

the length of my hon. friend who preceded me in speaking and say I think divorce should be allowed, not only for desertion but for habitual drunkenness and insanity. These are the opinions I hold. Instances have been given of the cruelty of keeping people tied together when one is suffering from one or other of these impediments. I have seen the effect of desertion. I remember many years ago, in the early nineties, when I happened to be a representative of the Government, thousands of people were pouring in from the other States to our goldfields, and the great majority of them came without their wives. In numbers of cases they not only did not go back, but they took no precautions to get their wives over, and there was a great deal of desertion going on at the time. In many cases representations were made to the Government to try and find out the whereabouts of these husbands. Under the circumstances I think the wives would have been quite justified in procuring divorce. With these examples before me I am prepared to favourably consider any measure which will grant relief in cases of desertion. At the same time, when in Committee, if it seems to be considered by the majority of the people that the time should be made longer, or if there are any representations strong enough to make me change my views, I shall be very glad to fall in with them. I do not think it is necessary that I should say anything more. This is a Bill requiring the greatest consideration, and I hope some hon. member will move the adjournment of the debate for a week to enable the public to place their views before the House.

Hon. J. T. Glowrey: Send it to a select committee.

Hon. Sir E. H. WITTENOOM: I do not see what good that would do. I will not take up any more time, but I may say I see no reason for voting against the second reading.

On motion by Hon. J. F. Cullen debate adjourned.

House adjourned at 9.8 p.m.

Legislative Assembly,

Tuesday, 28th November, 1911.

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

PAPERS PRESENTED.

By the Minister for Works: Scale of trespass and poundage fees, and special by-laws made by the Wickepin roads board.

By the Minister for Lands: Annual report of the Woods and Forests Department for the year ended 30th June, 1911.

By the Premier: 1. Papers showing charges under the Arbitration Act against the Collie Burn miners (ordered on motion by Mr. A. A. Wilson). 2. By-laws of the Beverley municipality.

By the Minister for Mines: Papers in connection with the timber tramway at Nallan (ordered on motion by Mr. Turvey.)

QUESTION—DWELLINGUP TOWN-SITE.

Mr. O'LOGHLEN asked the Minister for Lands: 1, Is it the intention of the Government to survey a townsite at No. 2 State mill, Dwellingup? 2, As there is a large number of intending applicants, will the Department expedite the throwing open of town blocks in this district?

The MINISTER FOR LANDS replied: 1, The question of surveying a townsite at No. 2 State mill has not been decided, as the Railway Department has in view the erection of shops and dwellings. 2, The matter is now under consideration.

QUESTION—OPENING OF PARLIAMENT, MILITARY DISPLAY.

Mr. GREEN asked the Premier: 1, What was the cost of the military display at the opening of the present session of Parliament? 2, Is the Premier prepared to do away with the military display at the opening of the next session?

The PREMIER replied: 1, The cost to the State was nil. 2, The provision of the military on the occasion referred to was an act of courtesy extended by the Commonwealth Government to the State Governor and Government.

QUESTION—FREMANTLE PRISON, NIGHT DUTY.

Mr. GREEN asked the Premier: 1, Is it true that the police officers doing a month of night duty at the Fremantle prison have often to go two or three weeks without getting a Sunday night off instead of every second Sunday off, as provided for on the duty sheet? 2, If so, why? 3, Is it true that two officers at the Fremantle prison are exempt from night duty and reserve duty? 4, Is it because one of these officers is performing the duties of prison baker that he is exempt? 5, What special qualification has the other officer referred to that he should escape these duties?

The PREMIER replied: 1, There are no police officers employed at Fremantle prison. 2, Answered by No. 1. 3, Two officers are exempt from night duty, but only one of the two from reserve duty. 4, Yes. 5, The position filled by this officer requires special knowledge and training, which, in the medical officer's opinion, the officer possesses. He does not escape reserve duty.

QUESTION—POLICE CONSTABLES, MENZIES.

Mr. FOLEY asked the Premier: 1, How many constables are in charge of stations in the Menzies police district who are not supplied with quarters? 2, How long have those constables been stationed in said district?

The PREMIER replied: 1, One; Constable Kennedy, Lancefield station. 2, Since September, 1909.

QUESTION—ABORIGINAL HALF-CASTES.

Mr. GARDINER asked the Premier: 1, Is he aware that young half-caste natives are being removed from this State to Victoria for the purpose of working on a farm? 2, If so, will he take steps to prevent a continuance of this practice?

The PREMIER replied: 1, Yes. 2, The Aborigines Department has no control over male half-castes of the age of 16 and upwards unless habitually living or associating with aborigines.

QUESTION—STEAMSHIP SERVICE, SHARK BAY-FREMANTLE.

Mr. McDONALD asked the Premier: Are any arrangements being made by the Government to assure communication between Shark Bay and Fremantle seeing that the service is delayed owing to labour troubles on the "Koombana"?

The PREMIER replied: The hon. members for Gascoyne and Roebourne drew attention to the seriousness of the position as affecting Shark Bay and the other North-West ports. The Government had, however, already made representations to the Commonwealth Government and to the parties immediately concerned, with a view to the immediate despatch of stores and mails by the Government steamer "Penguin" or some other vessel in the event of the difficulty regarding the crew of the "Koombana" not being settled at an early date.

BILLS (2)—FIRST READING.

- 1, Agricultural Bank Act 1906 Amendment.
- 2, Workers' Homes.

PAPERS—RAILWAY SIDING, STONEVILLE.

On motion by Mr. TURVEY, ordered: "That all papers in connection with the

proposal to convert Dowie's Siding at Stoneville on the Eastern railway into a public siding be laid upon the Table of the House.

BILL—HEALTH ACT AMENDMENT.

Read a third time and transmitted to the Legislative Council.

ASSENT TO SUPPLY BILL.

Message from the Governor received and read notifying assent to the Supply Bill (£460,000).

BILL—INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT.

In Committee.

Resumed from 23rd November, 1911.

Mr. Holman in the Chair; the Attorney General in charge of the Bill

Clause 15—Amendment of Section 109:

Mr. GEORGE: Was not this clause an encroachment on the powers conferred upon the Commissioner of Railways by the Railway Act of 1902. The Commissioner was given power in the Act to deal with all employees under £400 per annum, and this clause seemed to enable the Minister to deal with certain matters instead of the Commissioner. Was this not taking the railways out of the Commissioner's control and putting them under the control of a political head?

The ATTORNEY GENERAL: The hon. member was quite right as to the powers of the Commissioner to deal with the employees, but the hon. member also knew that the Minister had a power extraneous and collateral with that of the Commissioner, especially in connection with matters of policy. The clause did not do away with the power of the Commissioner to deal with his employees, but it did say that when a dispute arose requiring reference to the Arbitration Court the responsibility should be taken by the Minister. It contravened or annulled nothing, but it fixed responsibility for appeals to the Arbitration Court upon

the Minister. Surely that was desirable, inasmuch as the Minister could be attacked in the House directly, whereas in the other case it would have to be done by proxy; they could only attack the Commissioner through the Minister.

Mr. GEORGE: The Committee could not deal with a measure like the Railway Act and annul any portion of it in this way. If the Railway Act was not in accordance with the requirements of the times it would be well to reconsider the whole question as to whether the railways should revert to control by the Government of the day. The appointment of the Commissioner in 1902 was distinctly an appointment to take the railways out of the hands of politicians and to have the system dealt with from the standpoint of a railway man rather than from the standpoint of a man who, however well-meaning, had not the experience to enable him to deal with those matters. The railway servants had the same power as those outside the department to claim their rights before the Arbitration Court, but the Railway Act so distinctly placed the management of the railways in the hands of the Commissioner that he viewed with a considerable amount of jealousy and doubt anything that would interfere with those powers.

The Attorney General: It does not interfere with the powers at all.

Mr. GEORGE: Section 82 of the Railways Act of 1904 stated that whenever in the Industrial Conciliation and Arbitration Act of 1902 reference was made to the Minister for Railways the provisions of that Act should apply to the Commissioner as if "the Commissioner of Railways" were inserted in the place of "Minister for Railways." In the Arbitration Act there was certainly provision for the various unions of railway men to have their cases dealt with, but when it came to be a question of going to the Arbitration Court, the man who was responsible for the working of the railways was the man who should decide and take the responsibility of his decision. There had been instances in which the late Government had intervened when there had been trouble with the railway servants, but he

was not sure that that intervention would have been necessary had the powers of the 1902 Act continued. Under that Act the Commissioner was not simply a figurehead, but a man with full responsibility to do his duty to the State and to the employees.

Mr Bolton: It would have been a bad lookout for the men if the Government had not intervened.

Mr. GEORGE: If the full responsibility were placed on the Commissioner he should be able to do a fairer deal for the men than could be done by the intervention of political parties. He looked upon the amendment as being another move in sealing the doom of non-political control of the railways. The people would sooner or later awaken to the fact that in industrial matters members of Parliament should not interfere, and in his opinion this clause was making interference by Parliamentarians too easy altogether.

Mr. B. J. Stubbs: What powers does the clause take away from the Commissioner?

Mr. GEORGE: The clause left the decision with the Minister instead of with the Commissioner. At the present time the men could cite the Commissioner before the court whenever they pleased, and the same power should rest with the Commissioner. If they desired to take away the non-political control of the railways let them go back to the system prior to 1902, and make the Commissioner merely a general manager under a political head. Without a thorough debate on the question of political or non-political control he viewed with considerable apprehension this encroachment on the powers of the Commissioner.

The MINISTER FOR LANDS: The question of political or non-political control of the railways was only a comparative one; in fact, it was absolutely impossible to have non-political control of the railways. The very Act which the member presumed to provide for non-political control stipulated in a number of clauses that the powers of the Commissioner were subject to the Minister for the time being. Particularly in regard to

the power of one party or the other to go before the Arbitration Court was it essential that no provision should be made to take away power from the Minister. Whatever the Commissioner might do in regard to wages, the Minister had to get from Parliament the necessary vote for paying the wages, and it was only right that the power given to private employers and employees to cite each other before the Court should also be extended to the employer in the case of the Government railways. It would not be in accordance with the principles of arbitration if only the workers were given power to take a case before the court. In view of the fact that the Minister would have to secure the approval of Parliament for any increased vote consequent upon any advance in wages that might be awarded by the court, it seemed perfectly proper that the clause should make provision for the Minister citing the workers before the court, if that course were deemed necessary. The clause in no way detracted from the powers vested in the Commissioner under the Act of 1902.

Mr. GEORGE: Section 16 of the Government Railways Act provided that the Commissioner should have the management, maintenance and control of every Government railway.

The Minister for Lands: Subject right through to the approval of the Minister.

Mr. GEORGE: Did the Attorney General propose to substitute this amending Bill for the Government Railways Act? Alteration might be necessary to suit all conditions, but would it not be far better to bring in an amending Railways Bill than to whittle away by such a Bill as that now before the Committee the power of the man in charge of the railways.

The ATTORNEY GENERAL: The Bill did not destroy the power now existing in the Minister or Commissioner of Railways. Section 4 of the Railways Act provided that all Government railways were vested in the Minister on behalf of His Majesty, and all through the Act there were provisions for the Minister giving authority to the Commissioner to act, while the section referred to by the hon. member distinctly stated that the

authority to the Commissioner to have full management and control was subject to the provisions of the Act. The Bill before the Committee added no power to the Minister and took no power from the Commissioner. Things were left precisely as before, except that the Minister was given authority to take a dispute to the Arbitration Court. I was doubtful whether there was power for the Commissioner to refer a dispute as the workers could do, and now both sides would have the power beyond question.

Mr. George: Why not give it to the man who has to manage the railways?

The ATTORNEY GENERAL: Because in these questions policy was very often involved. If a dispute arose it was the Minister who must obtain the vote of Parliament, making it imperative on the Minister to have something to say as to whether a dispute should go on further or be at once referred to the court.

Mr. GEORGE: There was no objection to the power of referring a dispute to the court, but it was encroaching on the powers that should belong to the Commissioner by the Railways Act and by the responsibility thrown upon him by that Act.

Clause put and passed.

New Clause—Amendment of Section 26:

The ATTORNEY GENERAL moved—That the following be added to stand as Clause 6:—

Section 26 of the principal Act is hereby amended by the addition of the following subsection:—“(3.) The Court may, on the application of any party to an industrial agreement, order that the terms of such agreement, with such modifications or variations, if any, as the Court may deem expedient, shall be a common rule in any specified industrial district or districts, and the terms of such agreement shall thereupon, subject as aforesaid, extend to and bind and be available for the benefit of every industrial union, industrial association, or employer who is at any time whilst the order is in force connected with or engaged in the industry to which the

agreement applies within such district or districts, and the Court may at any time revoke such order.”

The object of the amendment was to provide that industrial agreements arrived at without any law and formality, such as citing parties to the court, might be registered and be binding upon and cover all the parties engaged in the particular industry just as if there had been an actual dispute and an award delivered by the court.

New clause put and passed.

Title—agreed to.

Bill reported with an amendment.

BILL—EARLY CLOSING ACT AMENDMENT.

In Committee.

Mr. Holman in the Chair; Hon W. C. Angwin (Honorary Minister) in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Substitution of new sections for Sections 3, 4, and 5:

Hon. W. C. ANGWIN: Explanation as to a portion of this clause had been omitted when moving the second reading. At present shops that closed on any public holiday could remain open on the statutory half-holiday during the same week, and this led to confusion and misunderstanding among the shopkeepers and employees. A large number of the shopkeepers had no wish to open their shops on the recognised half-holiday when there was a public holiday during the week, and there was an agreement among a number of them in this regard. Others, however, opened their shops on the Wednesday. The clause now proposed to take away the right of shopkeepers to keep their shops open on the statutory half-holiday when there was a public holiday during the week, it being realised there was no compulsion upon any person to close his shop on a public holiday.

Clause put and passed.

Clause 4—Substitution of new section for Section 8:

Hon. W. C. ANGWIN moved an amendment—

That all the words after "therefor" in line 2 be struck out and the following inserted in lieu:—"13. (1) If in any exempted shop any article, not being an article appropriate to that description of shop, is on any day sold or offered or exposed for sale such shop shall, during the whole of that day, be deemed not to be an exempted shop and the provisions of this Act shall apply thereto accordingly. (2) "Exempted shop" means a shop of a description mentioned in Schedule 1. (3) An article shall not be deemed to be appropriate to any description of shop unless the sale of that class of article (a) strictly forms part of the business of shops of that description; or (b) has been expressly authorised by proclamation in shops of that description. (4) Nothing in this section shall affect any special right of dispensing the prescriptions of medical practitioners or supplying medical or surgical appliances in cases of emergency given to keepers of chemists' or druggists' shops under any other section of this Act; but, with this exception, the provisions of Subsection 1 shall have effect with regard to any chemists' or druggists' shop to which they are for the time being applicable as if it were not a shop of that description."

If the proposed section as printed in the Bill became law a number of shops, which members would agree should be permitted to extend their hours, would not be allowed to do so. It was therefore proposed to insert a section similar to a proposal now before the South Australian Parliament, giving power by proclamation to state what description of goods should be sold in some of the exempted shops. There was on the Notice Paper a proposal to permit chemists' shops to remain open until 8 o'clock. Chemists sold a large number of articles that were sold in other shops, and it would be necessary to make provision that they could sell these other goods as well as drugs. There was a good deal of dissatisfaction during the short period in which the Saturday

half-holiday was in vogue, and this was brought about by the action on the part of some of those shopkeepers who were exempted under the Act, carrying on their trade, whilst those who were not exempted were obliged to close. There should be as far as possible general satisfaction among the traders in this respect. Cases had been known where some shopkeepers after closing hours had refused to sell certain goods, and the customers had crossed the road and obtained them from someone else. It would be difficult to set out the actual goods. For instance, chemists sold tooth-brushes and soaps, which were sold also in other shops, and it was recognised that it was necessary that chemists should be permitted to keep open their premises in order to make up prescriptions. It was also understood that it would not pay chemists to keep their premises open after the regular hours if they were restricted to the making up of prescriptions.

Mr. FRANK WILSON: It was a pity that the Minister did not put the amendment on the Notice Paper. So far as could be judged the amendment meant that a chemist's shop would be closed so far as the goods which were purchasable in other establishments were concerned.

Hon. W. C. ANGWIN: The clause said that "an article shall not be deemed to be appropriate to any description of shop unless the sale of that class of article strictly forms part of the business of shops of that description; or has been expressly authorised by Proclamation in shops of that description." That meant that the Governor-in-Council would have power by proclamation to state what class of goods must be sold in the shops which were exempted. Suppose there were a newsagent and he was exempted under the Act, and that a bookseller was also exempted, while the fancy goods shop was not exempted; then it would be necessary to define what were fancy goods, so that those persons who sold fancy goods in a newsagency might be placed in the same position as the man who sold fancy goods only. Both persons should be put on an equal foot-

ing. It was intended to put the man who was exempted in a similar position as if he dealt in one class of goods. That would remove the dissatisfaction which existed.

Mr. FRANK WILSON: The desire of the Minister to carry out this principle would receive his support, but he was not quite sure whether the Minister would bring about the result he wished. If the Minister intended to gazette all the different classes of goods which were not to be sold after hours or on holidays, he was taking on a very big order. If one took ordinary druggists it would be found that a great number of the goods which they sold were also sold by the grocer, the draper, the fancy goods man and others, and it would be necessary to specify all those articles in order to prevent the druggist from selling them. It was known that it was part and parcel of the chemist's business to sell these things.

Mr. THOMAS: The matter was much clearer than hon. members seemed to think. The object of the Minister was merely to provide that a chemist should keep open after ordinary hours so that he might sell those articles which strictly belonged to his business, and it was to be understood that the articles would include all those things which formed part of the business. The Minister would have power by proclamation to have a list of articles prepared which should or should not be sold. The number of articles sold by a chemist, and which were sold in other stores, were not very numerous. As a matter of fact, with the exception, perhaps, of tobacconists' shops, perfumes were not sold elsewhere, and most of the other articles were not touched by other businesses. The point should be understood that a chemist in keeping open for a number of hours longer than any other man in business did so for the convenience of the public, and we were studying the convenience of the public in granting this privilege. If, therefore, we definitely declared that a chemist should not sell anything else but drugs after the ordinary hours, the chemist would refuse to keep his shop open and the public

would suffer. It would not pay a chemist to keep open his premises merely for the purpose of dispensing a prescription. If it was not thought necessary that the chemist should keep his establishment open longer than another business, they, too, should be compelled to close at six o'clock. But if it was thought that it was for the convenience of the public that a chemist's shop was being kept open it would be necessary to permit a chemist to sell everything he had in his shop.

Mr. George: It is a necessity.

Mr. THOMAS: One could not compel a man in business to keep his business open if he did not want to do so; therefore no attempt would be made to impose a special hardship by asking these people to remain open for two hours later than other businesses, and restrict their sales. These places would be open solely in the interests of the public and the owners of them were therefore entitled to some consideration. Hon. members would be wise to carry the clause as it stood on the Notice Paper, for it would give the public the protection they required. The Minister would have the power by proclamation to prohibit a sale of any one of those articles to which reference had been made.

Mr. CARPENTER: Three parts of the friction arising out of the Early Closing Act had sprung from this very question of exempt shops being permitted to sell goods sold in shops not exempt. He was sorry the Minister had brought down the proposed new clause without having given the public an opportunity of seeing it in print. It would be a pity if, on an important matter like this, we were to pass anything hastily, without knowing the full import of our action. It was not clear how the Minister would arrive at a decision as to what goods ought not to be sold in a shop exempt from early closing. For instance, chemists sold a wide variety of articles sold also by grocers, and at novelty shops, and it would be a hard matter to determine which of these goods should be taken away from the chemist. The question should be delayed for a day or

two in order to afford opportunity for hearing from those most interested.

Hon. W. C. ANGWIN: The problem resolved itself into the question of whether it was in the interests of the public that chemists should be allowed to keep open after other shops had closed. If it was so it would be necessary to make regulations providing for the later closing of chemists' shops, while, if not, those shops should close at the hour specified in the Act. It was true that some other shops sold goods similar to those to be bought in a chemist's shop, but these goods did not fit in with the description of trade usually carried on in those shops. The large department stores sold almost everything. Should Foy & Gibson's be allowed to remain open after hours because they sold stationery, or Boan Bros. because they sold patent medicines? The amendment constituted a safeguard against undue competition. Photographic supplies were purchasable at chemists' shops, and similarly at other shops not exempted; by proclamation the Government could say that such goods should not be sold in chemists' shops if it meant undue competition with other shops not exempted.

Mr. Frank Wilson: If these goods strictly form part of the business of such shops, you cannot do it.

Hon. W. C. ANGWIN: But these goods did not form part of the business of a chemist's shop. The amendment was nothing more than a fair proposition, and should commend itself to all hon. members.

Mr. GEORGE: It seemed that a chemist would have to close his shop early if he were going to sell anything that was sold also in another shop; apparently it was not an Early Closing Bill after all, but a regulation for controlling the description of goods to be sold in particular shops. Seeing the urgent necessity for the chemists' shops remaining open beyond the usual hour of closing, and having regard to the beneficent character of such shops, how could they be expected to conform with the eight hours' day? Chemists were required to make up prescriptions at almost any hour of the day or night.

Hon. W. C. Angwin: This merely pro-

vides that they shall close at the same time as other shops if they sell other goods.

Mr. CARPENTER: Although actually there was but one question before the Committee, hon. members were discussing two. It would be far better to have the clause printed and distributed in order to afford opportunity for becoming fully seized of its significance.

Mr. THOMAS: Surely all people were of the opinion that for the convenience of the public the chemists should be allowed to remain open. If exception were taken to any articles sold by a chemist the Government could by proclamation remove the cause of the objection. If the article sold strictly formed part of the business of a chemist's shop, and we were going to allow the chemist to keep his shop open after hours, why quibble at the sale of such article? What articles did a chemist sell in competition with other people?

Mr. S. Stubbs: Cameras.

Mr. THOMAS: They would be prohibited. The ordinary stock-in-trade in which he competed with other people, such as baby foods, and brushware, was a mere trifle, and the exemption of them could be arranged for. If it was a convenience to have those shops open, they could not have them opened for one line only, because it would not pay the chemist. It must be made worth his while to keep open, and since the injury to others was so trifling it was hardly worth while to delay the amendment.

Mr. PRICE: Would the Committee have an opportunity of dealing with chemists and druggists at a later stage if the amendment were agreed to?

The Premier: Yes.

Mr. PRICE: The hon. member had stated that it was the general opinion that chemists and druggists should remain open, but was that so?

The Premier: This is not put in for the special benefit of chemists and druggists.

Mr. PRICE: If the clause would in any way limit the Committee's powers to deal with chemists and druggists at a later stage he was not prepared to let it pass.

Hon. W. C. ANGWIN: In the Bill chemists and druggists were exempted, and could be kept open till 11 o'clock at night. The member for Bunbury proposed to move an amendment compelling chemists to close at 8 o'clock instead of at 11 o'clock. This clause did not deal only with chemists shops, but with every shop mentioned in Schedule 1, and the Minister should have power to deal with shops that sold goods of the same character as other shops which were not exempt.

Mr. FRANK WILSON: The amendment covered a number of different businesses, and there was reason to fear that it would not be found effective.

Hon. W. C. Angwin: I have advice that it is.

Mr. FRANK WILSON: The two sub-clauses were at cross purposes, and it would be to the Minister's interest to report progress and have the amendment placed on the Notice Paper.

The PREMIER: The amendment was not to meet the proposal to be made by the member for Bunbury at a later stage, but applied to every business set out in Schedule 1. Members must know that there were many shopkeepers who were carrying on two or three businesses in conjunction, and trading in both exempted and unexempted goods, with the result that they did a large proportion of their business after hours and were unfair competitors with the men who had to close under the Act. The proposed clause gave the Minister power to expressly authorise by proclamation what articles should be exempted, or otherwise. This clause had been put into operation in South Australia and had been found the most effective manner of dealing with the objections mentioned by the member for Fremantle in connection with shops which carried on an exempted trade in conjunction with one that was not exempted. The Parliamentary draftsman assured the Government that the amendment would meet the case exactly. On a previous occasion there was a strong objection to business men selling after hours articles which another business man could not sell because he came under the operations of the Early

Closing Act. Booksellers who were exempted, for instance, often sold articles which were the main stock-in-trade of another man who was compelled to close his premises. This would enable the Government to provide by proclamation that he was not to sell those articles, because he competed unfairly with the other man whose shop was not exempted.

Mr. DOOLEY: Had the Minister power to specify the individual articles that might be prohibited from sale?

Mr. LANDER: Did the clause affect chemists in the least, provided they confined themselves to their trade, and did not prostitute their positions as many of them were doing by becoming chandlers, cutlers, and sellers of veterinary instruments, and a lot of other side lines? The clause was to protect other tradesmen against abuses of this kind, which had made the half-holiday in the past a farce. The chemist was not content to confine his trade to drugs which he sold at 80 per cent. profit, but must unfairly compete with others.

Mr. B. J. STUBBS: The arguments of neither the Honorary Minister nor the Premier were convincing. Certainly a great deal of the failure of the Early Closing Act had been on account of unfair competition by exempted shops in articles sold by shops which were compelled to close. Newsagents, to a large extent, sold articles that were sold by fancy goods shops, which were not exempted. The Honorary Minister stated that certain goods would be proclaimed; were the goods those which the news-agent would be allowed to sell, or were they those which he would not be allowed to sell? It was stated that if a man competed unfairly he would be obliged to close, but how was that to be done unless there was first a prosecution and conviction? The intention of the clause was all right, but it did not go far enough. Provision should be inserted that all goods which the exempted shops was not allowed to sell should be covered over, or locked away, and then if an inspector found such goods exposed for sale, he could come to the conclusion that the

shopkeeper intended to sell them if a customer asked for them.

Mr. George: And deal with him as you would with a man selling liquor at a prohibited hour.

Mr. B. J. STUBBS: A man convicted of selling goods he was not supposed to sell should not enjoy further exemption.

Hon. W. C. ANGWIN: The intention was as far as possible to get the large majority of shops closed at 6 o'clock. At present chemists and bakers were allowed to keep open until 11 o'clock if necessary and they would still be exempted under the Bill, but the desire was to prohibit these exempted shops from selling goods that were not of the description of goods sold by the shops in Schedule 1. If they did sell goods other than those sold by shops mentioned in Schedule 1, then they must close at 6 o'clock. The Parliamentary Draftsman gave assurance that this clause would provide everything necessary to carry that into effect.

Mr. FRANK WILSON: Every member would like to see the provision carried out as the Minister had outlined, but the objection was to passing a long clause simply read out to the Committee. Amendments of a technical character like this should be in print. The statement that the Parliamentary Draftsman considered the clause would have a certain effect was not sufficient. Members should have the right to judge for themselves. When a Minister he had never refused to give members sufficient time to study a clause if they wished it, and now he must protest against this way of carrying on business. The amendment should be on the Notice Paper.

Mr. Taylor: Hear, hear!

Mr. FRANK WILSON: Members would then have the opportunity of consulting their electors or, if necessary, of taking legal advice as to the effect of the clause. With a view to testing the question he moved—

That progress be reported.

Mr. PRICE: Was the hon. member in order in moving progress after making a speech?

The CHAIRMAN: Yes.

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

Ayes	..	..	..	15
Noes	..	..	..	27

Majority against .. 12

AYES.

Mr. Allen	Mr. Moore
Mr. Broun	Mr. A. E. Plesse
Mr. Carpenter	Mr. A. N. Plesse
Mr. George	Mr. S. Stubbs
Mr. Harper	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Mitchell	(Teller).

NOES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Mullany
Mr. Bolton	Mr. O'Loshien
Mr. Collier	Mr. Price
Mr. Dooley	Mr. Scaddan
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Taylor
Mr. Green	Mr. Thomas
Mr. Hudson	Mr. Turvey
Mr. Johnson	Mr. Underwood
Mr. Johnston	Mr. Walker
Mr. Lander	Mr. Heilmann
Mr. Lewis	(Teller).

Motion thus negatived.

Mr. TAYLOR: It was an unfortunate position members were in when they had to discuss an amendment of which there were only two typewritten copies. He objected to the attitude of the Minister in compelling members on the Government side to support him in preventing progress being reported, though they desired it.

Mr. George: Then why did you vote against the motion?

Mr. TAYLOR: As an old Parliamentarian the hon. member knew that if progress was moved by the Opposition and the division was carried it took the business out of the hands of the Government. Therefore as a Government supporter he was compelled, brutally compelled, to support a matter in which he did not believe, and other members on the Government side were in the same position. No Minister should bring down an amendment in this way, especially when the Minister had on the Notice Paper an amendment to another proposal which

members had been considering for days past. It was now found by members that the Minister had abandoned his attitude towards the proposal relating to chemists' shops, and had brought down a fresh amendment, merely acquainting members of it by reading from a typewritten piece of foolscap. This was unfair to the Committee. When members on the Government side were in Opposition they never failed to enter protest against the very thing they now supported; they many times debated a matter for hours simply to enter protest against a Minister bringing down an amendment without putting it on the Notice Paper; and it was unfair for Government members now to adopt tactics they bitterly opposed when in Opposition. The Minister should report progress.

The PREMIER: It must not be thought the Government introduced the amendment and brutally compelled the member for Mount Margaret to vote against progress being reported because it would mean the fate of the Government. On matters of this kind the hon. member was entitled at any time to use his own judgment. No other member would hold his vote on the division just taken was purely to save the Government. It was not a matter on which the Government stood or fell, and certainly the Whip had not asked any member to vote against reporting progress to save the Government. When the fate of the Government was in the balance he (the Premier) would have the courage to tell members on the Government side, and yet they could still use their judgment as to whether it would be advisable to vote for or against the Government. Members might as well understand it now as later. As for the amendment, when a shop exempted under Schedule 1 exposed for sale, attempted to sell, or sold anything not appropriate to that particular class of business, it came under the Early Closing Act and must close at the hour decided under the Act. The clause gave an opportunity of getting over a difficulty that had arisen throughout Australia, and the Parliamentary Draftsman gave an assurance that it was the only method dis-

covered in any part of Australia to get over the difficulty. Take the case of chemists. If a chemist sold tea, that would not be appropriate to his particular line of business. If a chemist exposed for sale, or sold, or offered for sale an article such as tea after hours he would be liable, because he would not then come under the exempted shops. If it was discovered that any business man was exposing for sale an article which brought him into unfair competition with other business men, there would be the power to declare by proclamation that the article being sold was not appropriate to the business, and if he insisted on exposing it for sale he would come within the provisions of the Act. The matter was simple enough.

Mr. FRANK WILSON: It was to be regretted that the Premier should get so warm on this matter, and that he should seem to think that the fate of the Government was in the balance. Had he (Mr. Wilson) known that on a simple proposal to report progress the stability of the Government depended he would have thought twice before moving it. There was no desire on his part to put the hon. member out of office at the present time.

The Minister for Lands: You do not wish to embarrass us.

Mr. FRANK WILSON: As time went on the Premier would find his load becoming heavier and heavier, and he would get more tired, and the people themselves would eventually turn him out. It was satisfactory to notice that one Ministerial member had the courage of his opinion, and voted to report progress. Many others spoke in favour of reporting progress, but what did they do when the bells rang? They voted against the proposal because the Premier had the whip over them.

The Premier: Who are they?

Mr. FRANK WILSON: The member for Subiaco, the member for Mount Margaret, the member for East Perth and half a dozen others. All these hon. members wanted to see progress reported, and naturally so. Why should they not have the opportunity of reading this clause in print, and considering it, and perhaps referring it to those interested in the

matter? There was no absolute necessity to pass the Bill through Committee that afternoon. It was his desire to help the Minister, but in this case he was not satisfied that the clause as drafted would give the power which the Minister desired to have. He had not attempted to embarrass the Minister in any way, and had asked him three or four times to report progress, and it was only when the Minister declined that he relied upon the common sense of Ministerial members to see that additional time was given to consider the clause.

Mr. B. J. STUBBS : The leader of the Opposition was certainly making a mistake when he stated that the member for Subiaco had wished to report progress. He (Mr. Stubbs) had done nothing of the kind. He never mentioned the words while he was speaking. He rose to speak in order to get certain information from the Minister.

Mr. Frank Wilson : You complained that you did not have time to read the amendment.

Mr. B. J. STUBBS : The Premier had the typewritten amendment in his hand and allowed him to look at it. It was then that he said that there was not time to read it through and the Premier drew his attention to certain words reading, "Sold, offered or exposed for sale," proving that the exempted shopkeepers were not allowed to expose for sale those articles to which he (Mr. Stubbs) had objected. He then informed the Committee that he was satisfied and sat down; that was why he voted against the proposal to report progress.

Mr. GEORGE : The hon. member missed the point altogether. There were many who did not have the opportunity of studying the amendment. As members of a deliberative assembly we were asking for the right to ascertain what the amendment was. It was the first time in his experience that an attempt had been made to put an amendment of that kind through Committee without giving members a chance of reading it for themselves.

Hon. W. C. Angwin : It is not my first experience ; it was a common practice in the last Parliament.

Mr. GEORGE : The Bill was going to tell anyone engaged in shop-keeping practically what articles he might or might not deal in.

The Minister for Lands : No.

Mr. GEORGE : And in what hours. Was it too much to ask that members should have the opportunity not only of studying the amendment for themselves but of consulting the people whose interests were effected? There was no idea of blocking the Bill, but members should be careful to see that in Perth, Fremantle, and in other places where there were numbers of small shopkeepers that their businesses were not interfered with.

Hon. H. B. LEFROY : It was impossible for any member to speak on the proposed new clause, because it had not been circulated, and he therefore appealed to the Committee to report progress. There was no principle at stake so far as the Bill was concerned. There was, however, a big principle so far as the procedure of the House was concerned. This was not a party question, but it was a question as to whether the business of the House should be carried on to the satisfaction of those concerned. It was a principle of Parliamentary procedure that business of this kind should not be carried on unless the amendments appeared on the Notice Paper. According to Standing Order 284 amendments merely of a formal or verbal nature could be made, on motion, in any part of the Bill, at any time during its progress through the House or in Committee. That distinctly implied that motions or amendments which were not purely verbal should not be made at any time during progress through Committee. It was distinctly laid down that amendments of this kind should not come before Committee unless they were placed on the Notice Paper. A great deal of time had already been lost this session over matters of this kind, and it was impossible for members to take an intelligent view of such subjects unless they were put before them in a proper form.

Mr. ALLEN: What had struck him on more than one occasion was the unseemly haste with which the Government desired to rush through the business. When speaking on the Address-in-reply he declared that it was his intention to assist the Government, and so far as the measure before the Committee was concerned he was in accord with it. When, however, amendments were submitted in the form which had been adopted that afternoon, many members, unless they were privileged (as a few of them had been to see the typewritten copy in the possession of the Minister), would be placed in the position of practically having to vote blindfold. The explanation of the Honorary Minister had been heard, but that gentleman was in the position of being *au fait* with the subject. It had struck him that there had been occasions, apart from that particular one, when progress might have been reported, and when members should have been given an opportunity of studying a matter seriously and voting intelligently.

Mr. Bolton: This is not the City council.

Mr. ALLEN: Things did not appear to be much better in the Legislative Assembly than they were in the City council. He was sure, however, that the City council would not attempt to rush matters through as the Government had endeavoured to do that afternoon. It was to be hoped in the future, when a request was made for progress to be reported on a matter which was a non-party one, that it would be acceded to, especially if it was in the interests of everyone concerned that that course should be adopted.

The MINISTER FOR LANDS: The leader of the Opposition might, if he cared, point out to the member for West Perth that repeatedly clauses had been introduced into Bills by him (Mr. Frank Wilson) copies of which had not been put before members. In regard to this particular provision, the member for Murray-Wellington, perhaps unintentionally, was misleading the Committee when he said that it sought to prescribe the class of articles a shopkeeper might sell. The clause did nothing of the kind; it merely

provided power to carry out what the existing Early Closing Act intended should be carried out.

Mr. Frank Wilson: Do you not by proclamation say that certain articles shall not be sold?

The MINISTER FOR LANDS: The provision was merely that if certain articles were sold then the shop selling them must come into line with other shops at which such articles were sold.

Mr. Frank Wilson: That will be prohibitive for some shops.

The MINISTER FOR LANDS: No. It would merely prohibit certain shops from competing unfairly with other shops. It would put them on a fair basis in regard to particular articles, but it would not prevent any shop from selling those articles.

Mr. Frank Wilson: Yes; during certain hours.

The MINISTER FOR LANDS: The member for Murray-Wellington had tried to lead the Committee to believe that if the provision were carried it would prevent certain shops from selling certain articles at all. The member for West Perth would not be precluded from further discussion on the proposal, because he would have an opportunity on the third reading of moving for the recommitment of the clause.

Mr. Frank Wilson: With what hope?

The MINISTER FOR LANDS: If any member had brought forward a reasonable objection to the clause—

Mr. Frank Wilson: They do not understand the clause; how can they?

The MINISTER FOR LANDS: It had been duly explained, and hon. members on both sides were as conversant with it as was the Honorary Minister himself.

The CHAIRMAN: The member for Moore had asked for a ruling on the bearing of Standing Order 284. That Standing Order referred only to the rectification of a mistake. Standing Order 277 had a direct bearing upon the question raised by the hon. member, and under that the amendment was perfectly in order.

Hon. H. B. LEFROY: Standing Order 207 provided that no member should

make any motion initiating a subject for discussion but in pursuance of a notice openly given at a previous sitting of the House and duly entered on the Notice Paper. It appeared to him that a motion to introduce a new clause was distinctly a motion under the terms of that Standing Order.

The CHAIRMAN: Standing Order 207 referred solely to matters in the House itself, and not in Committee.

Mr. GEORGE: What he had previously said, and to which, apparently, the Minister for Lands referred, was that the Bill provided for the regulation of articles which might be sold in a shop, rather than for the early closing of shops. He still held that view. By proclamation the Government were going to specify the articles which might be exempt, and if a man had a business in which there was a certain article not in the exempt list he would have to close the sale of all the other goods. Of course, he could still sell them up to six o'clock.

The Minister for Lands: His competitors are not allowed to sell them after that hour.

Mr. GEORGE: The point was that before an important matter of the sort was agreed to hon. members should have an opportunity of reasonably and intelligently discussing it. There were but two typed copies of the proposed clause, and it was not possible for all hon. members to examine them thoroughly.

Mr. ALLEN moved—

That progress be reported.

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

Ayes	16
Noes	26
Majority against ..	10

AYES.

Mr. Allen	Mr. A. E. Plesse
Mr. Broun	Mr. A. N. Plesse
Mr. Carpenter	Mr. S. Stubbs
Mr. George	Mr. Taylor
Mr. Harper	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Mitchell	(Teller).
Mr. Moore	

NOES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. Mullan y
Mr. Collier	Mr. O'Loughlen
Mr. Dooley	Mr. Price
Mr. Dwyer	Mr. Scaddan
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Turvey
Mr. Green	Mr. Underwood
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Heilmann
Mr. Johnston	(Teller).
Mr. Lander	

Motion thus negatived.

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

Ayes	28
Noes	9
Majority for	19

AYES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. O'Loughlen
Mr. Carpenter	Mr. Mullan y
Mr. Collier	Mr. Price
Mr. Dooley	Mr. Scaddan
Mr. Dwyer	Mr. B. J. Stubbs
Mr. Foley	Mr. Swan
Mr. Gardiner	Mr. Thomas
Mr. Gill	Mr. Turvey
Mr. Green	Mr. Underwood
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Heilmann
Mr. Johnston	(Teller).
Mr. Lander	

NOES.

Mr. Broun	Mr. S. Stubbs
Mr. George	Mr. F. Wilson
Mr. Male	Mr. Wisdom
Mr. Moore	Mr. Harper
Mr. A. N. Plesse	(Teller).

Amendment thus passed; the clause as amended agreed to.

Clauses 5, 6, 7—agreed to.

New Clause:

Mr. THOMAS moved that the following be added to stand as Clause 4:—

The following section is hereby inserted in the principal Act, immediately after Section five thereof:—“[9A.] (1) *The provisions of Sections four and five shall apply to chemists' and druggists' shops, situated in any district, subject to the following provisions:—*
(a) *On any day when other shops sub-*

ject to those sections are required to close not later than six o'clock after noon, chemists' and druggists' shops shall close at eight o'clock after noon; (b) On Sundays chemists' and druggists' shops may open at ten o'clock before noon, and remain open until one o'clock after noon, and may open at half-past six o'clock after noon, and remain open till eight o'clock after noon; (c) On any day on which a chemist's or druggist's shop is required to close at one o'clock after noon, it may be re-opened at six o'clock, but shall be closed again at eight o'clock after noon. Provided that the prescriptions of duly qualified medical practitioners may be dispensed, and medicines and surgical appliances required in any emergency may be supplied in a chemist's or druggist's shop after the hours of closing applicable to such shop. (2) If in any prosecution against a keeper of a chemist's or druggist's shop for a breach of this Act, the question shall arise whether any medicine or surgical appliance proved to have been supplied was so supplied in an emergency, the court shall decide the question as one of fact after taking into consideration all the circumstances of the case. (3) Subject, as aforesaid, the provisions of this Act applicable generally to shops mentioned in Part III. of Schedule one (except the provisions relating to half-holidays in exempted shops) shall apply to chemists' and druggists' shops."

This made provision that chemists' shops should close at a reasonable hour, that chemists should enjoy the weekly half-holiday enjoyed by others and that they should have certain hours for opening on Sundays, and must appeal to everyone as being very just. Certainly the custom of keeping open until 10 o'clock or 11 o'clock at night was unreasonable and unfair. Chemists did agree among themselves to close at earlier hours, but there was always someone breaking through the arrangement with the hope of getting a little advantage, with the result that the long hours were reverted to. The clause provided that any urgent matter requiring dispensing, such as a doctor's prescrip-

tion or medicine for a special trouble, the chemist would have the right to attend to. The public were amply safeguarded and protected, and the clause gave those people it was sought to benefit a reasonable relief from the present unpleasant conditions. It was held by some that the services of a chemist were at the call of the public at any time. If it was desired to pay all chemists in the State a special remuneration for special services to be called on at any time, no doubt most of the chemists would be glad to enter into an agreement, but any trader was allowed to carry on as he thought best, though as a matter of fact chemists were always very glad to perform special services at any time. No fair-thinking individual would object to the conditions chemists ask for.

Mr. PRICE: If it was wise to close chemists' shops at eight o'clock there was no reason why they should not be closed at seven o'clock. He moved an amendment to the proposed new clause—

That the word "eight" be struck out and "seven" inserted in lieu.

With chemists' shops closing at eight o'clock chemists' assistants would have no chance of attending amusements at night. Closing the shops at seven o'clock would enable shop assistants generally, whose business places closed at six o'clock, to call at the chemists' shops to secure any drug or medicines they might require. The amendment did not go nearly so far as the majority of the chemists and druggists were themselves prepared to go right throughout Australasia. He had before him a copy of *The Chemist and Druggist of Australasia*, the official publication of the pharmacists, wherein it was pointed out the desirability of closing at six o'clock. This matter was discussed at a meeting of the pharmacists in Sydney some months ago and the shop assistants' union was now bringing the question forward again. The Hobart pharmacists had definitely petitioned Parliament that they should be brought under that hour of closing, and in Queensland the assistants made it part of a proposed application for a wages board, though they had since receded to 7.30 p.m., while-

in Victoria it was certainly being talked of and was favoured by many. In Melbourne, the paper stated, the closing time had been altered from nine o'clock to eight o'clock, and the article further pointed out the need there was in the interests of the trade to check the unduly long hours chemists and druggists compelled their assistants to work.

Mr. Frank Wilson: Why exempt them at all then?

Mr. PRICE: It was only in deference to the wishes of certain members that he was proposing seven o'clock. For the information of members he would read the closing paragraph of the article referred to. It said—

A strong impression is growing that unless much earlier closing is secured, the supply of suitable apprentices will not be kept up, and pharmacy will suffer seriously for the lack of men to maintain its position. If well-educated lads cannot be induced to enter pharmacy, the danger is that sooner or later, instead of the wants of the community being supplied by properly-trained men, a large class of imperfectly-educated, so-called practical men will claim that they are entitled to the full privileges of the duly qualified pharmacist. It seems perfectly certain that apprentices will not enter the business while the hours are so long, and a change to six o'clock closing would be one of the readiest and best means of making pharmacy more attractive.

The expression of opinion there, coming as it did from the official organ of the party, might well receive consideration at the hands of members. While he did not propose to bring forward a radical alteration to close at six o'clock, in the interests of chemists and druggists themselves the closing hour should be made seven o'clock and not eight, as in the amendment moved by Mr. Thomas. In reply to the leader of the Opposition, that if we made the hour of closing seven o'clock the public would not be inconvenienced, personally he was in favour of six o'clock as the closing hour, but he thought the amendment would please the people generally and be

in the interests of the trade, and would also appeal to members.

Mr. THOMAS: The hon. member for Albany had the very best of intentions in trying to do the pharmacists of Western Australia a good turn, but sometimes persons with the best intentions might do the very opposite to that desired. It would interfere with the practice of doctors if chemists were to close their shops at seven o'clock. Certain people were engaged in their ordinary avocations until six o'clock in the evening and they could not consult a medical man and get to a chemist's shop to have the prescription dispensed before seven o'clock. If the amendment were carried it might lead to medical men dispensing their own prescriptions, which was not desirable. A medical man should not dispense his own prescriptions because when he sat down to write out a prescription he had time to think, and also pharmacists acted as a check on prescriptions. Were it not for the fact that prescriptions were dispensed by chemists deaths might have resulted if the doctors had dispensed their own prescriptions. Chemists would be just as well off financially if they closed at six o'clock, but they were anxious to benefit the public. The member for Albany said that he read from an official organ, *The Chemist and Druggist*, but this paper did not represent the opinions of the chemists and druggists of Australia any more than the *West Australian* represented the views of the Labour party. The paper was run by an individual for his own benefit, and expressed his own opinions. He (Mr. Thomas) appreciated the efforts of the member for Albany, who desired to do the right thing, but he appealed to members not to carry the amendment. Let eight o'clock be tried at first. He did not think the public would appreciate the closing at seven o'clock; they had been in the habit of having these shops open until 10 o'clock, 11 o'clock, and, in some places, 12 o'clock at night; there were very sweeping alterations being made and we should not go too far all at once. Members should be satisfied with a reasonable thing, which was eight o'clock, and if the amendment worked well, and an alteration was found neces-

sary, there should be no objection raised to it.

Mr. PRICE: One could have imagined that the hon. member was making a speech against early closing years ago; there was the old argument about interfering with vested interests and that the public did not want the alteration. The hon. member stated that the paper which had been quoted from was not the official publication of the chemists and druggists. Most of the paragraphs related to the shop assistants' unions, and how they were moving in the matter, and, in case members might think that this was a labour publication, and that it was not an official document, he would read what it was. This was the official organ of the following societies:—The Pharmaceutical Society of New South Wales, the Pharmaceutical Society of Queensland, the Pharmaceutical Society of South Australia, the Pharmaceutical Society of Western Australia, the Pharmaceutical Society of Tasmania, the Central Pharmaceutical Association (Wellington, N.Z.), the Otago Pharmaceutical Association (Dunedin, N.Z.), the Hawkes Bay C. and D. Association of New Zealand, the Wairarapa C. and D. Association of New Zealand, the Pharmacy Board of New Zealand. If the amendment was carried it would mean that the assistants would have an opportunity of attending amusements and spending an evening, which hitherto they had not been able to spend, for the chemists' assistants could not get a week day evening off nor a Sunday. Therefore he trusted the amendment would be carried in the interests of the chemists themselves as well as the public generally.

Hon. W. C. ANGWIN: It was to be hoped that when the amendment of the Arbitration Act was in force the chemists' assistants would be able to form a union and have their hours regulated by the Court. The Committee had to take into consideration in addition to the chemists the large number of persons who were engaged in shops. It was almost impossible for a man who visited a doctor at 7 o'clock to get his prescription made up by 8 o'clock. To-day a deputation of chemists had waited upon him and point-

ed out that they would be only too pleased to close at 6 o'clock if the public were agreeable, but in almost every instance they supplied friendly societies with prescriptions, and they could not close unless they allowed these prescriptions to be made up. He thought that 8 o'clock was a reasonable hour, and that hon. members should concur in the wishes of the chemists themselves.

Mr. THOMAS: The publication quoted by the member for Albany was not the official organ of the chemists, except so far as the reports of meetings and advertisements were concerned. The opinions expressed in the leading article were the opinions of the editor only. Personally he would like to see chemists close at 6 o'clock. The hours of chemists' assistants were fixed and they had their regular hours allotted, so he was not asking the Committee to consent to a provision that would mean working these men unduly long hours. He would be pleased to see a chemists' assistants' union formed so that they could get from the Arbitration Court the best hours and working conditions possible. If the chemists' shop were to be kept open until 8 o'clock, he hoped that the assistants would be able to enjoy eight hours a day the same as anybody else.

Mr. FRANK WILSON: If the chemists' shops were to be closed at 7 o'clock the Committee might as well go the whole hog and close them at 6 o'clock.

The Premier: The doctors see their patients between 6 o'clock and 8 o'clock and give their prescriptions.

Mr. FRANK WILSON: Doctors saw their patients at all hours. If the chemists' shops were to be closed at 7 o'clock, the trade, so far as prescriptions were concerned, would be driven into the hands of those chemists who lived on their premises. At the present time all chemists, especially in Perth, kept open until 10 o'clock, and the people had been accustomed to that. As a rule doctors issued their prescriptions so that they could be dispensed before the chemists closed. He was not worrying about the chemists so much, but the public ought to be considered, and in considering the taking away

of a facility that had been enjoyed for many years, and one that appertained to the health of the public, the Committee should hesitate and ponder as to whether they were not doing an injury to the public. He recognised that prescriptions could be made up even if the shops were closed at 7 o'clock, but then one had to find the chemist on the premises, and the majority of the chemists did not live on the premises. The public had to be considered, and inasmuch as this was an interference with the convenience of the public he did not intend to support the amendment of the member for Albany. If necessary they could prohibit assistants working after 6 o'clock and allow the chemists to attend to the business from 6 o'clock onwards.

Amendment put and division taken with the following result:—

Ayes	..	..	..	8
Noes	..	..	..	34

Majority against .. 26

Ayes.

Mr. Dooley	Mr. Price
Mr. Gill	Mr. Swan
Mr. Green	Mr. Heilmann
Mr. Lander	(Teller).
Mr. Lewis	

Noes.

Mr. Allen	Mr. Mitchell
Mr. Angwin	Mr. Moore
Mr. Bath	Mr. Mullaney
Mr. Bolton	Mr. O'Loughlin
Mr. Broun	Mr. A. E. Piesse
Mr. Collier	Mr. A. N. Piesse
Mr. Dwyer	Mr. Scaddan
Mr. Foley	Mr. S. Stubbs
Mr. Gardiner	Mr. Thomas
Mr. George	Mr. Turvey
Mr. Harper	Mr. Underwood
Mr. Hudson	Mr. Walker
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. F. Wilson
Mr. Layman	Mr. Wisdom
Mr. Lefroy	Mr. B. J. Stubbs
Mr. Male	(Teller).
Mr. McDowall	

Amendment thus negatived.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—DWELLINGUP STATE HOTEL.

Message.

Message from His Excellency the Governor received and read recommending the Bill.

Second Reading.

The PREMIER (Hon. J. Scaddan) in moving the second reading said:—The Bill I have the honour to bring under the notice of hon. members is a very short one, but notwithstanding that fact it is an all important one. The question is not one altogether of whether it is advisable to establish State hotels so much as whether it is advisable in this particular instance that the State should undertake the establishment of an hotel at Dwellingup where the State already has its saw mill and will eventually have business premises of all descriptions, and will also provide the residents in that district with homes, and, generally speaking, will be a State-established place. What we have to consider therefore is whether it is desirable, under these circumstances, to permit a private individual to come along and establish an hotel there, against the wishes of the people.

Mr. George: Can you prevent it?

The PREMIER: A private individual has been prevented up to date, but we have had an opinion from the Licensing Bench that unless the State expressed its intention of establishing a State hotel, eventually they will have to consider the desirability of giving a general license to a private individual. Under those circumstances, we want the House to authorise the Government to establish a State hotel there. The people there have, by signing petitions, shown a keen desire not only to prevent a private individual from obtaining a license, but that the State should establish an hotel, and, in accordance with their desire, we have been compelled, owing to the provisions of the Licensing Act preventing us doing it otherwise, to bring down a small bill to authorise us to establish that hotel. Hon. members might be aware of the fact that the Licensing Act provides for the submission of the question

of licenses to the electors, that is, as to whether they are in favour of the establishment of State hotels in a district, and that all new licenses should be controlled by the State, and the majority of the people, and members too, thought that in the event of it being carried by a majority it was only necessary for the State to step in and make an application for a license when it would be granted. It may be the unanimous wish of the people that the State should undertake the establishment of an hotel, but it could only be done when the question had been carried by a majority in the district which was in favour of an increase in the number of licenses. In this case, the people by a majority decided against an increase in the number of licenses in that particular district, with the result that under the Licensing Act we are not yet able to establish a State hotel there, yet, apparently, the Licensing Bench could permit the holder of a license in that particular district, but some distance away from this place, to transfer his license to the town from his existing premises. Thus we have the position that the holder of a general license in the district made an application to the Licensing Bench for a general license for premises erected at Dwelling-up, while at the same time the people have almost unanimously expressed the wish by petition that the State should have its own hotel there. The Court, by granting the transfer of a license from another part of the district to that town, would not be increasing the number of licenses in the district. The Court may, and has already granted licenses where it has not meant an increase in the total number of licenses in the district.

Mr. George : What sort of a house has this particular person built at Dwelling-up ?

The PREMIER : Very good premises ; all brick, I believe. I have a photograph of the premises here if members would like to see it, and I may be candid enough to say that this gentleman has offered the premises to the Government, and the Government, if Parliament sanctions this Bill, will negotiate with the owner of the

property with a view to purchase. If he is reasonable in his demand, I think it would pay the Government to secure the premises, rather than build a new one. At the same time, it is well to remember that we have a State mill that can cut all the timber necessary for the erection of an hotel, and which will suit all purposes very well, and, under those circumstances, we will not pay for something that we do not obtain fair value for. While this gentleman offered the premises to the Government, he also asked us to purchase the license which he proposed to transfer from his existing premises to Dwellingup, but as that was really nothing at all, in fact a mere bit of paper, and he asked a fair sum for it, we considered it advisable that the State should not take it.

Mr. George : Would it not be well to extinguish that license ?

The PREMIER : Probably the people will decide that issue.

Mr. Frank Wilson : How far away is the existing license ?

The PREMIER : I think, about twenty miles.

Mr. Frank Wilson : The bench ought not to transfer a license that distance.

The PREMIER : The bench expressed the opinion that unless the State stepped in and acceded to the wishes of the people other applications would have to be taken into consideration. We contended, therefore, that it would be better for the State to establish an hotel. From an estimate given by those who ought to know, it appears that the life of the No. 2 Mill is put down at twenty years, that of the No. 1 Mill at five years, that at Marrinup five years, that at Nanga-brook ten years, and Holyoake also ten years, so that the hotel should serve the district for at least 15 years. Of course, we have no knowledge of what may occur in the future with regard to the establishment of other industries in that district, and a general increase perhaps of a permanent population, which will make the hotel a permanent place. Under those circumstances, I have no hesitation in asking the House to pass the measure. By way of explanation, while we state in the Bill "Notwith-

standing anything contained in the Licensing Act, 1911, to the contrary, it shall be lawful for the Colonial Treasurer to establish a State Hotel at Dwellingup and to carry on by his authorised agent in such hotel the trade and business of a person holding a Publican's General License," yet, it is our intention to apply the provisions of the Licensing Act in every respect so far as the conduct of that hotel is concerned, and, when the local option poll takes place, to bring it under its provisions. I want hon. members to understand that I do not propose to relieve the State hotel from the provisions of the Licensing Act in any respect.

Mr. Taylor: Will it stand on the same footing with regard to the poll as every other hotel?

The PREMIER: Yes, except in regard to getting over the difficulty where you cannot establish a State hotel unless a resolution has been passed which provides for an increase and which was not done in this case. I am assured by the member for the district that the people there are practically unanimously in favour of the State hotel. I have, on the file, a petition signed by over 600 people in its favour, and there are still other petitions being signed, but, as it was urgently necessary that we should obtain approval for this Bill before the sitting of the next Licensing Court, so as to notify the bench of our intentions, I did not wait for the other petitions, which, I understand, are being prepared. Under the circumstances, I hope the House will agree to the second reading. I have pleasure in moving—

That the Bill be now read a second time.

Mr. FRANK WILSON (Sussex): I do not know that I have any serious opposition to offer to the Bill. It did flash through my mind, at first, that it was a risky undertaking for the Government to put up an hotel at a timber station. My experience of timber stations is that, first of all, they are better without hotels, and, secondly, when the timber gets cut out the places die down.

Mr. George: Waroona.

Mr. FRANK WILSON: Yes, Waroona, where McDowall's Mill was. This was cut out, and it ultimately became a losing proposition. I would much rather see the Government establish a State Hotel in some more prominent centre than Dwellingup. If it is true that the bench have the right to transfer a license, no matter what distances, in Western Australia, or within a district, then I think the Act requires amending. I think it is absolutely wrong that they should have the power to transfer a license for a distance of 20 miles in face of a vote given by the people that no additional licenses should be granted.

The Minister for Mines: They have done so.

Mr. FRANK WILSON: I know they have, I am finding it out now. They transferred a license from Greenbushes to Boyup Brook.

The Minister for Lands: They proposed to transfer a license from Clackline to Hine's Hill.

Mr. FRANK WILSON: I think it is a wrong principle altogether. It seems to me the fact that we may have future industries established is a just ground for consideration of the project; but what are we likely to have in a district of this sort in the Darling Ranges? Orchards and, perhaps, some farming on a small scale. Is it likely that the hotel which the Government will establish there, presumably to accommodate a population of perhaps a thousand or two, will be a financial success when the timber has been cut out and the permanent population reduced to those engaged in horticulture and agriculture?

The Attorney General: Those who know the business think it is.

Mr. FRANK WILSON: Those who know the business think it will be good to get in now and sell out later on.

The Minister for Mines: It is not saying very much for the good sense of the poor fellow who comes in later.

Mr. FRANK WILSON: I have seen it dozens of times; the poor fellows who come in think they have a good thing on, that it is going to last for ever; then presently they find that the timber is cut

out, the population gone, and that they themselves have lost their money. It seems to me the Government ought to be very careful in spending money on this establishment. Some day in the future the establishment will have to depend on the fruit-grower, and that class of population is not likely to make a payable proposition of a hotel such as I understand it is the wish of the people of the district, and of the Government, to establish there. I think the bench should be reprimanded in gentle terms and instructed not to threaten the Government that if they do not establish a State hotel there, a license will be granted to a private applicant. The bench should not put the Government in that position. The Government themselves should be the initiators in a movement of this sort, and should not have the bench throwing it in their throats that if they do not invest public money in this business, which is objectionable to a great section of the community, then the bench will allow some private person to have a license.

Mr. George: Perhaps the alternative is sly grog selling.

Mr. FRANK WILSON: The hon. member has had as much experience as I of that particular industry, for, like myself, he has been engaged in the timber trade, and he knows that the control of sly grog selling is always troublesome if the police do not take it earnestly in hand.

Mr. George: The establishment of a hotel is the best way to check it.

Mr. FRANK WILSON: I do not know that, for I have seen sly grog selling flourish just as much after the establishment of a hotel in a district as before. The only way to get hold of the sly grog seller is through the police. I think, and coming from me it may be regarded as a confession, that we have been somewhat remiss in the matter of police protection provided for these large timber centres. I think we ought to endeavour to locate these sly grog sellers and punish them to the utmost limits of the law, even to their extermination. Now, as I have said, I do not intend to oppose the measure. I commend the Premier's caution

when he says he is negotiating with someone who is putting up a big building at Dwellingup. I hope he will not be forced to consider any goodwill for a license, which may or may not be transferred to Dwellingup. If the building is good enough for the Government, then let the Government pay the value of the building and nothing else; let them not pay a man for something which is not his to sell.

Mr. O'LOGHLIN (Forrest): I am pleased to note the reception accorded to the Bill. My object now is merely to supplement the remarks of the Premier, who spoke of the proposed hotel as being in my electorate. The history of the applications for private licenses may be briefly traced. In the first place, a gentleman in the trade applied for a transfer of a license from Waroona, in the Wellington district, to Dwellingup, but the bench refused to give it, and on appeal the Supreme Court upheld the licensing bench in the contention that they were not empowered to make this transfer. Later on there was an application to the bench for a transfer of a license from another part of the Forrest licensing district. The desire of the applicant was to transfer the license to Dwellingup, 20 miles away. The bench refused the application. I do not know whether the Government will be doing right if they call the bench to book. This is the position the bench took up: they said that the desire of the people in the locality was for a State hotel and that, failing the State making an application, the applicant McNeil would be rewarded for his persistency in having applied three times. I believe the bench have since intimated that that should not be taken as meaning that McNeil would get the license; but at least it was placed on record in the public Press that, failing the State making application for a license, this private applicant would be rewarded for his persistency. As the leader of the Opposition has pointed out, the desire is not to have too many hotels on timber stations. Persons engaged in the timber industry are following a dangerous avocation and, consequently, they want their wits about

them at all times. When a local option poll was taken recently, owing to the fact that not much publicity was given to the event, a very small poll was recorded. For instance, within a 10 mile radius of the site of this proposed hotel 43 votes were cast in favour of an increase of licenses and 66 votes against any increase, or a total of 109 votes within a 10 mile radius. Since then a petition bearing 600 signatures has been submitted praying for the establishment of a State hotel, and another petition is in circulation, the signatures on which will bring the number up to nearly 1,000, all asking for a State hotel. The poll was eight to one in favour of the State controlling licenses in the Forrest district; that being so there is no reason why the State should not carry out the will of the people. Objection may be put forward that by the provision in the Bill we are over-riding a certain section of the Licensing Act, in that we propose to override a local option poll. But, as I have pointed out, the local option poll was largely a farce, as only 109 persons voted, whereas 800 or 900 persons have since affixed their signatures to petitions praying for the establishment of a State hotel. The position is a difficult, not to say a dangerous one. To-day, so far as the supply of liquor is concerned, we have people hawking liquor through that district week in and week out, and we have no power to prevent it, provided those persons can produce an order for the goods they supply. The thing is easily done; a hotelkeeper sends up a postcard with an order and the goods come along. If the police pounce on one of the carts the orders are there, even though they be not genuine, with the result that the police are powerless under the existing laws to prevent the hawking of liquor about the timber stations. The trader carrying on his business in an hotel, and trying to give a fair deal to the public, is placed at a disadvantage owing to the fact that these other persons are illegally trading in inferior liquor. Last year I pointed out that a stuff called "pinkie" was being distributed around these timber centres, stuff which would send a man mad in the course of a few

minutes. "Pinkie" is being retailed there to-day, and the only solution of the difficulty is the establishment of a State hotel. As regards the life of the proposed hotel, the leader of the Opposition has urged caution on the score that the industry may die in the course of a few years, and that there would be no trade left to keep the doors open. But the life of the Number 2 mill, with a capacity of 70 loads per day, is estimated at 20 years, and the location of the proposed hotel is in the midst of a townsite surveyed by the late Government, a townsite of which every block was sold. Even now I am moving the Government to survey an additional number of blocks for people who are eagerly awaiting them. Further than that, the policy of the present Minister for Lands, like that of the late Minister for Lands, is to encourage those people who desire to settle on small holdings along the brooks in close proximity to the town site of Dwellingup. I have fully 20 applications from people who desire me to move the department to make available 10-acre blocks, and, provided the forest ranger's report is that there is no marketable timber on those blocks, in my opinion every expedition should be shown in making available these small areas of land so as to enable the applicants to improve them and build up permanent homes. Dwellingup is the junction for Nanga Brook, a very important centre with a population of something like 400. The mails are carried across from Dwellingup and a road is now being made across the Murray river so that the traffic will not be interfered with through to Nanga Brook. I have reports of engineers which may be worth while quoting, and may be useful later on if Western Australia ever goes in for the encouragement of the tourist business to any extent. These are the reports of the engineers who have inspected the country between Dwellingup and Waroona via Nanga Brook. They say that there is no finer country in Western Australia than through the gorges of the Murray, and that the whole distance of something like 28 miles contains the most magnificent scenery to be found in the State; and they

further place on record that if in the future a tourist drive is made there, or if encouragement is given in that direction, it will open up a really good district. Further than that we have a good number of settlers who have signed the petition for the State hotel, and I sincerely hope the Government will assist in getting the building established. I do not say anything about the purchase of the building erected by the disappointed applicant, except that from casual observation and from going through the structure it appears to me to be a very good building and in a very good position. No doubt the Minister will get into communication with this gentleman and probably the gentleman will make an offer to the Government—in fact I believe he has already done so—but I believe he should not get any more than a fair thing; he should not be compensated for his loss of time and expense and the litigation he was involved in in trying to get a license. If he is prepared to give the building and the block of land to the Government at a fair valuation to be decided upon by a valuator appointed by the Minister it will be a good thing for the State to take it, but if he wants to extract too much from the State, if he asks for more than is a fair thing for the building and the land which is adjacent to it, then I would urge the Government to immediately start with the erection of a building of their own. We have the State sawmill turning out timber within five chains from the site of this proposed hotel, and for that reason I believe we could put up a very serviceable hotel, and one that would last many years, at very little cost to the State. What struck me when the petition was forwarded along was that there were 800 or 900 men signed it within a radius of ten miles, and they gave reasons why a State hotel should be established instead of a private hotel. These are the reasons they set out—

1, That at the present time a large quantity of drink of a very doubtful quality is being consumed in the district. 2, That the timber industry is a most dangerous one and where many lives depend on the action of one man

it is essential that the sale of liquor be placed under the best of supervision in order to safeguard the lives and health of the men. 3, We are convinced that a State hotel is highly preferable to the sly-grog evils of prohibition or the indiscriminate sales of doubtful liquor by a private licensee, and is therefore the only solution of the evils of the drink traffic.

Hon. H. B. Lefroy: What is the population within a ten miles radius?

Mr. O'LOGHLEN: Pretty well a thousand adults. We have on the one hand the Marrinup mill operated by Millars' Karri & Jarrah Company; a mile and a half away we have the first State mill, and four miles further out the second State mill; one and a half miles away the Collie Co-operative Hewers' Society is situated, and I suppose there is a population of 700 there; also we have 120 hewers working for the Public Works Department within half a mile of the proposed site. In fact I think my estimate is altogether too small. On reflection, seeing that Nanga Brook is within the radius, it would run to 1,400. I have no hesitation in saying that if this license were offered for sale by the Government we would get £5,000. I have friends throughout the country who want to go in for the liquor trade, one or two of them, and I believe that if the license were offered tomorrow we would have no difficulty in getting £4,000 or £5,000. I believe the license would be worth all that to the private individual. I have no personal animosity against the man who has been applying for a license, though I believe he thinks I have. I hardly know him. I do not care one iota what his views of the position may be. The position I have taken up since I have come into the House, and the position I have adopted with those persons who have consulted me, and I have been censured by many, is that immediately a license is granted it is worth £4,000 or £5,000 to the man lucky enough to get it, and I say that it is not right that the State should make a present of £4,000 or £5,000 to any man, even if it were my own brother. For

that reason I have presented the petition for a State hotel. I asked those in the district to please themselves whether they signed it or not. I can say that there are hardly a dozen people in the ten-mile radius who refused to sign it. For that reason I do not think I need anticipate any opposition in this Chamber, and I sincerely hope the Bill will not receive opposition in the other Chamber; and when the hotel is established it will provide accommodation sadly needed at the present time. It is certainly not the function of the State to encourage the sale of liquor or the building of huge profits, but I believe huge profits will be earned by this hotel for the next ten or fifteen years. At least it will pay for itself several times over. My advocacy of State hotels is not to go in for huge profits; it is to have control over the liquor sold and in order to get proper supervision that we advocate State hotels, and meet with the opposition not only of men in the liquor trade, but of ardent temperance reformers as well, because the latter point out time and again that our object is to make them shareholders in a traffic they detest. I would point out, however, that they are shareholders now in this trade, because the money the State derives from licensing fees and the liquor trade generally is being participated in by them or is being spent in directions from which the ardent drinkers as well as temperance reformers benefit. I recognise that, no matter how we legislate against the liquor traffic, people are going to drink as long as the world goes on. We have at Dwellingup several hundred men engaged in the timber industry. They are men who earn good money, and they are big spenders. They are a fine body of men physically and they are able to earn higher wages possibly than other men. They are the most independent men in the world and earn big money and spend it freely. All I want is that the State should establish this hotel instead of a private person, so that a hewer or resident in the district, no matter who he may be, may know that he is getting some benefit or some advantage from the money he spends in getting the profit back in an indirect way.

Member: There will be a guarantee of good grog.

Mr. O'LOGHLEN: I believe that with the State hotel we will have not only good grog but better supervision. Particularly in the agricultural centres to-day no matter how far gone a poor devil may be, so long as he is able to stand up at the bar and ask for a drink, and as long as he has the money to pay for it, he is able to get it. I am sorry to have to make this indictment against the liquor traffic, but still it is the fact to-day. One advantage of a State hotel is that once a man shows he has had too much liquor, the manager will be justified in refusing to give him more. If it were possible I would like to go further than this Bill and move that the profits, if any, should be earmarked for a specific purpose, that is, instead of putting the profits into the consolidated revenue they should be earmarked for the purpose of the hospitals or an orphanage in the district. I think it would be a good thing. There are in the licensing district four or five hospitals receiving Government assistance—small assistance I admit. They are doing their best to provide for the people who are injured and sick in the locality. If we had some system of earmarking the profits from the State hotel in the direction I have indicated it would relieve the Government of giving these special grants. If the public would be willing to allow the profits to be utilised in the district for this purpose I am sure that the members of the hospital committees would fall in and not ask for a penny more. However, that is another matter. I would like to be able to carry that provision, but I shall be satisfied if we get the Bill passed and the hotel established, because I understand that the only solution of the evils of the liquor traffic rampant in that district for the past two or three years, and rampant to-day, is the establishment of a State hotel conducted on good sound lines. I believe it will pay for itself ten times over and be of lasting good to the people we hope it will benefit. I therefore hope the Bill will have a speedy passage.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. GEORGE (Murray-Wellington) : I rise to say, in connection with this matter, that I can agree with nearly all that the member for Forrest has stated. I know there is a big population in this district, and I know where there is a large population there is bound to be a pretty big drink bill. Unless either the house be licensed in the ordinary way or the Government institute a licensed house there on their own, sly grog-selling must prevail. I know where sly-grog selling does prevail bad liquor, not only bad as regards the quality, but also as regards the quantity, is there, and a much larger quantity is consumed than can be got in the ordinary way. The hon. member for Forrest spoke about orders being supplied; I can endorse all he said about that. I have seen the order forms and know that they are filled up, and the orders supplied, just in the way that orders for food or bread are. As far as the building is concerned, it was put up for an hotel by Mr. McNeil, who has a number of licenses in the Murray-Wellington district. He went to considerable expense in building the hotel—it is a large house, well put up—and if the Government, on the terms they state, and the conditions mentioned, can acquire that building, it will be a very fair thing to do.

The Attorney General: Negotiations for the purchase are going on.

Mr. GEORGE: There is no doubt in my mind—I brought the matter before the late Government—that Mr. McNeil was encouraged to put up a building on the understanding that he would be allowed to transfer the license; he has had several trials to do so, and has been defeated. He acknowledges his defeat, and the fact that the licensing bench has given so emphatic an opinion that the hotel should be established by the Government, or, failing that, they would consider the granting of the license, I think, is sufficient warrant for the Bill being brought forward. So far as the payment for the transfer of the license is concerned, I do not think that can seriously be put forward, because if a transfer of a license has been refused several times the value is of very little use, and is of no value to the Government. The position is simply

this; that there is a large population at this centre. The hon. member was rather modest in his estimate of the population to be served: he said there were just over a thousand persons; I think, men, women and children there are about 2,500 or 3,000 people in and about that neighbourhood, and, as far as the lasting nature of the industry is concerned, to put not too optimistic an estimate upon it, the timber will be good there for the next 15 or 20 years, and in very considerable quantities. I base my view on this point: the Jarrahdale (timber station which started in 1872, was supposed to be nearly cut out in 1890, but it is going on strong to-day, and turning out more timber than was ever turned out in its existence before. I am of opinion that many of the forests which are supposed to cut out in a comparatively few years, have more life in them than those who make the estimate consider. Apart from that, this hotel will be on the main road to Marradong, a road that has a fair amount of traffic upon it for the transfer of stock, and there is no accommodation whatever between the place and Pinjarra, some 30 or 40 miles away. There is the railway, of course, but accommodation is not required in that respect. It is true, all along that range there are hundreds of gullies containing some of the most fertile land that one could wish to settle upon. There are possibilities for small mixed farming and orchard work, and these possibilities are practically unlimited. I am of opinion that many sleeper men and timber men, as they get older, will settle down in little holdings, and there they will be for life, and their children after them, as can be seen in the old Jarrahdale district. Even the total abstinents should support a matter of this sort, and thus keep in check what is going on at present, grog being supplied all round the shop, and that "pinkv" stuff that the member for Forrest spoke about. One letter which I got from a man expressed it in this way, "The drink is—, and to want it is worse."

Mr. MITCHELL (Northam) : I would just like to say that I believe it will be a good thing for the State if the freehold of every hotel in Western Aus-

Italia belouged to the Crown. My policy has always been to prevent the building of hotels in any new townships. In this industrial centre I fought against an hotel being established, but, if hotels are to be built in the future, I hope they will be built by the State. I do not care if they are in the metropolitan area or in country towns, or in industrial centres; if hotels are to be built, they should be State-owned. I do not say they should be run by the State, but it would be much better if they were leased by the State. The State would probably get a larger profit if they were owned privately. I hope the policy which was established by the late Government will be continued by the present Minister for Lands and supported by the present Government. There is a dangerous precedent, however, in this Bill. The people of this district voted against any increased licenses being granted in the district. It is all very well to say that 100 people voted within 10 miles of this centre. That may be true. I think there are 100 adult people in that district to-day, but it is establishing a dangerous precedent if, after a vote has been taken and the people have decided that no further licenses shall be granted, and no further hotels erected, it is a dangerous thing if in consequence of a mere petition sent in—no doubt, in this case it was quite honest on the part of the people who lived there, but petitions may not always be honestly sent in—it will be establishing a dangerous precedent if the Government go behind the will of the people set it aside and establish an hotel.

The Minister for Lands: The petition only bore out the vote of the people, in favour of State hotels.

Mr. MITCHELL: The majority of the people voted against an increase in the number of hotels within 10 miles of Dwellingup.

The Minister for Lands: Against an increase, but in favour of State hotels.

Mr. MITCHELL: That question was not put.

The Premier: There were more names on the petition than votes against increases in the Forrest Electoral District.

Mr. MITCHELL: Under the law, a vote has been taken, and it has been determined that no further increase in licenses shall be made, but the Government set aside that decision. It may be true that the people decided there should be State hotels, if hotels there must be, but the Government are establishing a dangerous precedent in setting aside a vote which has been taken in accordance with the law of the land. If the Government can do this in one case, there is nothing to prevent them doing it in all cases. It is no light thing to set aside the determination of the people.

Mr. O'Loughlen: Would your Government have refrained from establishing a State hotel, if it was desired by the people?

Mr. MITCHELL: As far as I am concerned, I should never have put up a State hotel in Dwellingup, or in any industrial centre.

Mr. O'Loughlen: But if the people decided in favour of State ownership, would your Government have put up an hotel?

Mr. MITCHELL: If the people had decided on an increase, I should have used my influence to get the Government to build. At Bullfinch, it was decided that the hotel should revert to the State after a certain period had elapsed, and at Bullfinch the freehold reverts to the Crown, and there is an ingoing of £3,000 to each hotel. The hon. member has said that at Dwellingup there is a great number of young men engaged in a dangerous industry; these men are physically very fit indeed, or they would not be engaged in that industry, and I think it would be well, in industrial centres, where the avocation is more or less dangerous, and where the centre is more or less temporary, to have no licensed premises. The member for the district has told us that the people there get the drink just as readily now by order from an hotel within 14 or 15 miles from the district as if the hotel was licensed on the spot. I hope there will be sufficient police protection stationed at this place, and I hope the management will be such that drunkenness will be impossible at Dwellingup. It is imperative, where we have an industry

such as the timber industry, and where the work is of a dangerous nature, that drink should not be obtainable. In regard to this hotel, the Government, I think, have acted wisely in selecting Dwellingup, if they want a paying proposition. I believe, unfortunately I say it, that it will be a paying proposition. It is better that the State should have it than that Mr. McNeil should be allowed to transfer the license. This is a magnificent timber centre, and there is good land there, and there will be a permanent settlement once settlement takes place on the land. I have nothing to say against the selection of the site; my only regret is that it has been thought wise to set up this precedent of establishing an hotel after the people voted against an increase of licenses, and I express my regret that the hotel is to be established at this industrial centre. Notwithstanding the interjection of the hon. member who represents this place, I am opposed to the establishment and opening of hotels where we have gathered together a number of young men who do not need hotel accommodation because all of them have their homes where they certainly could do very well without liquor at all. My only idea in rising was to protest in a small way against the Government taking the law into their own hands in defiance of the wishes of the people.

Mr. Underwood: It is pleasant to know that you have an idea.

Mr. MITCHELL: It would be difficult to persuade the House that the hon. member has an idea; he may borrow a few from the *Bulletin* or some other authority he admires, but beyond that he has never shown in this House that he possesses an idea of the smallest description. However, since the Government have decided on establishing a hotel here, I am glad that it will be conducted by the Government.

Mr. LANDER (East Perth): I am very pleased that the Government have introduced this Bill, which is a step in the right direction. As one who has travelled amongst the timber mills for about 17 years, I am gratified to see that the Government are taking action against the evil

of sly grog selling amongst the camps. On many occasions I have appealed through the Press and to the Government for action to be taken in connection with this evil and if ever there was a place where a State hotel was necessary, Dwellingup is the place. There cannot be many short of 3,000 adults residing within a few miles of the mills and there is scarcely a place in the timber areas without sly grog camps. In one place a cart load of grog, or some decoction—it is hard to give it a name—is brought to the camp and there is a lady with the cart; and when it arrives where the jarrah jerkers are working they fire a gun. Now what is that for? I am sorry that the late Government did not take the same precaution as the present Government are taking, especially in the agricultural districts. The member for Northam expresses his sympathy with the timber workers in the matter of the drink traffic, but let him go into the agricultural districts where he will see the settlers putting farms down their necks. There is no difference between the timber workers and the agricultural population, they both live under the same conditions. I have been at a place where on Sunday a man is to be seen tossing a kippy in one hand, and two bottles of liquor in his pocket, for which he is charging 6d. a drink. I hope that this hotel will be established and run on Government lines, not for the sake of mere boodle and not for the sake of having drinking shops such as there are in many places at present. A State hotel will supply pure drink which will be fit for those who buy it, and not, as it is now, to use a vulgar term, sheet lightning. In some places the quality of the drink is such that men, after having two drinks, come out of the hotel in a dangerous state, but can action be taken? No. There is a deaf ear turned to them when they attempt to take any action. I have asked the police on occasions to visit places where I knew the drink was cronk, but they have replied "No, we are visiting far enough already." I am glad to support the Government who are honest enough to initiate what they promised before the elections, and are not like the late Government, who

were afraid to initiate a means of dealing with this evil. I hope that the Government will not only tackle the question of State control of the liquor traffic amongst the timber mills, but will also tackle the agricultural districts.

Mr. FOLEY (Mount Leonora): As one who represents a district having facilities to judge the merits of the State control of the drink traffic, I wish to support the Bill in every way. After listening to the member for Forrest I am sure every hon. member must be seized with the fact that the drink evil as it exists in these centres requires to be grappled with.

Mr. Underwood: Is drink an evil?

Mr. FOLEY: Yes. I believe if a State hotel is established at Dwellingup it will not only be good for the people of Dwellingup but for the State generally. My reasons are these: I believe that the good which we all wish to see accrue from the State control of liquor will never accrue unless the State has complete control, and therefore I would be against the State building hotels and leasing them to private people, as was suggested by the member for Northam. In all these districts where hotels are situated—I am speaking especially of the goldfields, of which I have more knowledge—the position is that hotelkeepers abound, they have to keep a great staff of servants, and the competition amongst them is so keen that the man buying liquor is not only served with as much as will do him good, but as much as his money will buy.

Mr. Underwood: If drink is an evil how is it going to do him good?

Mr. FOLEY: I did not say it was going to do him good, but I hope that if a State hotel is built at Dwellingup it will be conducted on lines that will not allow of a man being supplied with sufficient drink to affect his health in any way. Several members have spoken as to the evil of the shanties. A man cannot shut his eyes to the fact that if a State hotel is built and run by the State, as I hope this one will be, it is the duty of Parliament, if not now at least at some later date, to take into consideration means whereby the evil of the shanties can be

grappled with. If a law is brought in so that all the legitimate revenue of a hotel will accrue to that hotel, and provision is made for the use, but not the abuse, of liquor, we will be doing a lot of good. So far as the State hotel at Gwalia is concerned, it is conducted as nearly as possible in conformity with the Licensing Act. I do not say that it is conducted up to the full standard required by the Act, but I say it is the duty of the State, when establishing an hotel, to build it not only for those who drink beer and spirits, but also as an accommodation house for those who are going to use it. With all due deference to the present manager of the State hotel at Gwalia, I must say that the man who goes into that hotel is an intruder in all places except the bar. The price that is put on the accommodation in that place is beyond the scope of any working man; this should not be so, and if this State hotel is built at Dwellingup it will be built for a certain class of men, principally timber hewers, who have to work hard for their living, and it will be the duty of the management to put a price on the accommodation within the range of those men using it. In this way they will be doing a greater amount of good than the Gwalia hotel is doing at the present time. I do not take intoxicants myself, but one thing that can be said in favour of the State hotel is that there is an almost unanimous verdict that in such a place the patrons are supplied with good liquor. Some of us were having a look round Claremont asylum yesterday and Dr. Montgomery told us that from the one district of Wagin no less than seven cases had been sent to the asylum within a fortnight. Dr. Montgomery thought that seven men coming from a small place like Wagin was a bad proportion, and that it was unfair to Wagin. At his instance a health inspector was sent there with a police officer and they found that the cause of these men being sent to the asylum was the bad drink being sold in the district. The doctor also informed us that he received a police report shortly afterwards that the gentlemen who caused these seven men to be residents of the Claremont asy-

him are now in His Majesty's boarding house.

Mr. George: That is since the last election.

Mr. FOLEY: Before the last election I had an opportunity of visiting one place. There was a shanty keeper there, and the police visited the place on one occasion to see what they could do in the way of stopping the sly grog traffic. It is a remarkable thing that whenever the police visit the place there is nothing to be seen. On this occasion the police said—"We do not mind you selling the stuff you get by the train but we bar the stuff you make yourselves." It is the stuff they make themselves that is doing all the harm. By the introduction of the State hotel system, and the running of hotels on proper lines, a great deal of good will be done for the people generally, and I have great pleasure in supporting this Bill for the establishment of a State hotel at Dwellingup.

Mr. HARPER (Pingelly): I rise to oppose the granting of a license either to a State hotel or a privately-owned hotel. Every member who has spoken has referred to this as being purely a drinking hotel, and if it is a drinking hotel it ought to be opposed by every right thinking member of the House. The establishing of a hotel in an industrial district like this is only giving encouragement to men who are earning a living there to drink; every inducement is being held out to these men to drink. It has been advocated by the member for Forrest that the men are of good physique and earn good wages, and for that reason the hotel will pay well, because they are all good drinkers. I would say that that would be very damaging evidence in an Arbitration Court. This hotel will be a menace to the employers and employees, and I cannot understand why it is advocated so strongly, in view of the referendum which was taken, the vote in connection with which was something like four to one. There were 4,000 in Western Australia who voted in favour of additional licenses, while 17,000 voted against additional licenses and a large majority voted against State hotels.

The Minister for Mines: Will you pose to new licenses?

Mr. HARPER: Yes.

The Minister for Mines: Will you close down one or two of the hotels you have?

Mr. HARPER: There is only one hotel I am interested in and that is the Esplanade. It is purely an hotel for accommodating the public, and an hotel of that description is necessary. I strongly oppose and always will oppose the granting of licenses for hotels which will be required for drinking purposes only. This one will be a purely drinking hotel and every inducement will be held out to the men working there to patronise it because they will be told that they can get good drink there and plenty of it. Men earning their living by the sweat of their brow should not be encouraged to drink, and I repeat that this will be a menace to both the employees and the employers.

Mr. O'Loughlen: What about the petition which has been signed?

Mr. HARPER: That is what I am surprised at, especially when we remember that only 60 people voted against the granting of licenses there and 40 in favour, and the Government in view of that are bringing in a Bill to establish an hotel there. If the Government desire to erect an hotel there they ought to submit the proposal to the people for their vote. It speaks volumes for the energy of the person who took this petition round when we find that 600 people attached their names to it. I think the canvasser must have had great personal influence, and I venture to say that if another petition was taken round against the proposed hotel, the same number of signatures would be obtained to it.

Mr. O'Loughlen: I am not a betting man but I would like to lay twenty to one about it.

Mr. HARPER: It would be rather a big task for me to take it on but that is my opinion, and I really think it would be a serious mistake to grant a license for such a district. I cannot understand the member for Forrest saying that he is disappointed with the hotels along the Great Southern line. I have travelled a great

deal about those districts and I have always expressed my admiration for the accommodation provided and the low tariff charged.

Mr. O'Loughlen: I did not say the Great Southern line.

Mr. HARPER: The hon. member perhaps said the agricultural districts, and those along the Great Southern are the chief agricultural districts of the State. I know that in my own electorate there are some hotels I am very proud of. There is one in particular in the district, the policeman in charge of which is 12 miles away from the hotel, and that hotel is carried on according to the licensing laws, and it is closed every night at 11 o'clock. I am only expressing the opinion of many travellers when I say that hotel accommodation on the Great Southern line and at places like Northam and York is certainly a credit to the people who provide it. I am rather surprised also to find that women signed their names in favour of the establishment of the hotel.

Mr. O'Loughlen: It showed their intelligence.

Mr. HARPER: I do not think it shows their intelligence. I rather think that it is against their intelligence. It is not desirable in the best interests of the place that a license should be granted in the district. Some strange reasons have been advanced in favour of the granting of this license, and one in particular is that because men are earning good wages they make good drinkers, and that in consequence the hotel would pay well, and another is because men are in a good condition physically this hotel should be established there. I do not care what anyone's views are on the question, mine are that hotel licenses should not be granted unless the premises are required to supply accommodation. I strongly oppose a license being granted to an hotel which will be required solely for drinking purposes, and it has been clearly shown in this case that the hotel at Dwellingup will be for drinking purposes and for that reason I oppose it. We have heard a great deal about "pinky" and sly grog shops. This is a matter which is in the hands of the Government and should be put down at

all costs. No one wants to see these sly grog shops flourishing.

Mr. Lander: Your Government did not attempt to put them down.

Mr. HARPER: I am not saying whether the late Government were at fault or not. I am expressing my own opinion and I think I am entitled to do so. I say that these places should be put down, because as mentioned by several hon. members they are a disgrace to Western Australia, and I am sorry to hear such reports with regard to them as have been made in this Chamber. I do not speak from experience because I have not been to these places.

Mr. Lander: Have you been to the goldfields?

Mr. HARPER: Yes.

Mr. Lander: What about the sly grog shops at Golden Gate and around there?

The Minister for Mines: The hon. member only moves in champagne circles.

Mr. HARPER: They do not drink much champagne on the goldfields now. I repeat that these sly grog shops should be put down with a strong hand and I am strongly opposed to the granting of any new license.

Mr. TAYLOR: Notwithstanding the argument advanced against the Bill by the hon. member I am determined to support it. We on this side of the House have for many years held that the control of the liquor traffic should be in the hands of the State. We formed that opinion in the times when State hotels were untried in Western Australia or indeed in any part of Australia, but since we have had the experience of the State hotel at Gwalia there are now a great number of people in favour of State control, people who a few years ago were in opposition to it. As one who was directly instrumental in bringing about that State hotel when I had the honour to represent that portion of Western Australia, I might say that the then Premier, Sir Walter James, and the then Minister for Lands, the late Dr. Jameson, both men with advanced ideas, received the proposition with favour when it was put before them. At that time the Chairman of the Licensing Bench in that dis-

trict held strong views on the granting of licenses on the goldfields, and made it one of the first conditions before granting a license that a palatial building had to be erected, and notwithstanding that the people were prepared to build an excellent place at Gwalia the license was refused at many sittings of the Licensing Court. At last it became impossible for the Bench to continue to refuse the license, and the then Mayor of Leonora conceived the brilliant idea that if the State would grant the municipality the license the municipality would erect the hotel and thereby reduce the rates and taxes of the town. The position was put to the then Premier in that form, and I urged then, and a record of what took place will be found in the newspapers, that if a license had to be granted it should be granted to the State and not to any individual. The late Dr. Jameson and the then Premier fell in with that view and the State hotel was built. The same trouble cropped up then about the building and the State was compelled to erect one which cost a great deal more than it should have done to suit the requirements of that district, but notwithstanding the heavy capital expenditure it has been of great advantage to the State and to the community of Gwalia, and has paid handsomely.

Mr. Dwyer : The Arbitration Court said it was run at a loss.

Mr. TAYLOR : It has been a huge success from a financial point of view, and a success in the district because of the good liquor that the people have been able to obtain there. The conduct of the hotel also has been excellent, and I know that it is absolutely impossible to get refreshments between 11 o'clock on Saturday night and 6 o'clock on Monday morning. There is no necessity for the police to watch the place and there is no one at the door to inquire whether or not a person is a bona-fide traveller. This shows that the house is only conducted for the convenience of the people and not as a money-making concern. Only the best brand of liquors is procurable as well as the best brand of wines. I hope that

that will obtain at the institution at Dwellingup, and I am sure that the experience of Gwalia, namely, that the sobriety of that town stands higher than it did ten years ago, before the hotel was built, will be repeated at Dwellingup.

Mr. Foley : That is quite right.

Mr. TAYLOR : When I visited the place twelve months after the hotel was built I was struck with the different atmosphere there. Before the hotel was built there was an illicit traffic going on in all directions, but now it is quite different, and the people are satisfied that they can get good liquor and good treatment. I must also say in support of the argument used by the member for Forrest that so far as the accommodation and the tariff of the State hotel is concerned, it is above the rate for the ordinary workman at 12s. a day, and I think it is too much for the man who goes to Gwalia in search of work to pay. As far as the liquor is concerned they can please themselves whether they purchase or not, but they must purchase the necessities of life in the way of food supplies, and these should be within their reach. Several arguments have been urged against this proposition. The unfortunate part of the position is that, according to the Licensing Act, the Government have to come down with a Bill of this character. The Licensing Act should provide that the Government may apply for a license in any part of the State without having to bring down a Bill to Parliament.

Mr. Nanson : There is nothing to prevent it. What is blocking it in this instance is the fact that you have a local option vote declaring against increase of licenses.

Mr. TAYLOR : A local option vote in which 109 people took part, in a district in which, on the lowest estimate, there are 1,000 voters; and of these we have already a petition signed by 600 in favour of the State hotel, while the member for the district says that before many days we will have another petition, bringing the number of signatures up to 1,000 or more. I think this admirable justification for the bringing down of the Bill.

Mr. O'Loughlen: The very people who voted against the increase of licenses have signed the petition; they thought that the license was to be granted to a private person.

Mr. TAYLOR: Yes, I understand their desire is for a State hotel.

The Premier: Had they voted for an increase, the license would have been granted to a private person.

Mr. TAYLOR: Well, I hope the Bill will pass and become law, and that the Government will make the speediest progress in the establishment of the hotel. No doubt the Government will be able to purchase the structure already erected, so that there will be no delay in meeting the requirements of the district. The gentleman who built the hotel and failed to get a license will, if wise, dispose of the structure to the Government at a reasonable price. I know that the Government would not take advantage of an unfortunate individual on the score of his position as the owner of a house which at the present moment is practically of no value to him. I hope the prosperity of the district, and the big wages earned, will not tend to heavy drinking. Unfortunately in all parts of Australia I have visited where big wages are earned and there is money to be spent, Australians, being naturally convivial, ask their friends to come in and have one, with the result that frequently they have too many. However, in an hotel of this description there will be no incentive to anyone to encourage drinking. It will be of no advantage to the manager to show big profits, and I hope that men who have had liquor enough will not be served with any more. Whatever may be said to the contrary, if the Bill is passed and the hotel established, it will be a safeguard against those evils of which we have heard something to-night.

Mr. A. N. PIESSE (Toodyay): Although not opposed to the principle of the State hotel, I find it difficult to understand why the Premier has brought down the Bill. From his own remarks we have learned that the principal Act is against the State applying for a provisional certificate. From what we have heard this

afternoon it seems pretty well that the principle of State hotels is fairly popular with hon. members, and it is only reasonable to assume that this will not be the last hotel for which the Government will seek authority. This being so I would like to learn from the Premier why the principal Act should not be amended so that the State could be placed on the same footing as a private individual in regard to the establishment of State hotels. If authority is given to construct the hotel I hope every precaution will be taken to ensure that the building is so designed that the liquor part of the enterprise will be quite distinct and separate from the dwelling part of the hotel. In travelling about the districts one frequently sees hotels which are more than half bars, the accommodation being sacrificed to the sale of liquor. That is not desirable. The liquor should be a secondary consideration. I hope that before the purchase of the new building is completed it will be definitely ascertained that the structure is in every way suitable for the purpose. The local option figures mentioned by the Premier are scarcely of much worth, because in the one district we have the people voting strongly against the increase of licenses, while, immediately afterwards, they vote that all new licenses should be held by the State. It serves to show that the voters did not clearly understand the question.

The Premier: Those who voted "No increase" did not know until the vote was counted whether the majority would be against new licenses, and by their second vote they merely provided as an alternative that if there were to be any new licenses they should be State-owned.

Mr. A. N. PIESSE: It is evident, to my mind, that the people did not grasp the question.

The Premier: The people were right, and, for once, you are wrong.

Mr. A. N. PIESSE: But they did not desire any further new licenses; how, then, could they vote that new licenses should be held by the State? However, I hope that this hotel, when established, will be all that it is expected to be, and I trust, farther, that

the principal Act will be so far amended that the transferring of licenses from one part of a district to another will be deleted. I know of one instance of an hotel license having been transferred without notice being given to the district.

Mr. ALLEN (West Perth): I rise to oppose the Bill, for the reason that I see in the second clause "Notwithstanding anything contained in the Licensing Act to the contrary it shall be lawful for the Colonial Treasurer to establish a State hotel at Dwellingup." It seems to me that cuts at the very root of the Licensing Act. I understand that the electors in this district had the privilege of expressing their opinion as to whether there should be an hotel in the district, and that the vote went against the establishment of an hotel. As has been stated, the poll was a small one, but, to my mind, that does not touch the question at all. The electors in the district had the opportunity; they knew the poll was to be taken, and if they had desired to have an hotel they would have rolled up in force to vote for it. It is not a question as to whether the State should own the hotel, or whether it should be owned by a private licensee. There is a principle involved, and it seems to me that if you can in one instance flout the vote of the people you can do it on another occasion. Seeing that the Licensing Act was only recently passed, and that this was the only district where they voted against a State hotel—

The Premier: They did not vote against a State hotel; they voted against increase of licenses.

Mr. ALLEN: At all events you are now going to flout that vote and say that since the vote was taken you have been petitioned by 600 persons, and that other signatures are to come in which will probably bring the total up to 1,000.

The Premier: But the bench has already said that if the State does not erect an hotel it will have to grant the license to a private person who wants a transfer.

Mr. ALLEN: That raises another question, that raised by the leader of the Opposition, that he hoped the licensing benches would not take up the position of directing Parliament as to what should be done. If necessary an amending Bill can

be brought down. But the principle is that we are getting away from the local option vote; we are going against a local option vote, and if we do it in one district why not do it in others? One of the reasons put forward by the member for Forrest was that a State hotel in that district would keep down sly-grog selling, which the hon. member said was so rampant there. To what extent will it do so? We have hotels in Perth, and every member knows as well as I do that there is sly-grog selling in Perth. If there is sly-grog selling at Dwellingup, let the Administration deal with it. If the hotel is opened it will be found that drinking will increase no matter what control it is under. I do not know what the police protection is at Dwellingup, very little I suppose, but I venture to say there will be considerably more police required, probably a dozen will be needed, when this license is granted. We have given people the right to express an opinion as to whether there should be an increase of licenses and they have said "No."

The Premier: They said "Yes" on this.

Mr. ALLEN: The people in the district said "No" at the poll, and if we flout the electors in this one district there will be no reason for not flouting them elsewhere. It is establishing a very bad precedent.

The Minister for Lands: You are arguing right beside the question.

Mr. ALLEN: I shall be glad to be put right when the hon. member speaks. At any rate it is establishing a bad precedent. If we do it in one district there is no reason why we should not do it in another.

The MINISTER FOR LANDS (Hon. T. H. Bath): I said the hon. member was arguing beside the question, and it is absolutely true; and so have hon. members who have spoken about flouting the wishes of the electors in this particular instance. As a matter of fact, the Government have no desire whatever to force a State hotel on any body of electors who do not desire it. We have a desire to respect their wishes, and where they express their disapproval of the erection of a hotel whether private or State, we will respect their wishes and will not attempt to force an hotel on them. The question to

be solved at Dwellingup is as to whether the people there are to have a private hotel against their wishes, or a State hotel in accordance with their wishes.

Mr. Nanson: It would be just as easy to amend the Licensing Act in that one particular.

The MINISTER FOR LANDS: The position we desire to secure is this. The amendment has been introduced in order to obviate the granting of a private license in that locality. We would not have attempted to introduce the measure if we were sure that no private license would be granted before next session of Parliament when we propose to deal with the licensing question as a whole, both in regard to local option and in regard to the machinery measure; but there is this danger that a private license may be granted by the bench in defiance of the wishes of the people, and we wish to protect their interests by erecting a State hotel in accordance with their almost unanimous desire. Having passed the Bill, the Government will have no objection whatever to the people there taking a referendum in regard to this hotel. If we can ensure blocking the private hotel we have no desire to oppose the people expressing their view for or against a State hotel. If they do not want an hotel then we shall not attempt to force a State hotel on them, but if an hotel is to go there it is to be a State hotel and not a private hotel. That is the position, and it is no use arguing about evading the vote of the people. Will the member for West Perth and other hon. members answer this—if an hotel is to go there, are they advocating that it shall not be a State hotel and urging that it should be a private hotel?

Mr. Brown: A State hotel by all means.

The MINISTER FOR LANDS: That is what we are seeking to ensure. We are not seeking to act in defiance of the wishes of the people.

Mr. George: Are you going to have another referendum?

The MINISTER FOR LANDS: We have no objection. If they intimate a desire for a referendum in that particular district we will accord with their desire and give them a chance of declaring on the question, so long as we can safeguard

them against that which they do not desire, and that is a private hotel. We are acting now because we have not the necessary time to devote to the extensive amendment of the Licensing Act. In the interim, if we fail to act in this way, the private license may be granted, because the bench stated that the evidence showed accommodation was wanted at Dwellingup, and if the State did not see fit to erect a State hotel, possibly in the immediate future—this was some time ago—the applicant would at some time or other reap the reward of his persistency. That is what we desire to obviate.

Mr. George: If you pass this Bill will you take a referendum before you erect the hotel?

The MINISTER FOR LANDS: If the people there express their objection.

Mr. Dwyer: A substantial number of them.

The MINISTER FOR LANDS: A fair percentage of them—if they express their objection to this proposal we will accord with their wishes and have a referendum. We have no desire to put licensed premises anywhere in the State where people object to them, but I object to hon. members trying to misrepresent our attitude and make out that we desire to force a State hotel in this locality in defiance of the wishes of the people there.

Mr. Allen: There is no intention to misrepresent. The facts are there. The people expressed an opinion and you are flouting it.

The MINISTER FOR LANDS: If the hon. member could understand plain English his speech would never have been uttered.

Mr. NANSON (Greenough): The Minister for Lands has tried to persuade the House that the real question at issue is whether a license shall be granted at Dwellingup to the State or to a private individual. If the hon. member had thought a little it would have been perfectly apparent to him that by a very simple amendment to Section 57 of the Licensing Act it could have been made impossible to transfer an existing license to other premises in the same licensing district, no matter how far distant

the premises might be. Section 57 of the Licensing Act provides that the licensing court may in its discretion grant or refuse an application to remove a license from premises already licensed to other premises in the same licensing district, and the objection taken to that section is that in its present form there is nothing to prevent a license, owing to the size of our licensing districts, being removed from a house in one township to a house in another township in the same district perhaps 10, 15, 20, or 30 miles distant. If the Government, instead of flying directly in the face of a local option vote, had brought in a short amending Bill to amend Section 57 by adding to Subsection 4—

The Premier: Read the subsection.

Mr. NANSON: The subsection says—

The licensing court shall not make an order of removal unless satisfied that no valid objection to such removal is made by the owner of the premises to which a license is attached, but subject thereto may, in its discretion, grant or refuse the application.

The Premier: What does "subject thereto" mean?

Mr. NANSON: If the owner has no objection. If the owner has valid objection to having a license fastened on to his premises the court has no discretion to grant the license, but if the owner has no objection then the matter is one for the discretion of the licensing bench; but what I suggest is that an amendment to that subsection could have been brought in adding the words—

Provided that no license shall be removed to premises more than a mile distant from the existing licensed premises.

That would have prevented what the Minister for Lands and the Premier are afraid of, that the licensing court will allow an existing license 20 miles distant from Dwellingup to be removed to Dwellingup. If we amend Section 57 in this way it will be impossible to remove existing licenses to new premises if the premises are more than a mile distant from the old premises.

The Minister for Lands: But it would apply generally.

Mr. NANSON: My amendment would prevent any removal of a license to new premises if the premises were a mile, or two miles, or three miles away.

The Attorney General: Or four miles, or five miles.

Mr. NANSON: I am not here to dictate to the House. If the House thinks five miles is better than one mile, well and good; but one mile sufficiently illustrated my argument, and the Attorney General knows it without trying to raise a laugh.

The Attorney General: Do not get angry.

Mr. NANSON: I am not angry in the slightest degree, I am rather admiring the skill of the Attorney General in trailing red herrings. It is not a subject for anger but for admiration. What I have said to my mind very effectively disposes of the contention of the Minister for Lands that there are no other means for preventing a private license being granted at Dwellingup. An amendment of the most simple description to a single section of the Licensing Act would prevent licenses being transferred from premises at one spot to premises 20 miles distant; but instead of doing that, the Government are seeking, as the member for West Perth has very properly pointed out, to override the local option vote; and, as has also been pointed out by that hon. member, if that can be done in one instance it can be done in others. If there are only in this Chamber and in another Chamber complacent majorities, it is possible in every licensing district in Western Australia to make a local option poll against any increase of licenses a dead-letter.

Mr. O'Loughlen: It was a farce on the poll you took.

Mr. NANSON: Then why did the hon. member last session spend so much time in declaring or associating himself with his party in declaring that local option did not go far enough? The late Government endeavoured to prevent the local option poll being made a farce by insert-

ing a provision in the Act that it should not be necessary to take a local option poll in a district unless some small proportion—I think it was 10 per cent.—in that district demanded a poll. We foresaw there were many districts in Western Australia where, unfortunately, feeling in regard to the drink question was so apathetic, that if a poll was held very few people would be got to vote. Although we recognised that and tried to persuade the House that before a local option poll was taken there should be a petition—as is or used to be the law in South Australia—from 10 per cent. of the electors in favour of a poll, the House in its wisdom or folly, folly I am inclined to think—but I say in its wisdom to be courteous, and to be in order—the House refused that simple safeguard, and the consequence is this, that in quite a number of districts, in the majority of the licensing districts in Western Australia, we find the local option poll taken from a minority of the electors entitled to vote, and the great bulk of the electors in many cases never recorded their opinion. The Licensing Act passed last session gave very sufficient, and to my mind very admirable provision, with regard to licenses for State hotels. We took the view that, admirable although the institution of State hotels might be, there was no reason why the State should be placed above the law, in a way that the ordinary applicant was not—that the State should be treated in a more favourable way than the ordinary applicant—and if hon. members look to the portion of the Licensing Act dealing with State hotels they will find it made a condition precedent to the granting of State hotel licenses, that in the first place there shall be a vote of the electors in favour of an increase. It is only when this is carried that you are able even to apply for a State hotel license. If there is a vote carried in favour of no increase of licenses, and it is desired to add to the number of existing licenses, a license for a State hotel, there is no means of doing so unless you fly, as the Bill is flying, in the face of the decision of the electors as experienced at the local option poll.

Furthermore the Licensing Act provides that if in consequence of a vote in favour of an increase of licenses the Government decide to establish a State hotel, they have to go before a licensing bench and apply for a license, and it is within the discretion of the bench whether a license shall or shall not be granted. I do not suppose that there would be very much danger that an application of that kind would be refused by a licensing bench in Western Australia, but it is desirable that the discretion should be retained by the licensing bench. The object of vesting the licensing bench with that discretion is that the licensing bench should have some say as to the applicant for a license.

The Premier: I did not say that we intended to disregard the Licensing Act.

Mr. NANSON: Why in the name of common sense does not the hon. member put into the Bill what he intends to do instead of that he is doing one thing and telling us something else. We did not have Bills drafted in that way twelve months ago. If the hon. member does not intend to over-ride the Licensing Act, why does not the Bill state what the hon. member intends to do? But the hon. member comes along and says he does not intend to do what the Bill gives him power to do. Now, what does the Bill say—

Notwithstanding anything contained in the Licensing Act, 1911, to the contrary, it shall be lawful for the Colonial Treasurer to establish a State hotel at Dwellingup.

With one sweep all the provisions in regard to compelling the Government to go before the licensing court and apply for a license in the same way as a private individual would—with one stroke of the pen all the provisions are struck out. Yet the Premier tells us that he does not intend to disregard the provisions of the Licensing Act. Why does he not put into the Bill—

The Premier: To give you something to talk about.

Mr. Dwyer: I rise to a point of order. Is the hon. member in order in reading

a clause of the Bill on the second reading debate?

Mr. SPEAKER: The hon. member, I understand, read the Title of the Bill.

Mr. Dwyer: He read the clause.

Mr. NANSON: I read portion of Clause 2 of the Bill.

Mr. SPEAKER: I have already ruled against members discussing clauses of the Bill on the second reading, but I did not hear the hon. member read the clause. I thought he was referring to the Title.

Mr. NANSON: I read a portion of Clause 2 of the Bill, and if I am not in order, Mr. Speaker, I withdraw what I said. With all respect to you I may be allowed to observe that we are reaching a strange order of things in a Parliamentary assembly if we are not on the second reading debate entitled to refer to the essential principles of a Bill, and in order to refer to what the essential principles are, we are not allowed to direct attention to what the Bill contains. That would be to prevent any effective discussion on a measure. I am surprised that the member for Perth should so adroitly endeavour to prevent the true purpose of the Bill being discussed. Are we to discuss the Bill?

Mr. Dwyer: I rise to a point of order. Is the hon. member in order in discussing my motives?

Mr. SPEAKER: The hon. member is distinctly out of order. I have given him some latitude, and I hope the hon. member will not proceed further in that way. I have ruled that clauses are not to be discussed on the second reading of a Bill.

Mr. Taylor: Am I in order in asking you whether a member is in order in reading a portion of a clause, and is that discussing a clause in the Bill?

Mr. SPEAKER: I gave my ruling the other evening and it was taken exception to on that occasion by the hon. member. I hope my ruling will stand. I ask that the ruling of previous Speakers in this House shall be respected, that is that there shall be no discussion of a clause on the second reading, only the general principles of a Bill shall be discussed.

Mr. NANSON: Your ruling is on record, and I trust that while your ruling

stands I shall be the last to disregard it. I shall, therefore, confine myself to dealing with the principles of the Bill, and surely the principles of this Bill, if it contains principles at all, are to allow the Government to go behind the Licensing Act, and not only in one particular, but in at least two particulars. In the first place it enables the Government to override the local option poll taken in the constituency of the member for Forrest, to override the wishes, we may take it at any rate, of some portion of his constituents. And, in the second place, this Bill will, if passed, authorise the Government to go behind the Licensing Act in regard to the salutary provisions contained in Part 6 of the Act dealing with the method of granting licenses to the State hotels. It is an innocent looking Bill, and more innocent when one has to refrain from dealing with the details, but there is that very dangerous and very alarming thing that under the guise of a small enabling Bill you are able to bring in so far as one licensing district of Western Australia is concerned, a very vital amendment of the Licensing Act as a whole.

The Premier: Did your Government never introduce a Bill saying, "Notwithstanding anything contained in another Act"?

Mr. NANSON: The Government of which I was a member, if it had wished to prevent the granting of a private license at Dwellingup, or if we found that there was a danger of such a license being granted, would not have proceeded in the way the Premier is proceeding to-night, but we should have amended Section 57 of the Licensing Act, which deals with the removal of a license from one premises to other premises in the same district. As I have already pointed out that could have been done in an amending Bill of a single, or at most a couple of clauses. I am taking exception to the Bill not because I am opposed to State ownership of hotels—provision is made for that in the Licensing Act—but because it enables the Government by a side wind so to speak to override some very salutary provisions in the Licensing

Act, instead of proceeding by means of an open and direct amendment of that measure.

The ATTORNEY GENERAL (Hon. T. Walker): The hon. member is accusing us of not being straightforward, of going behind the backs of the people, behind an Act of Parliament. It is precisely to be open, frank and straightforward that this Bill is introduced without in any way infringing upon the Licensing Act. We could, if we so desired, have obtained a license for the hotel now standing, or have erected a complete hotel, save for the want of a license. The Government had under offer the building and had under offer the goodwill and license of an hotel and a pledge that if we would agree to terms the license would be transferred from an hotel in the district—a license there in existence—to the new hotel which the Government had under offer of purchase without in the slightest violating one single feature of the existing Licensing Act. The Government could have obtained possession of these premises at Dwellingup and run a State hotel without violating any principle or going behind anybody or anything. But the Government wanted to be more straightforward, the Government did not want to buy a transfer and get another to get us a bargain and when all was completed to step in. These are the methods, I admit, of the honourable the late Attorney General, but not the methods of the present Government. The Government intend to go straight and let the people know what we are doing from start to finish. Everything is above board. We purpose if there is to be an hotel at Dwellingup to have it a State hotel, and not an hotel run by a private person.

Mr. Mitchell: Why not amend the Licensing Act?

The ATTORNEY GENERAL: Why does the hon. member echo? The member for Greenough says "What we would do if we were in power would be to bring in a simple amendment of the Licensing Act." This Bill is no more than a simple amendment of the Licensing Act; it is that, and that only. It could not be shorter, and it could not be briefer, but

the hon. member says that if we were introducing a measure we should introduce an amendment of Section 57, which deals with the removal of licenses, and say that no licensee should be allowed to have a removal of his license for a distance of over a mile. When he was questioned on that he said "Well 2 miles, or 3 miles, or 4 miles, or 5 miles, that is a mere matter of detail." And it might be 25 miles. The absurdity of that is evident by the mere stating of it. But observe that what he proposes would be done all over the State, and might do, in some instances, a very grave injustice indeed. In some out-back districts we have to-day a flourishing township, and to-morrow that township may be moved seven or eight miles away because gold has been found in a new area, and, in order that the same people may have the same accommodation as they have enjoyed hitherto, the old Act provided that the old license might be transferred to the new township.

Mr. George: Does not that apply to the timber districts too?

The ATTORNEY GENERAL: Yes, the same is the case in the timber districts. One timber district becomes cut out, the town becomes deserted, and its population are gone elsewhere, and the Act provided that the licenses should follow the migration of the people. The amendment suggested by the hon. member would do an immense injustice to the people, and to the publicans' interests, if such interests are entitled to consideration. Our proposal does an injustice to nobody, but only deals with this particular spot, where it is announced that there will be a license and where it is announced by the people that they require a license, and that they wish for the establishment of a State hotel.

Mr. Mitchell: They voted against an increase, and you are giving them an increase.

The ATTORNEY GENERAL: That is a kind of subterfuge. The Licensing Act does make provision for the creation of new hotels when the population has increased to a certain stage, notwithstanding any local option poll; but the difficulty is this, that, in connection with

State hotels, we are confined to Part V., but in every other provision where there are not State hotels and the population shows an immense increase, and there is a necessity for hotels, then the licensing bench has power to increase the licenses, but the State has not that power; the private individual can apply when the population has gone ahead, and obtain his license, but the State cannot, because the State hotels are confined to the provisions of Part V. of the Act.

The Premier: We cannot apply outside of 15 miles.

The ATTORNEY GENERAL: That is where our difficulty comes in, and, to put us on a level with private publicans, the Government bring forward this Bill. What harm is there in a measure like this? Now the gravamen of the complaint is that we repudiate the local option vote. I say distinctly that we are acting in strict obedience to the will and wishes of the people. First of all, they voted against an increase of private licenses.

Mr. Mitchell: No, against an increase of licenses.

The ATTORNEY GENERAL: They voted against an increase of private licenses, and voted for a State hotel.

Mr. Harper: They voted against all licenses.

The ATTORNEY GENERAL: They voted against private licenses.

Mr. Allen: Did it say on the ballot paper?

The ATTORNEY GENERAL: It said against increases, and what were the licenses in that district? Was there a single State hotel license in that district? They were only private licenses, and therefore the people voted against an increase of private licenses, and they also, emphatically—and by a much larger majority—

Mr. O'Loghlen: Eight to one.

The ATTORNEY GENERAL: Voted in favour of the establishment of State hotels.

Mr. Mitchell: No, for the principle of State hotels.

The ATTORNEY GENERAL: Well for the principle, if the hon. member

likes. They gave approval to the principle. And what has happened? It has become known that Mr. McNeil, having built this structure, has already applied for a license, and been refused, and has been informed that if the State does not apply, then he can get a license.

Mr. Mitchell: We can alter the Act to prevent it.

The ATTORNEY GENERAL: That is precisely what we are doing, but we are not going to do it in the foolish way suggested by the member for Greenough.

Mr. Mitchell: Cannot you alter the Act to protect yourself against Mr. McNeil?

The ATTORNEY GENERAL: We are not going to legislate against an individual.

Mr. Nanson: You are legislating against an individual now.

The ATTORNEY GENERAL: No, we are legislating for the public. Mr. McNeil can apply for his license; we will not stop him. We want to do things rightly and justly, and not vindictively and spitefully. We want everything to be fair and above board. It is known that this license will be granted; already a license is ready to be transferred at the present moment. It would be transferred, but the people of that district say "We don't want a private license."

Mr. Mitchell: They say they do not want any more licenses.

The ATTORNEY GENERAL: They say they do not want private licenses.

Mr. George: No further licenses.

The ATTORNEY GENERAL: They say they do not want private licenses, and when they think there is a possibility of a private license being obtained nearly a thousand signatures are obtained in favour of a State hotel.

Mr. Layman: Who obtained the signatures?

The ATTORNEY GENERAL: It is not the people who obtained the signatures, but the people who wrote them who are asking for a State hotel, and we respect them by saying we will accede to that wish. We go further, to show that we are afraid of nothing, and having obtained the right to establish a State

hotel say—"You people who live in the district, and will be affected by it, if you so desire, can express your wish further and say whether or not you desire a State hotel to be in the neighbourhood?"

Mr. Mitchell: Was the petition taken to every adult in the neighbourhood?

The ATTORNEY GENERAL: Does the hon. member think that the people living at Dwellingup are of the same calibre of intellect as those sitting on the front Opposition benches? They have understanding and brains, and they know their right to take their part in the government of the country.

Mr. Layman: Like they did on the local option vote.

The ATTORNEY GENERAL: They did not all vote on that occasion, not so numerous as they voted on this matter, and they only voted against the increase of private licenses, and expressed emphatically their adherence to the principle of State-owned hotels.

Mr. Nanson: Are you going to introduce an amendment for all districts?

The ATTORNEY GENERAL: The hon. member for Murray-Wellington might pull the wax out of his ears at home.

Mr. SPEAKER: Order!

Mr. George: The Attorney General is very personal.

The ATTORNEY GENERAL: They have cages for such animals in the Zoo.

Mr. George: Mr. Speaker, the hon. member is very insulting this evening, not only in his remarks, but he has used a tone of voice which should never be heard in this House.

Mr. SPEAKER: I hope the Attorney General will not refer to hon. members as animals; it is entirely out of order. I ask him not to repeat that language, but so far as the tone of his voice is concerned I cannot disapprove of it.

The ATTORNEY GENERAL: If I have offended the hon. member, I apologize for it, but his grimaces are quite as offensive as my tone of voice.

Mr. George: Nothing of the sort.

The ATTORNEY GENERAL: Look at him now!

Mr. George: You see a good-looking man, and you could not say that of yourself.

The ATTORNEY GENERAL:

"Oh wad some power the giftie gie us
To see oursel's as ithers see us."

Mr. George: Then you would go out and commit suicide.

The ATTORNEY GENERAL: It equally applies to the hon. member, and I think there would be two funerals at the same time.

Mr. SPEAKER: Order! I hope these pleasantries will now cease.

The ATTORNEY GENERAL: I was saying that we have obeyed, in every particular, and in every respect, the wish of the people of Dwellingup. We now, straightforwardly, bring forward an amendment to the Licensing Act which will only affect the place which the Bill is intended to deal with, without those far-reaching, dangerous, and unjust effects that would be obtained by the method suggested by the member for Greenough.

Mr. Nanson: Many other districts passed similar resolutions.

The ATTORNEY GENERAL: True, but there are no other districts in exactly the same position as Dwellingup. The position of Dwellingup is exceptional. First of all, it is in the neighbourhood of a sawmill, where, of all places in the world, the drinking habits of the people should be restricted, and under observation. It is the universal experience that hotels granted in these districts to private individuals are less carefully watched and regarded than a State hotel would be. In other words, the quality of the liquor sold to those who come to buy drink is not so rigidly kept a rule of law; men go there in a state of half-intoxication, and come out in a complete state of intoxication; the hours are not strictly observed; and thus a great deal of injury is done to the population of a district of that kind when an hotel is run by private enterprise. The object of State ownership is to give power to the Government to enforce in every particular the strict rules of the Licensing Act, so that the hours are observed, so that no man in a

state of intoxication is served with liquor, and so that, as far as liquor can be good, the very best liquor shall be supplied. All these things surely are to the advantage of the population, and why do hon. members cry out against it? What do hon. members object to?

Mr. Mitchell: To an hotel there.

The ATTORNEY GENERAL: As we have pointed out, we cannot prevent it unless the Government step in. If the licensing bench say accommodation is necessary, and if the people petition for an hotel, and if, indeed, the whole circumstances and the growth of the population say that there must be an hotel, well, then we say, "If there must be an hotel it shall not be a private hotel but a State hotel." That is the position. The hon. member accused us of breaking the Act in order to do this. We break no Act. We amend the Licensing Act in this particular to give the State, in this one instance standing upon its own merits, the right to yield to the wishes of the people of Dwellingup and put a State hotel there.

Mr. E. B. JOHNSTON (Narrogin-Williams): I regret exceedingly that the establishment of this hotel at Dwellingup is not subject to a provision that a local option poll shall be held to decide clearly whether the people wish to have this hotel at Dwellingup. That is the one improvement I would desire in the measure. I have always advocated that no new hotel should be planted in any district, or be granted to any private person or the State, unless the people of the locality have signified by a local option poll their desire for that hotel. Unfortunately we are placed in the position that, under the fraudulent measure of local option that was given to the people of Western Australia by the Liberal Government last year, new licenses are being granted right throughout Western Australia contrary to the expressed wish of the people in different licensing districts. That is the danger the Government are faced with; that is the danger responsible for the introduction of this measure in its present form. The people of Western Australia were de-

ceived by the Wilson Government last year when they pretended to bring forward a local option Bill, and when that measure provided that new hotels could be provided in any district 15 miles from existing licenses contrary to the wishes of the people of the licensing district. Let us review the position as it has occurred in the Great Southern district since the Act came into operation. In April last a local option poll was taken in the licensing districts of Katanning and Williams, and the people by large majorities declared that they did not wish any fresh hotels established in either of those districts. In both districts the people voted against an increase of licenses in April last year. In June, two months later, the licensing magistrates sat at Wagin and Katanning and granted licenses to private individuals for new hotels at Ngowangerup and Dumbleyung; and I say that the statute that permitted these licenses to be granted against the wishes of the people is a disgrace to Western Australia, and a disgrace to the Government responsible for it.

Mr. SPEAKER: The hon. member cannot reflect on a status of this House, or on a decision of this House.

Mr. E. B. JOHNSTON: Well, I withdraw the remarks, but I would like to say it surprised me hear the member for Northam was in favour of all hotels being owned by the State, when we know that he was a member of the Government responsible for the Bill being passed that enabled hotels to be granted to private people contrary to the expressed wish of the people of those licensing districts.

Mr. Mitchell: What about the hotel at Wickiepin?

Mr. E. B. JOHNSTON: That remark is worthy of the hon. member whose minions tried to use that disgraceful type of remark at the recent elections; and I believe he himself made the same disgraceful insinuations in my electorate that he is making to-night; but I have never been personally interested in any hotel at Wickiepin, and I say the remark is worthy of the political imposter who uttered it.

Mr. SPEAKER : Order ! The hon. member must not call anybody a political imposter if he is a member of this House.

Mr. E. B. JOHNSTON : Then I withdraw the remark, but I say that a man who poses as a friend of the farmer, when we know how he has piled up the charges on the farmer—

Mr. SPEAKER : Order ! I must have discussion on the Bill.

Mr. Mitchell : I must ask that the hon. member apologises as well as withdraws.

Mr. SPEAKER : I ask the hon. member to withdraw unreservedly.

Mr. E. B. JOHNSTON : I withdraw unreservedly, and I regret the rules of the House do not permit me to follow that argument and tell the people what I would like to tell them. The member for Greenough told us that the result the Government have in view could be arrived at by amending Section 57 of the Licensing Act, but I respectfully submit that that statement is incorrect, because it would be quite possible for the private owner of the hotel premises at Dwellingup that are at present unlicensed, or for any person, to get a provisional certificate under Section 45 of the Licensing Act, under which new licenses can be granted anywhere 15 miles from existing licenses. If the suggestion of the member for Greenough were carried out, and if the Government stopped Mr. McNeil from transferring the license from Waroona to Dwellingup, any private person, or Mr. McNeil himself, could go to the licensing bench at Pinjarra and get a license for premises at Dwellingup under Section 45. The member for Greenough also said that the measure was a measure to enable the Government to override the Licensing Act. I say that the measure the Liberal Government passed last year was a measure that enabled the brewers to override the expressed wish of the people, and they have been doing it all through the State ever since the Act came into operation. I say once more that I think no new hotel should be established until the people, by a local option poll, have declared that they want it; and I regret that the Government do not see their way clear to include that provision in the Bill; but I say if we are going to have an hotel at Dwel-

lingup—and we have every reason to believe there will be a private hotel if this Bill is not passed—I am going to support the Bill to have a State hotel put there because there is a fear that the private hotel will be established. Although we have not got the result of a local option poll in favour of the establishment of this hotel, we have a petition signed by 600 people asking for the State hotel to be established. I hope that in all future Bills brought down by the Government for the establishment of State hotels in new districts—and I hope all new hotels established in Western Australia will be State hotels—I hope the hotels will only be established if a local option poll has declared that the people of the district concerned want an hotel. I am not prepared to go on granting State hotels in new districts until I am satisfied that the people want them. I hope also that the Government, even between now and the close of this session, will see their way clear to bring in a short amending Bill to repeal Section 45 of the Licensing Act under which so many hotels are being granted to-day 15 miles from existing licenses contrary to the wish of the people. This is a thing that requires our immediate attention, and I take this opportunity of urging the Government to stop these private licenses from being granted under this section.

The PREMIER (in reply) : For the information of the hon. member I may say that while we have provision in the Licensing Act permitting a licensing bench to grant new licenses in any district in face of the decision of a local option poll against any increase of licenses so long as it is 15 miles from existing licenses, yet the State cannot obtain a State hotel under that provision, the State cannot make application for a State hotel under the section referred to by the hon. member.

Mr. Broun : Amend the Act.

The PREMIER : We do not want to amend the Act, because there is no need for it. As the Minister for Lands pointed out, and as I pointed out, I think, when introducing the measure, we desire to make an amendment to the Licensing Act next session and to deal comprehensively with it; but this is a pressing matter, and

we want to avoid the establishment of a private hotel at Dwellingup against the almost unanimous wish of the people the hotel will serve. We could, as the Attorney General has stated, have got over the difficulty without approaching Parliament. We could have done it without the public knowing what transpired at all, as we have an offer to buy a license already existing in the district for the purpose of transferring it from the very individual who is desiring to obtain the license at Dwellingup; but we are more desirous of conserving the funds of the people of the State than we were of avoiding our responsibility to Parliament in asking them to pass a Bill of this description. The offer we had made to us required that we should pay £2,000. That £2,000 would have been worth nothing 10 minutes after the deed had been made. It was merely to buy a license some distance away from Dwellingup, and then close up the premises and apply to the court for a license in the district in which we propose to place the State hotel. Why should we spend £2,000 of the public money in order to avoid our responsibilities to the people by doing it openly? Those are the methods adopted in the past by Liberal Governments, but they are not the methods we are going to adopt.

Mr. Mitchell: On a point of order, is the hon. member justified in saying that the late Government did not adopt proper methods?

Mr. SPEAKER: The Premier did not use the words "the late Government"; he said they were the methods adopted by late Liberal Governments. I do not know to which Governments the Premier was referring.

The PREMIER: I appreciate your remarks Mr. Speaker. Whether that be the case or not the position is very clear; unless we take the opportunity of complying with the wishes of the people by establishing a State hotel, there is no doubt the licensing bench will, under the powers conferred upon them by the Act, transfer to the town the existing license in the district at present some distance away; a license which is held by a private individual. We have no power as a State to

comply with the wishes of the people. We provide for an expression of opinion being given by the people with regard to all new licenses being under State control, and, no matter how unanimous their wish may be, we are so surrounded with difficulties in the Act that we cannot comply with those wishes unless in the first instance they carry a resolution for an increase of licenses in the district. While there was a small majority at the local option poll in that particular district against an increase of licenses there was a nine to one majority in favour of any new licenses being held by the State.

Mr. O'Loughlen: The very people who voted against the increase have signed this petition.

The PREMIER: I am prepared to repeat, on behalf of the Government, the offer which was made by the Minister for Lands with regard to making provision for the referendum being taken at once and before we apply to the bench for a license. We are only asking this House to authorise us to establish a State hotel, and, having obtained that authority, we will comply with the Act in every direction by applying to the court and giving the people of the locality an opportunity of objecting against the application if they desire to do so. As I stated at the outset, and I repeat it now, this is nothing more than a request to Parliament to give us authority to comply with the wishes of the people, and under the circumstances can there be any possible complaint? There will be an increase of one license in the district, but eventually that other licensed house must close down; it cannot carry on. I do not think we will be warranted, as custodians of the public funds, in paying £2,000 for something that will not exist 10 minutes afterwards, and members opposite would have been the first to condemn the Government if they had adopted such a course. We come along openly, state exactly what we propose to do, and I am satisfied that the people will appreciate that we are prepared to accede to their wishes in all matters affecting the Licensing Act, and that we have adopted the right course by consulting Parliament.

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

Ayes	30
Noes	10
Majority for	20

AYES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Mullany
Mr. Bolton	Mr. O'Loughlin
Mr. Collier	Mr. Price
Mr. Dooley	Mr. Scaddan
Mr. Dwyer	Mr. B. J. Stubbs
Mr. Foley	Mr. Swan
Mr. George	Mr. Taylor
Mr. Gill	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Holman	Mr. Underwood
Mr. Hudson	Mr. Walker
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. Heitmann
Mr. Lauder	(Teller).
Mr. Lewis	

NOES.

Mr. Allen	Mr. A. E. Plesse
Mr. Broun	Mr. A. N. Plesse
Mr. Harper	Mr. S. Stubbs
Mr. Mitchell	Mr. Layman
Mr. Male	(Teller).
Mr. Monger	

In Committee.

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

BILL—DEPUTY GOVERNOR'S POWERS.

Received from the Legislative Council, and on motion by the Attorney General read a first time.

House adjourned at 9.13 p.m.

Legislative Council,

Wednesday, 29th November, 1911.

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

PAPER PRESENTED.

By the Colonial Secretary: Report by Royal Commissioner, Captain Penefather, on the Fremantle Prison.

BILL—DWELLINGUP STATE HOTEL.

Received from the Legislative Assembly, and read a first time.

STANDING ORDERS—LAPSED BILLS.

Report of Committee.

The PRESIDENT brought up the report of the Standing Orders Committee that had met in conference with the Standing Orders Committee of the Legislative Assembly, and had drawn up certain Standing Orders to deal with lapsed Bills.

Report read.

Hon. W. KINGSMILL (Metropolitan) moved—

That the report be adopted.

This would involve the submission of the proposed Standing Orders to the Governor for approval, and on approval being given the Standing Orders would be printed amongst the Standing Orders of the House. He would like to tender his personal thanks to the members who had helped him in placing these Standing Orders amongst the Standing Orders of the House.

Question put and passed.