now being carried out, and which is being authorised by the Government. Notwithstanding the statements made in regard to the milk supply, I sympathise with those persons who are carrying on dairies in this country. It is certainly necessary that a proper and stringent method should be adopted, but at the same time we should not have a method that really in a measure drives the men concerned in this work to distraction. I know something of the dairy herds and the way in which they are kept; and the Central Board of Health, up to the present time, have done a great deal to ensure purity of the milk supply. There is no doubt about it that cattle are addicted to this disease, and the great object is to lessen it as much as possible. If there are grounds for the destruction of cattle because of the prevalence of the disease, let us take means to exterminate it. Many a good dairyman who is imbued with a desire to do his best to preserve health among his stock has suffered greatly by the rigorous methods which have been adopted. In my own district I was interested in the carrying on of a dairy, and a herd of cattle for making butter, and the instructions given by the health authorities, making them apply to up-country districts, seem to me to partake

somewhat of arbitrary action. These instructions make it impossible for men to carry on the industry in a proper and healthy condition, and are driving men out of the industry which we desire to see amongst us, because of the exactitude of the men appointed to deal with the question of providing proper accommodation for cattle and seeing the dairies are kept in a cleanly state. I am with the members who have expressed the opinion that it is a necessity to have a clean milk supply, healthy in every respect, yet I think the time has not arrived when a Commission should be appointed. Parliament will be assembling again shortly, and between now and that date there will be an opportunity for the central authorities to show what they can do, without putting the country to the expense of a Royal Commission. If in two or three months' time we find the present complaints exist and the methods that have been adopted have not secured the cleanliness of the herds, the Parliament of the country, I presume, it will be able to take steps, as proposed by the member for Perth, to appoint a Royal Commission to inquire into the matter, so as to eradicate the disease, and ascertain what methods can be adopted to do away with the danger. At the present time we should give the Government an opportunity, through the Central Board of Health, to show what can be done, and if later on the results are not better, by all means take rigorous steps to bring about a better condition of things.

The PREMIER (Hon. N. J. Moore) : I would like to say, with all due respect to what has been said by the member for Perth, that I do not think he has made out a very good case for an inquiry. We know, as was explained by the Honorary Minister, the action that is being taken at the present time in this connection, and members should be satisfied with the assurance, that if it is necessary the Government will take steps to appoint a Royal Commission, after having given every consideration to what is being done it is considered necessary at a later date. But I do not think at the present time it is necessary to go to the expense of appoint-

ing a Royal Commission, when strong departmental inquiries are being made, and the best talent we have is engaged in making researches, which should have the effect of placing the milk supply in a better condition than it is at the present time.

Mr. J. SCADDAN (Ivanhoe) : The only objection I have to the motion is that I think if a Commission is going to sit to inquire into the milk supply it should not be confined solely to the metropolitan district; that is the only objection I have to the motion as it stands. I ask the mover to accept an amendment to strike out the words "metropolitan district," so that the inquiry may apply to the whole of the State. It is refreshing to know that the Government at last admit that the statements made by Mr. Lander have been proved by the Central Board of Health to be correct.

The Premier : Who admitted it?

Mr. SCADDAN : The fact that the Honorary Minister states that the Central Board of Health are doing everything possible to cope with the disease, which they admit is somewhat on the increase in the metropolitan district, proves that Mr. Lander's statements are correct. In any case it seems peculiar that the Government should have gone to the length they have during the past few weeks in closing one or two dairies in order to improve the milk supply. I think that is a sufficient reply, to my way of thinking, by the Government as to the truth of Mr. Lander's statements. The reason I support the motion is that it will give Mr. Lander an opportunity of proving the statements he has made. I admit he has made some very gross statements, and if Mr. Lander is not able to prove them, then the treatment he has received from the Central Board of Health will have been justified. In the circumstances I think it would be as well to give Mr. Lander an opportunity of proving his statements. Personally I think the first consideration, in spite of the statements of the member for Katanning, should be the food supplies of the people.

Hon. F. H. Piesse : Did I object to that?

Mr. SCADDAN: The member spoke of the cost of the inquiry, and also remarked that the inspections already made had been rigorous in many instances, and that dairymen had suffered. To my way of thinking it would not have been too harsh or rigorous if the whole of the dairies in the metropolitan area had been closed for the time being, if the disease is detrimental to the welfare of the community. As to whether the dairymen should be compensated in any way, that is a matter for the Government to consider, and a Royal Commission might be able to suggest a way out of the difficulty. After all the dairymen should be protected, but we should not permit the dairymen to supply milk from diseased cows because it may mean a few pounds to them. The Honorary Minister said that during the past year there had been inspections more or less, principally less. Only a few cows had been inspected, and it is not right that this disease should be allowed to go unchecked. [Mr. Gordon: What disease?] Tuberculosis. The fact remains the Department have been more rigorous in their inspections during the last few weeks than previously, with the result that some few herds have been practically wiped out, showing that the milk from these diseased cows had been going into consumption. It is a grave complaint and one that should be considered. As to whether the Government are doing all that is possible, I am not in a position to say. Other statements which have been made have not been proved or disproved, and for the protection of the public and the consumers of the milk a Royal Commission should be appointed to satisfy the public once and for all whether the statements made by Mr. Lander are correct or not. If the statements are correct it has been almost a scandal the way the dairies have been conducted, and the way in which the Central Board of Health have conducted their inspections. I move an amendment—

That the words "metropolitan district" be struck out.

Mr. W. B. GORDON (Canning): I want to direct attention to what the member for Ivanhoe knows about this subject,

when he said just now that a Royal Commission would settle the question "once and for all." This is a disease which is cropping up every day, and cows should be tested continually, every two or three months. How the member can say that the appointment of a Royal Commission will settle the question "once and for all" seems to me, on the face of it, a rather ridiculous statement. The Government have made a statement that they are making inquiries regarding the health of the people in this direction, and a Royal Commission can go no farther than the Government are going to-day. If a Commission is appointed the Government are not going to take directions as to compensating the owners of dairies. It is not within the scope of a Commission, when appointed, to suggest that any amount should be paid to dairymen. I am here fighting for the owners of dairies and for the public, but I fail to see that a Royal Commission will advance the interests of the dairymen or the people one iota. It probably would do more harm than good, and it is an unnecessary expense.

Mr. M. F. TROY (Mt. Magnet): I shall support the motion, because nobody here would deny for a moment that grave charges have been made in regard to the purity of the milk supply of the metropolitan area. I agree also, if we are going to have a Commission, that it should apply to the whole of Western Australia, because if the milk supply is impure in Perth it is probable that it is impure in every locality in the State. It is not a question of cost. A Commission should not cost very much, because the scope of the inquiry would not extend outside the industry. We should not consider the cost where the health of the people is concerned. Impure food has a great deal to do in this and every State, with the ill-health of the people. We have to remember that a great many of the babies in the State are reared on cow's milk, and if the milk supply is impure and unhealthy naturally the children cannot have the stamina that they should possess. If we are going to bring up healthy citizens they must have the purest

food, and I do not think we should consider the question of the very small cost incurred by the Commission. If some attention were given to the food of the people it would be better for the community as a whole. I support the motion and the amendment moved by the member for Ivanhoe, that the Commission should apply to the whole of the State.

Amendment put and negatived.

Mr. H. BROWN (in reply): I say in conclusion, as Mr. Speaker in his capacity as chairman of the Hospital Board will know well, that the majority of children taken to the Perth Hospital are suffering, and a great many die, from affections contracted through the milk supply in the metropolitan area. We have heard the member for Katanning (Hon. F. H. Piesse) object to the appointment of a Commission; so I will now read an extract from Mr. Titus Lander's report, founded on the result of an inspection of the dairies at Katanning.

Hon. F. H. Piesse: I do not object to a Royal Commission, but I said the appointment might be deferred pending the election of the next Parliament.

Mr. H. BROWN: The following extract from Mr. Lander's report will show the state of affairs that existed at Katanning. Notwithstanding that report, the Central Board would not interfere. Mr. Lander inspected the slaughter-houses in that locality, and reported a very filthy condition of affairs. He says:—

"Take the case of the Katanning slaughter-house, where I found the place absolutely beyond description. This was two years ago, and was supported in evidence by Dr. House, medical officer and resident magistrate. Not only did they feed the pigs upon all the offal, but there was a dead dog in the place, much swollen, as if from poison, for the pigs to eat; the pigs also had to get their drink from the water dam which was used to wash the meat after slaughter, and whilst we were there, there were about a dozen pigs washing and basking in this dam. and when you take it into consideration that pigs of all animals are very

apt to pick up the tuberculosis lesions, if only fed for three days upon tuberculous matter, you can at once realise the danger."

This is only one case, and there are dozens of others which Mr. Lander would be prepared to prove. For bringing these matters under the notice of the Government officials, Mr. Lander was scandalously treated, inasmuch as he was discharged from a position to which he was appointed against his will, for trying to show the Stock Department and the Central Board of Health they were not doing their duty. I hope the House, considering this is a matter of life and death, will see fit to order the appointment of a Commission.

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

Ayes	13
Noes	16

Majority against .. 3

AYES.

Mr. Angwin	Mr. Horan
Mr. Bath	Mr. Hudson
Mr. Brebber	Mr. Scaddan
Mr. H. Brown	Mr. Walker
Mr. T. L. Brown	Mr. Ware
Mr. Collier	Mr. Troy
Mr. Holman	

(Teller).

NOES.

Mr. Barnett	Mr. Monger
Mr. Butcher	Mr. N. J. Moore
Mr. Cowcher	Mr. S. F. Moore
Mr. Davies	Mr. Piesse
Mr. Eddy	Mr. Price
Mr. Hayward	Mr. A. J. Wilson
Mr. Keenan	Mr. F. Wilson
Mr. Mitchell	Mr. Gordon

(Teller).

Question thus negatived.

ADJOURNMENT.

On motion by the Premier, resolved that the House at its rising do adjourn until 2.30 p.m. the next day.

The House adjourned at 38 minutes past 8 o'clock, until Wednesday afternoon.