

trouble to build up a valuable herd, which is a work we are specially trying to encourage in this State, and he finds that he cannot get the herd tested owing to lack of funds, well, to say the least, it is not sound policy. I hope that this vote, instead of being reduced, will be increased, in order to permit the officers to carry out their expert work thoroughly.

Progress reported.

House adjourned at 10.17 p.m.

Legislative Council,

Tuesday, 27th October, 1931.

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

ASSENT TO BILLS.

Message from the Administrator received and read, notifying assent to the undermentioned Bills—

- 1, Supply (No. 2), £960,000.
- 2, State Savings Bank Transfer.

QUESTION—AGRICULTURAL BANK ADVANCES.

Hon. Sir EDWARD WITTENOOM asked the Chief Secretary: What are the conditions in detail to which an applicant has to conform when applying for an advance from the Agricultural Bank, and what must his qualifications be to conduct a farm?

The CHIEF SECRETARY replied: An applicant has to apply on the prescribed

form, setting out the purposes for which the loan is required. Any person who has acquired a suitable area of land under Conditional Purchase, Homestead Farm, or freehold tenure is eligible to apply to the Bank for assistance. Previous farming experience is not considered indispensable, each application being dealt with on its merits.

QUESTION—POLICE PROTECTION AT MEETINGS.

Hon. H. SEDDON asked the Chief Secretary: With the object of maintaining order by controlling persons who disturb political and other public meetings, is it the intention of the Government to vest the police with the necessary power by a suitable amendment of the Police and Electoral Acts?

The CHIEF SECRETARY replied: The matter is receiving consideration.

BILL—LOCAL COURTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th October.

HON. J. M. DREW (Central) [4.40]: I was a member of the select committee appointed to consider and report upon the original Bill that was presented last year. From our reading of the Bill—we were supported by several legal practitioners who gave evidence—we came to the conclusion that its provisions obliged a judge to travel to every portion of the State where there was a local court, and to hold a sitting in every local court of the State. That was the view taken by the Chairman of the select committee, Hon. J. Nicholson, by me, and by three King's counsel. We were of opinion that a judge would have to visit every little centre where a case involving from £100 to £500 might have arisen. Subsequently the amount was reduced from £500 to £250. We considered it would mean an unwarrantable expense if a judge were obliged to travel to very small centres, and we recommended an amendment which would give a judge the choice of holding a local court in any local court in a magisterial district. There are several local courts in each magisterial district. According to our recommendation a judge could select any one of the local courts in which to hold a sitting. We now find we

misunderstood the object of the Bill. The object was not to send a judge abroad at all. He was to try cases in Perth, although I fail to see anything in the measure to indicate that that was so. There was an advantage, and a great one, to litigants, in that these cases would be on the local court scale of fees instead of the Supreme Court scale. This would mean a very big difference, for instead of the Supreme Court scale of anything from 10 guineas to 20 guineas a day being charged, the fees would be somewhere between a guinea and two guineas a day. It was a very important amendment in the direction of providing cheap law for the people, even though as we now discover it was never intended that judges should travel. We amended the Bill to give the judges the choice of selecting any local court in a magisterial district. In the Geraldton magisterial district there are at least half a dozen courts. A judge could sit in Geraldton or Mullewa as the case may be. The Act as amended by the Bill does not go as far as I could wish. There was provision in the amending Bill for the appointment of a commissioner, and I should like to see a judge or commissioner travel. We are informed, and can well understand it in these times, that it is necessary to practise economy, and the Government could not undertake the expense which would be involved if that suggestion were carried out. Despite my own view, and the stand I took on a previous occasion, I am prepared to support the Bill. We are given to understand that if this amendment is not carried the Act will not be proclaimed, and and we shall derive no advantage from the legislation we passed last year. In my opinion half a loaf is better than no bread, and, if I may change the metaphor, if Mahomet will not go to the mountain, we must take the mountain to Mahomet.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—POOR PERSONS LEGAL ASSISTANCE ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th October.

HON. G. FRASER (West) [4.45]: When I noticed that a Bill was to be introduced to amend the Poor Persons Legal Assist-

ance Act, I hoped that the measure as a whole would have been reviewed by the Government and that the Bill would embody drastic amendments. I am disappointed to find that the amendment proposed in the Bill deals but little with the actual operations of the Act. When the Act was passed last session, we were under the impression that the object was to assist poor persons who were unable to secure the services of solicitors, but the legislation has not operated as we anticipated. Those hon. members who have had experience of the application of the Act, must have gained the impression that it has proved practically useless in furthering the object we understood it had in view. This has largely been on account of the delay that arises when any effort is made to secure the services of counsel in accordance with the provisions of the Act. Those delays have extended over six and even nine months, with the result that the interests of the poor people have not been conserved because the time within which the help was necessary had long passed. The procedure adopted is that when an application is made for assistance under the Act, the Crown Law Department officers investigate the case and make arrangements with the Law Society to supply the solicitor to undertake the work involved. I do not blame the Crown Law Department for delays that have happened; I believe the fault lies at the doors of the Law Society, the members of which have to meet to consider such applications. In one instance that I was associated with, there was a delay of some considerable time until a meeting of the Law Society could be held to decide whether a solicitor would be appointed to take up the case. That delay extended over a matter of months before any decision was arrived at. I trust the Government will give some consideration to this phase and introduce legislation that will tighten up the provisions of the Act and make it more workable. I have no objection to raise to the amendment embodied in the Bill itself, and I trust a more comprehensive amending Bill will be introduced for the purpose I have indicated.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—RESERVES (No. 2).*First Reading.*

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [453] in moving the second reading said: From time to time recreation, agricultural, and other reserves are no longer required for the purposes of the original vesting order, and it is usual, as in this instance, to approach Parliament for authority to revest the areas in keeping with the present needs of the people. In such circumstances, this Bill proposes that some land at Guildford, which was granted in fee simple in 1908 to the trustees of the Swan Agricultural and Horticultural Society for the purposes of a show ground, shall be revested in the Crown, so that it may be reserved and vested in the municipal council as park land. The land is on the river frontage and because it is liable to flooding it has never been used as a show ground. The Guildford Municipal Council now desire to take over the control of the land with the object of converting it into a park, and in support of their request the council state that the Swan Agricultural and Horticultural Society is practically defunct.

The second matter referred to in Clauses 3 and 4 of the Bill deals with some land at Mount Lawley. Adjacent to that district, there is an area—Reserve A. 18325—which was vested in the Perth Road Board, under the Reserves Act, 1925, with power to lease for 50 years. In pursuance of the leasing powers, the Perth Road Board leased a portion to the Mount Lawley Golf Club, but the shape of the portion referred to makes it difficult to lay out a satisfactory course and, therefore, both the road board and the golf club are desirous of surrendering to the Crown about 43 acres, if another area containing about 53 acres can be added to the reserve and made subject to the same conditions—that is, that the land be vested in the Board with

power to lease for 50 years, subject to the Governor's approval. There is no departmental objection to the proposed exchange of land. Lithos. describing the areas mentioned in the Bill have already been laid on the Table of the House. I move—

That the Bill be now read a second time.

On motion by Hon. Sir William Lathlain, debate adjourned.

BILL—ROADS CLOSURE (No. 2).*First Reading.*

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [456] in moving the second reading said: The proposals covered by the Bill are shown on the lithos. I have already laid on the Table of the House. The first proposal, which is referred to in Clause 2, relates to the closure of certain streets in the Fremantle district. The Fremantle City Council acquired some land on the southern boundary of the municipality for recreation purposes, and desire to close Anrora and Austral Avenues and a portion of Ocean Road with the object of including the closed thoroughfares in the reserve referred to. The thoroughfares are not now required, and there is no departmental reason why they should not be closed and the land handed over to the council to enlarge the area purchased for recreation purposes. At York, certain land intended at one time for a cemetery has now reverted to the Crown and has since been subdivided into lots for sale. It abuts on Eighth Road, and it is proposed in Clause 4, that a portion of that road shall be closed for inclusion in the lots to be sold. The particular portion of Eighth Road to be closed, if the House approves, is not now required for traffic. As a matter of fact, it is too steep for traffic. The lots to be sold also abut on Avon Terrace, from which the access is more satisfactory. The York Municipal Council have agreed to the proposal that a portion of Eighth Road should be closed and included in the lots to be sold. I move—

That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 4).

First Reading.

Received from the Assembly and, on motion by Hon. J. M. Macfarlane, read a first time.

Second Reading.

HON J. M. MACFARLANE (Metropolitan-Suburban) [4.59] in moving the second reading said: The amendment embodied in the Bill refers to the Freemasons' Club. For the information of hon. members, I may explain that the club and lodges carry on operations under the one roof, the club occupying the space on the ground floor and the lodges using the upper floors. Section 204 of the Licensing Act reads—

If any liquor is sold or supplied in a registered club for consumption outside the premises of the club, except to a member on the premises and for his own consumption, every person supplying or selling such liquor, every person who obtains such liquor, and every person authorising the sale or supply of such liquor commits an offence against this Act.

The present secretary of the club who has had parliamentary experience discovered that, possibly unwittingly, the Licensing Act had been contravened for quite a long time. He reported the fact to the governing body of the Freemasons, who instructed that the conditions of the Act should be complied with. The outcome was the submission of the Bill now before us, and its passing will enable those who are members of the club the privilege of enjoying their refreshments on the floor above that to which the license has up to now applied. No fewer than 35 lodges meet in the building, and nearly all the members of those lodges are members of the Freemasons' Club. Consequently, it will be a great convenience for those members to be able to order their refreshments from the club to be served to them in that part of the building where they have been accustomed to meet and consume liquor, though in the past, as it now appears, illegally. It is not intended that the Bill shall be exclusive in any way; on the contrary, it is intended to be helpful. It has been submitted to the licensing authorities and they offer no opposition to it, realising that what it is sought to do now legally, has been carried

on illegally, though unwittingly, for the past 38 years. The club has been in existence throughout that period and the members of it have always been anxious to comply with the law in every way. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [5.5]: If members will turn to Section 204 of the Licensing Act, they will come to the conclusion I have arrived at that the Bill will do away with the splitting of straws. I consider that the Bill is hardly necessary, inasmuch as the section provides that liquor shall not be sold or supplied for consumption outside the premises of a registered club, etc. In this case the institutions Mr. Macfarlane desires to serve are to all intents and purposes housed within the premises of the Freemasons' Club. However, I presume that an amendment of the Act has been considered necessary, though I do not suppose that the Bill will apply solely to the Freemasons' Club. It will apply also to any society or institution similarly situated, where members meet for business or social purposes under the roof of the building that is licensed. It will cover, I dare say, the Manchester Unity Society just as it will cover the Freemasons' Club.

Hon. G. Fraser: Or the Buffaloes.

Hon. J. CORNELL: Any club premises where liquor is consumed by members only.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—ELECTORAL ACT AMENDMENT.

Report of Committee adopted.

House adjourned at 5.10 p.m.