

Legislative Council,

Tuesday, 27th February, 1917.

	PAGE
Questions: Repatriation Scheme, Timber areas ..	1921
Enemy Subjects, Franchise	1921
Returned soldiers, voting facilities	1921
War time economy	1922
Papers presented	1922
Bills: Employment of Enemy Subjects Prohibition, 1R. ..	1922
Industries Assistance Act Amendment, 1R. ..	1922
Treasury Bonds Deficiency, 2R. ..	1922
Agricultural Lands Purchase Act Amendment, 2R. ..	1929
Footwear Regulation, 2A., com. ..	1933
Early Closing Act Amendment, 2R. ..	1935
Sale of Liquor and Tobacco, com. ..	1936

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

QUESTION — REPATRIATION SCHEME, TIMBER AREAS.

Hon. W. KINGSMILL asked the Colonial Secretary: 1, Whether the Government have set aside or contemplate setting aside a timber reserve of 100,000 acres situated to the north of Nornalup Inlet, on the south coast, for the purpose of occupation by returned soldiers? 2, If so, before coming to such decision, apart from the question of the land alluded to being reserved for forestry purposes, have the Government taken into consideration the fact that settlers at Denmark alongside a railway on similar country find extreme difficulty in making a living; that a large area of similar country near Big Brook, surveyed for selection some years ago at great expense, has so far failed to attract selectors? 3, Are there any reports on the capability of the area alluded to to support returned soldiers, and if so, will the Minister lay them on the Table of the House? 4, What steps have been taken so far, and at what expenditure?

The COLONIAL SECRETARY replied: 1, It is not proposed to set aside any timber reserve at Nornalup for the settlement of returned soldiers. The Lands Department propose to survey for settlement of returned soldiers certain suitable lands at Nornalup not carrying marketable timber. 2 (a), Yes. The difficulty the settlers are

subject to at Denmark is, not in the quality of the land, but due to insufficient cleared areas. (b) The greater part of the land at Big Brook has not yet been made available for selection on account of timber. Any portions that have been thrown open have been readily selected. 3, The area has been inspected by the District Surveyor (Mr. Camm), Mr. Oldham, Engineer-in-Charge of the Agricultural Water Supply Department; Mr. McLarty, Assistant General Manager, and Mr. Hewby, Chief Inspector of the Agricultural Bank, and highly approved by them. Their reports were laid upon the Table of the House. 4, The inspections have cost about £40.

QUESTION—ENEMY SUBJECTS, FRANCHISE.

Hon. J. CORNELL: I asked the Colonial Secretary: As it is the policy of the Government not to employ any person who is or at any time has been a subject of a country now at war with the United Kingdom, do the Government intend to introduce legislation prior to a general election of the Legislative Assembly prohibiting such persons from voting at any election for the Legislative Council or Legislative Assembly during the currency of the war?

The COLONIAL SECRETARY replied: A Bill has been drafted and the Government hope it will be passed into law before the next general election.

QUESTION—RETURNED SOLDIERS, VOTING FACILITIES.

Hon. J. CORNELL asked the Colonial Secretary: In view of the sympathetic hearing and reply given by the Premier to a recent deputation from the Returned Soldiers' Association, will the leader of the House inform the House if the Government intend to extend their sympathy to those soldiers whose names appear or are entitled to appear on the electoral rolls of the State, on active service, beyond the confines of the State, by so arranging that in the event of a general election, howsoever occurring, for either House of Parliament, every facility will be extended to such soldiers as will

permit of them recording their vote at such an election?

The COLONIAL SECRETARY replied: The Government are desirous, if suitable arrangements can be made, to provide facilities whereby soldiers at the Front will be able to record their votes at any general election. There are, however, many difficulties in the way, some of which are set out in the accompanying memorandum by the Chief Electoral Officer, which I now lay on the Table of the House.

QUESTION—WAR TIME ECONOMY.

Hon. J. CORNELL asked the Colonial Secretary: In view of the continued appeals made by His Excellency the Governor and the Government for the exercise of the most rigid economy during the war, can the hon. the leader of the House relieve public tension by informing the House if the example of economy, namely, the substitution of paper table covers for the orthodox linen covers (adopted at Government House on the occasion of a recent At Home tendered to soldiers' wives) was given a trial by the Government at the farewell dinner tendered to His Excellency the Governor?

The COLONIAL SECRETARY replied: No.

PAPERS PRESENTED.

By the Colonial Secretary: 1, State meat supply, audited accounts. 2, Traffic by-laws, municipalities of (a) Boulder, (b) Perth. 3, Electoral facilities for soldiers; memorandum by the Chief Electoral Officer.

BILL—EMPLOYMENT OF ENEMY SUBJECTS PROHIBITION.

Introduced by Hon. J. Cornell and read a first time.

BILL—INDUSTRIES ASSISTANCE ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—TREASURY BONDS DEFICIENCY.

Second Reading.

Debate resumed from the 8th February.

Hon. A. SANDERSON (Metropolitan-Suburban) [4.40]: The political atmosphere, like the physical atmosphere, is somewhat overheated. For anyone reviewing the position of affairs from an Imperial or European standpoint it is a most ungrateful task to add one iota to the serious responsibilities which must rest on the Ministry of this country. Furthermore I have made one attempt to put my views before the Chamber to see if I could carry hon. members with me. I failed. I was unable on the Treasury Bills Act Amendment Bill to convince members that my views were sound. Therefore, on this occasion I certainly am not going to indulge in any heroics. I am going to put a plain, unvarnished tale before members, and if in their wisdom they think fit to reject the suggestion I shall make, I can do no more. The financial position of the country seems to me to be the chief, if not indeed the only, burden to be placed on members of the State Parliament. What else is there to occupy our attention? My difficulty is that I stand in a small minority in the view I take of the present position of affairs. It would be comparatively easy to indulge in the most scathing criticism on past Governments. It would be equally easy to criticise very severely what the present Government are doing in their efforts to handle the finances. The Bill is to authorise the issue of Treasury bonds or inscribed stock, providing for the deficiency in the Consolidated Revenue Fund to the 30th June, 1916. We have to do something with the deficiency, and probably this is the best way of dealing with it; indeed it is difficult to see what else could be done with it. If the Bill provided for nothing else, I think it would be idle for this Chamber to say very much about it. But the Bill goes a great deal farther. It is to make provision for deficiencies in succeeding years and for purposes incidental thereto. When we get into Committee I propose to divide the Committee on that question of dealing

with deficiencies in succeeding financial years. The question is one of sound finance. For my part, I can see very little else in Western Australian political affairs at the present moment than to put our house in order, for the sake of ourselves, for the sake of the Commonwealth, and for the sake of the Empire; and I shall divide the Committee on this particular point—are you, or are you not, prepared to allow this measure to go on the statute-book? The measure puts a premium on having a deficit.

Hon. J. F. Cullen: By this measure we shall make deficits a normal thing.

Hon. A. SANDERSON: Yes. The Bill puts a premium not only upon the Treasurer's having a deficit, but on his having a large deficit; because, unless the amount is £100,000, it is not proposed to be brought under this measure.

Hon. J. F. Cullen: But the hon. member would cover up to the date of passing this measure?

Hon. A. SANDERSON: If the hon. member means that we should take the date of the 28th February, I would say no. I would say, let us deal with the position up to the 30th June, 1916. I am no friend of the Labour party, but I have always tried, especially since the outbreak of war, to be fair to everyone in the political arena; and I contend that the deficit is due not to one cause or to two causes, but to half a dozen, and very complex causes they are. We have that deficit; let us fund it. But do not let us hand over to the Government an Act which will mean a premium on future deficits.

Hon. J. J. Holmes: We must pay our way up to the 30th June, 1916, at any rate.

Hon. A. SANDERSON: This country cannot go on with its present machinery of government. The hon. member interjecting might put himself in office, or he can have the members of the present Cabinet in office, or he can have the Labour party in office, or he may give the Country party a chance; but with the present machinery of Federal Constitution and State rights, we cannot, in view of the position of affairs, go on. The machinery will break, or it will stop. To show that my information is, as

far as possible, up to date, I mention that I have here the details of the Estimates of expenditure of the Government of Western Australia from General Loan Fund for the year ending the 30th June, 1917, and that, furthermore, I have the supplement to the *Government Gazette* of Western Australia published on the 9th February. It would be a great assistance to me if hon. members had had these papers in their possession and had carefully worked them out; because hon. members would then be able to check my summary of the position of affairs. My summary will be very brief. Hon. members will admit that it is not easy to compress a supplement of the *Government Gazette* giving the receipts and disbursements of Western Australia for three months and six months, and the details of the expenditure from the General Loan Fund—and these are valuable and interesting tables—into a couple of sentences. However, I shall attempt the task. I am going to try to explain to hon. members the position of affairs as regards our loan fund. I venture to say the figures can be put in such a simple form that the most busily occupied and least instructed elector of Western Australia, if he will give attention for 10 minutes, will be able to understand the position in outline. The Government of Western Australia have at present $7\frac{1}{2}$ millions of loan money authorised but not raised. By this Bill we seek to increase the loan fund by $1\frac{1}{2}$ millions making a total of nine millions sterling. Anyone taking the trouble to look through the figures, which are published by authority, will not, I think, quarrel with that statement of mine. If this Bill goes through we shall have nine millions out on loan; and I will, if I may, underline the statement, authorised but unraised. How is the flotation to be managed? I am not surprised that Ministers take refuge in oratory; but the question is not one of oratory; it is one of arithmetic. Everyone here knows the position of affairs. The Premier himself has told us repeatedly in Parliament and out of Parliament, what our loan position is as regards the raising of money. During the period of the war, and for 12 months thereafter, the agreement is that the Commonwealth Government shall raise annually $7\frac{1}{2}$ millions to be distributed amongst

the States. Our share if the raising is approved by the Imperial Government, will be approximately $1\frac{1}{2}$ millions annually. That is a statement made by our Premier and Treasurer towards the end of last year. "I am very much afraid," he said, "that the amount mentioned will represent the limit of our borrowing during the war and for 12 months after its termination." How are the present Government, or any other Government, going to carry on, is the question hon. members have to ask themselves. Are hon. members going to permit this most dangerous and reckless system of finance, this system of funding the existing deficit up to the 30th June, 1916, funding revenue and expenditure deficits, to continue? How can hon. members of this House, who, after all, have some sense of responsibility to the people who sent them here, and also to themselves, countenance such proceedings? Members of this House are not a lot of carpet baggers; most of us have given hostages to fortune in this country. Are we going to permit the heritage of ourselves and our children to be squandered by this shameful system of Government extravagance? It would certainly give me a great deal of pleasure, and possibly afford the leader of the House some little interest, if I followed his remarks through. But I must ask him to forego that pleasure. I do not propose to analyse, as I would like to do, the speech he made in introducing the Bill. When I see signs of grace, signs of salvation, in anyone, I welcome them and I forgive the past. For the first time I observe in that speech signs of political salvation in that hon. gentleman. I observe them in the scanty reference he made to what I call the Federal factor in this problem. For the first time the leader of the House did seem to realise that there was a Federal Government, and that the Federal Government were exercising some influence on the finances of Western Australia. I hardly expect him to appreciate that influence fully; but I most cordially welcome the fact that he has recognised the diminished returns payable by the Federal Government to the State of Western Australia as an important factor in the financial position. The hon. gentleman's words were—

Here is the position in a nutshell. The increased interest and sinking fund charges, and the decreased revenue from the Commonwealth—in these two things we have practically the explanation of the unhappy state of the finances.

I will omit altogether the question of the increased interest and sinking fund charges. Other members may wish to deal with them, and in other circumstances I should have liked to do so. However, I shall not do it now, because, as I say, this is the first time so far as I know, that the leader of the House has publicly proclaimed that the decreased revenue from the Commonwealth is half of the entire explanation of the unhappy state of the finances.

The Colonial Secretary: I have made the same remark many times over a long period of years.

Hon. A. SANDERSON: The hon. gentleman has not gone very far. I cannot recall it. Certainly that factor has not been given the prominence that was given to a racing discussion between him and a reverend gentleman. Half a column a day for a week we had about that subject. I should like to see half a column, or a paragraph, once a week from the hon. gentleman on the influence of the Federal Government on the finances of Western Australia; and let him give the bookies and a certain reverend gentleman a rest. At any rate, I need hardly say I at once accept the hon. gentleman's assurance that he has been saying this over a period of years. But that is only the very beginning of the matter. Of course it is perfectly true that the decreased payments by the Federal Treasury to the States are a matter of some importance. But it is hardly an exaggeration to say that that is a bagatelle compared with the general influence of Federal finance over State finance.

Hon. J. W. Kirwan: The difference between this year and last year is only £20,142.

Hon. A. SANDERSON: I thank the hon. member for that information. He has kindly given that information, and of course he really knows something more at first hand than we do of Federal figures. I am indeed glad to have that statement. When the

leader of the House tells us, as he has told us this afternoon, that he has been drawing attention to the Federal cash payment for some years past, I assert that that is only the beginning of the problem. The financial drift in the Federal figures is quite sufficient to occupy the concentrated attention of the enlightened portion of the community of the whole of the Commonwealth at the present time, and in the State of Western Australia, owing to our local finances, our local system of government, the reckless proposals of the Government, to say nothing of administration, the efforts of most people who take an interest in the welfare of this State have been confined to dealing with Western Australian affairs. I do not see the deputy leader of the Country party here but if he were here he would be able to give some valuable interjections on the influence of the tariff on Western Australian finances, so that when the Colonial Secretary talks of the diminution of the cash paid by the Commonwealth to the State of Western Australia, let him also take into consideration the tariff and see if he can work out what amount of the diminishing cash issue to the State of Western Australia is caused by the tariff. It must run into something big indeed. I give one item alone: £300,000 paid by the Railway Department alone up to 1914 out of their cash into the coffers of the Federal Customs. Let the producers—and they speak without figures very often—let the people of Perth and the householders tell us how much cash is contributed to the Customs and add that to the diminishing returns to the State. Then we come to the land tax and it is a fitting retribution on those people who will pass by an injustice because it does not affect them—it is a fitting retribution. Because the £5,000 limit is given, it does not affect us they say quite regardless of the justice 'or injustice of the position—it is a fitting retribution I say when we find that the Federal income tax is here and is going to hit the small as well as the great. Now we have a Federal income tax and a Federal land tax. Let the hon. member add this to his diminished revenue from the Commonwealth. I have not exhausted that aspect of the question.

Look at what the Federal debt is now. I do not argue for or against the debt but at the same time there it is and it will have to be provided for by the taxpayers of this country. The financial drift, says the *Melbourne Age*, caused the Government an increase of £20,000,000 in six months. This is Federal I am talking about, and this is the Government that has largely the control and destiny of Western Australia. When I have spoken of unification, when I have spoken of the impossibility of Western Australia, and I believe of the Commonwealth, continuing with this machinery of Government which we have, I say let them look at those Federal figures, the national debt. The Commonwealth owes £140,000,000. That is the public debt of the Commonwealth, excluding the States. On the 31st December, 1916, it was £140,000,000 and a few odd thousands. Let the hon. member add that, and he knows better than I do that it is only just beginning. Western Australia has already repudiated the solemn obligation she undertook with regard to the transcontinental railway. I do not blame her. *Force majeure* is a sufficient answer. But it is sufficient to show me that Western Australia cannot go on under the present system. Until we put the present political machinery on the scrapheap the country will go from bad to worse, and instead of the attention of this part of the Commonwealth being directed to the Federal arena, here we are day after day, week after week, month after month indulging, in some places, in unseemly political wrangles. This is the plain unvarnished tale I am attempting to put before members and I do not think I have put any varnish on. I have given figures which members can verify and I hope my hon. friend will not do what he did in connection with the Treasury Bills Act Amendment Bill, question the accuracy of the figures in detail. I think he will find in round figures that they are correct—£9,000,000 loan money authorised but unraised, with 1½ millions per annum, which the Premier himself tells us is all we are going to get during the war and for twelve months afterwards. What is the connection then between

this Bill and the Bill for an Act to amend the Treasury Bills Act of 1893? The leader of the House may say, and say correctly, from a technical point of view, they have nothing to do with each other. I say they are very closely allied to each other because we are going to authorise nine millions of capital account and we can only raise $1\frac{1}{2}$ millions; we will have to pay on the Treasurer's own showing at least $5\frac{1}{2}$ per cent., and probably $6\frac{1}{2}$ per cent. Are the members of this Chamber, in dealing with this Bill, going to let this Government or any Government come forward and say we are going to make provision in this manner for dealing with the deficiency of the country? That is the question members have to decide and I will end up as I have ended up on more than one occasion—I do not ask members to accept any statement I have made, and I do not ask members to accept the conclusions I have arrived at but I ask them this: I think I am entitled and the country is entitled to ask members here and in another place to look into financial questions themselves, but is there any evidence that they are doing so? What happened to this Bill in another place—the Treasury Bonds Deficiency Bill? Both the measures I have referred to were introduced by the Labour party and one was taken by the Treasurer admittedly from the table of his predecessor. That is the Treasury Bonds Deficiency Bill and was introduced as a Government measure. This Bill was brought forward by the Treasurer and supported by the ex-Premier. There was no discussion except between those two gentlemen, no discussion whatever, and if it were true that these Bills were so sound and sensible and necessary, possibly there might be some reason then for the silence of hon. members. But if members here will look into these matters themselves I shall be satisfied. I advise the Council to see who are the hon. members who are prepared to go one foot deeper into the mire. The Treasury Bills Amendment Bill was passed by a majority of 3 to 1. Having said so much I end by saying the only big thing so far as our internal affairs are concerned worth fighting for, the only thing that interests me, is to see how in the best possible manner without raising

more opposition than necessary, and how skilfully it may be brought about, that this Commonwealth of Australia, the combined States of Australia, should scrapheap the present Constitution and have a national Government of which we might be proud and to which we may look forward. Therefore, I shall say nothing as I felt tempted to do on the analysis of the remarks of the leader of the House. I only congratulate him most warmly on the progress he is making towards the goal which I have so much at heart.

Hon. J. F. CULLEN (South-East [5.14]: The hon. member has made a most interesting and a most discursive speech. The main difficulty about it is that it leads nowhere.

Hon. A. Sanderson: Leads to a division.

Hon. J. F. CULLEN: As a matter of fact his only point is what may be regarded as the secondary proposal in the Bill to continue the machinery for dealing with deficit occurring later on. I would like to have heard the hon. member if anyone else had talked as he has about scrapping political machinery. How scathing and effective the hon. member would be! When he denounced the scrapping of political machinery I naturally expected him to go on to apply his remarks to State machinery, but towards the close of his speech he actually said that it was the Federal machinery that he desired to be scrapped in favour of some form of national government. I can imagine the scathing denunciation of the hon. member if some demagogue in the street talked in that way. The political machinery is fairly workable in the hands of patriotic men. No doubt time will evolve many changes in the relationship of States and Commonwealth, but he is only a child who hastens beyond the steps of wisdom amongst the people concerned. There is ample time away in the future for further evolutions of the relationship between the States and the Commonwealth. The only excuse for the hon. member's discursiveness on the subject is what I think most hon. members will regard as an unwise decision on the part of the Government to postpone the general financial question. The Government seem inclined to postpone off the evil day, the difficult task of deliv-

ing this country from the financial chaos in which they found it when they took office. I think most hon. members will hold that this was a most unwise decision. The financial condition of the country will have to be faced, and the sooner it is faced the better.

Hon. W. Kingsmill: It is the first Commission they should have appointed.

Hon. J. F. CULLEN: Exactly. The bringing in of this Bill cannot but raise the larger financial question. The hon. member and others who may follow the hon. member in a discursive handling of this Bill may be excused. But had the Government faced the big financial question, then this Bill should have been dealt with within the limits of its intention. I hope that even now the Government will reconsider their decision regarding the finances of the country, and will not postpone until next session the first steps necessary to grapple with the financial question.

Hon. J. W. Kirwan: Will the hon. member suggest what the steps should be?

Hon. J. F. CULLEN: I think that the steps were very fairly enunciated by the leader of the House in moving the second reading of this very Bill. That hon. gentleman indicated that these steps would proceed on three lines, namely, *economy*, so far as it could be practised consistently with the efficiency of the public service; *increased taxation*, so far as it could be introduced without clogging the wheels of industry—

Hon. J. W. Kirwan: What does all this mean?

Hon. J. F. CULLEN: And most important of all, a definite and liberal policy of immigration so as to divide the burdens of Government over something like an adequate population to grapple with the development of the State.

Hon. W. Kingsmill: Who would do this?

Hon. J. F. CULLEN: These are the lines on which the Government propose to take action. My complaint to-day is not that the leader of the House failed to enunciate a sound policy, but that it has got to be accepted as the decision of the Government, rightly or wrongly I am not prepared to say, that the commencement of these very things has to be postponed until

next session. I say that the commencement of all our responsibility must be preceded by a financial adjustment, and the very first step must be increased revenue. If the Government have come to any other decision, I hope it will be reviewed. Possibly Ministers will say that it is reviewed. Possibly Ministers will say it is a most unpopular thing to take that course. The Ministry lives by the votes of members of Parliament and if members cannot provide a majority patriotic enough to face the necessary steps for the deliverance of this country from financial chaos, what could the Government do? I think the simple answer to that is that the Government have to do their duty regardless of what the majority may say. Their duty is to frame the necessary policy and if the majority is unpatriotic enough to say "We will not have it," there is nothing for it but to let the constituencies decide. Coming to this Bill, as Mr. Sanderson says, the first part of it must be accepted. No one could see any other way of dealing with the deficit, or help agreeing that the proposal contained in this Bill is other than a necessary one. With regard to the latter part of the Bill, the continuing of machinery for dealing with recurring deficits, I think the hon. member is on sound lines in pointing out that it assumes that the over-running of the constable would be an inevitable thing, if not a normal thing. I do not think legislation should proceed on such an assumption. All our legislation should be on the assumption that there should be constitutional government and that no Government should exceed the warrant of financial provision by the authority that could make that provision, namely, the vote of Parliament. That should be the assumption of all our legislation. But the hon. member overlooked this fact, that the important point in the second part of the Bill is practically a direction that no Government shall exceed that warrant without immediately reporting to Parliament, and I can assume that it was that provision which Ministers had in mind as a warrant for the second part of that Bill, in making it essential that no Government should go on incurring a deficit without bringing it before Parliament, that it could not

be automatically dealt with, but that Parliament itself should say "This new deficit must be brought under the provisions of this Bill." I do not think it is sufficient warrant for this very doubtful extension of the Bill. It is far better to allow the future to take care of itself. I do think that whilst the provisions of this Bill were adequate when it was introduced, the Government having only to deal with the deficit which they found, it is altogether inadequate now, after that deficit has been considerably added to, to make provision for a deficit as at 30th June, 1916, with the addition of the new items which had been brought into existence but not included in the deficit. What is to be done with the subsequent additions to the deficit? I certainly think that the Bill should provide for the deficit at the time of the passing of the Bill, and that the understanding should be that no more deficits are to be incurred. If the Government in making their estimates think that they require more income than the old revenue provides, they must provide for the government of the country either by increased taxation or by economy, or by a little of each. Legislation should not assume that deficits must happen, that they are to be looked upon as light offences, and that they are almost automatically covered by previous legislation. That is an utterly dangerous ground upon which to go. This Bill should certainly cover the deficit up to the date of its passing—

Hon. J. W. Kirwan: That ought to be in the schedule.

Hon. J. F. CULLEN: Or the date upon which the Bill goes into Committee. What has been incurred cannot be helped. It must be provided for, however.

Hon. J. W. Kirwan: Would it not be better to wait until the end of the financial year and provide for any deficit that might have occurred in the previous year in that year?

Hon. J. F. CULLEN: That would mean a continuance of an unconstitutional act. This deficit is unconstitutional. It has been incurred by Ministers without warrant and can only be ratified by such a Bill as this. That is the proper course, and no provision

in the Bill should be made with regard to future deficits. Let the future provide its own punishment for extravagance and make provision for unavoidable increases in expenditure. Let Parliament deal with that when it comes. This Bill should deal with the deficit already accumulated up to a period to be decided upon.

Hon. J. W. Kirwan: Up to the end of the financial year?

Hon. J. F. CULLEN: That can be considered. I would like to put forward what I believe to be the views of thinking men of this country. The Government must not take the course of least resistance. Responsible Government must have principles and stand by them, even when Parliament is irksome, and even though they have to go to the country on those principles. Certainly the leader of the House, and I think every member, will agree that the question of dealing with the finances of the State should not be left over for next session's consideration. Take the expression of opinion on the matter for a year or more past. What has it been? Restoration of sound finance. All reasonable men will admit that the Government have had a very difficult position to face, and that over many things in that position neither the Government nor the Opposition had any control. There was a delay over Ministerial elections, a delay over the Referendum Bill and then a delay over the Premiers' conference. Possibly Ministers might have economised time on each of those delays. However, the conditions were unavoidable and the Government had to step into financial chaos with only a majority of one or two at their back. Never had Ministers a harder position to face. But Ministers must be prepared to stand by their convictions. It is not responsible government for Ministers to leave a crucial question—a question on which the whole life and progress of this country depends—over for consideration at some future time. It is taking the course of least resistance and I am satisfied it is a suicidal policy. Even though the present Parliament fails to stand by the present Government in a courageous attempt to restore the country to sound finance, I am satisfied the constituencies would rally to them.

On motion by Hon. J. M. Drew debate adjourned.

BILL—AGRICULTURAL LANDS PURCHASE ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th February.

Hon. V. HAMERSLEY (East) [5.35]: I have not very much to add to the debate on this Bill. I desire to support the measure. I know that the repurchase of many of the estates in various agricultural centres has in most instances proved a great success. Some of the properties acquired were over-valued, as was found out as time progressed, and of course those values have not increased in the manner it was anticipated they would do. In some instances also it is unfortunate that some of the settlers who embarked upon agriculture on those estates did not meet with success, while in some cases the price at which the land was sold was so high that it was almost impossible for a settler to establish himself with any degree of success. There is only one course open to the Government. We cannot allow the land to remain idle. In some of the instances where high prices were paid, the properties have reverted to a state of nature, and they have become quite a menace to the surrounding settlers. The Government therefore would be wise to dispose of them as speedily as possible. Under the original Act I understand it was impossible to sell them below certain rates which were fixed, and machinery was required under which it would be possible to reduce the prices. It is much better for the State to have settlers on the land rather than that it should remain idle, and it is a greater advantage to the State to reduce the prices considerably, because whilst the settlers are working the land they are undoubtedly creating something by way of new wealth for the community. That certainly is much better than permitting the land to remain idle or reverting to a state of nature, as happens when improvements have been carried out and then the land is neglected. Exception may be taken to the reduction of the prices on the ground that a loss will result. Against that, however, we can undoubt-

edly say that some of the estates have yielded a substantial profit. On nearly all the estates which were purchased, at the outset good profits were made. Splendid settlement has taken place on those, and now if a loss has to be shown on some of those which were acquired in recent years, I do not think that the State itself will be a loser, because those people from whom properties were acquired, even though they received more than the estates were really worth, have reinvested in other properties the moneys paid to them. I do not think that this money has been taken out of the country. The mere fact that the Government acquired those properties, enhanced the values of those which were adjoining, and the Taxation Department have made a ready use of those enhanced values. In that way there has been an advantage from the increased value on the surrounding properties, and that has happened from one end of the State to the other. I know that in the districts where some of the estates were repurchased, the position is now that, instead of one person owning a large estate, a number of settlers will be found on it, and in a majority of instances those settlers have done remarkably well. They have been the means of providing a considerable amount of employment. There has been an immense increase in trade in the surrounding localities, but in every district where the estates have been hung up by the Government quite the reverse position prevails. If at the present time we cannot induce the settlers to take up these lands at the prices which were originally fixed, it is a wise policy to reduce those prices, because as I have pointed out, the greater the number of settlers we have, the more will the country benefit. If by an all round reduction in prices we can benefit the settlers on those estates, I am satisfied that we shall be acting properly and we shall be giving a section of the community the encouragement they deserve, and the result can only be greater prosperity. I have much pleasure in supporting the Bill.

Hon. J. W. KIRWAN (South) [5.42]: This Bill is of interest to me, because when the question of purchasing some of the estates which are referred to came before this Chamber, I opposed the purchase as

strongly as I could. Not only did I oppose the purchase by the Moore and Wilson Governments, but I also followed a similar course when the Scaddan Government came into office and pursued a similar policy in regard to the Yandanooka estate. I felt so strongly on the question that I not only opposed the repurchase on the second reading, but went to the extraordinary measure of emphasising my opposition by making a lengthy speech on the third reading of the Bill. That was in regard to the Yandanooka estate, which was the last to be purchased by the Government. The reasons which animated me to offer a strong opposition were twofold. It seemed to me that at that time it was a bad advertisement for the Crown lands of the State, when we were buying the properties of private individuals in order to provide land for the people who were desirous of settling on it to take up. In connection with the Yandanooka estate what prompted my opposition to the purchase was the fact that the purchase was being brought about just subsequently to the Commonwealth introducing a land tax. That land tax was intended to break up large estates, and I believe that it would have been better had the State Government allowed the land tax to operate before they purchased estates from people, some of whom were desirous of evading payment of the heavy Federal land tax then imposed. I felt strongly on the point, and I did everything I could in this House to impress upon the Chamber the undesirableness of acquiring the properties at that particular time. I was very hotly criticised in connection with the matter, but I think if I quoted some of the speeches made on that occasion it would make some members feel small. I mentioned the fact that I thought it was a great mistake to endeavour to interfere with the policy then being sought to be established by the Federal authorities, the object of which was to break up large estates. I mentioned also on that occasion, and subsequent experience has clearly shown I was right, that the land tax, so far as agricultural and pastoral lands are concerned, would not operate with that harshness which it was at first thought it would. What has happened in the case of

some stations in the Eastern States? The effect of the operation of the land tax was to break up large estates, and those estates which were sold not only realised good prices to the then holders, but all the land in the neighbourhood became enhanced in value as a result. However, the Government saw fit to pursue a policy of dealing with the purchase of estates, and I think they have recognised since they made a mistake in so doing. In looking through that debate, I find that one gentleman did support me, although not on the same lines as I took myself. That was Sir Edward Wittenoom, who expressed the opinion that the prices being paid for the estates were too high. Subsequent events have shown the hon. gentleman was quite right. It is now admitted that a mistake was made, that too high prices were paid for the land, and this Bill is brought forward in order, not to rectify the mistake then made, but rather to do what is considered to be best in the circumstances. I think, with all due respect to the Colonial Secretary—and I do not blame him in connection with the matter—that more explanation might have been given to this House as to the probable effects of this Bill if passed into law. We might have been told, for instance, exactly how much it will cost the State. It has been estimated by a gentleman who should be in a position to know—an ex-Minister for Lands—that the total cost to the State will be somewhere in the vicinity of £100,000. I realise it would be extremely difficult to ascertain the exact cost to the State; but we know how much these estates have cost to purchase originally, and surely some rough estimate could be made as to the loss in which the reduction in price to the selectors will involve the State. Under this Bill the Minister for Lands will have the right, in his own discretion, to sell land as low as 3s. 9d. per acre. That seems to me an abnormally low price. We are giving the Minister extraordinary powers under this Bill to dispose of this land in his own discretion for any prices from 3s. 9d. per acre upwards. Some of that land in the favoured places was purchased for as high as £5; for other estates I understand the State paid £6, and in some cases even as high as £7 per acre. Yet now we

propose that the Minister for Lands, in his discretion, shall have authority to dispose of that land at any price not less than 3s. 9d. per acre. We know that there is no man in this State who is held in higher respect than the present Minister for Lands. Amongst his supporters and opponents he is held in the greatest respect and that is the feeling generally throughout the length and breadth of the State. But changes take place in political affairs and one does not know who in future may be Minister for Lands. Therefore I say it is an extraordinarily great power to give to one individual the right, in his own discretion, to dispose of such a large area as is here dealt with at any price above 3s. 9d. per acre. It is not likely, of course, that any Minister for Lands would exercise his powers to the detriment of the State, but in my judgment it is not wise to place such great power in the hands of any one individual. I think we ought to have more information concerning this Bill, which is a very important one. I believe most of these estates were purchased on the advice of a board of experts. I do not know who constituted that board, but I do think it desirable that the House should have information as to the constitution of the board of experts. That much should be known so that we may have the information for future guidance. A great blunder has been made and if we allow blunders of this sort to be made, involving costly loss to the State up to the vicinity of £100,000, something ought to be done. I do not see any objection to the Bill, although it might possibly have been better that easier terms had been given to these selectors who have taken up this land with a view to seeing whether they could not tide over existing conditions. Later on the price of land and of produce may go up, and the matter might then be dealt with in a way perhaps fairer to the State. It seems an extraordinary thing to me that the State should buy land during boom periods and be reducing the price to the purchasers at a time when land values are suffering from depression. As I have said, it might have been better had we delayed a little in this matter. If easier terms and conditions were given to those selectors and if this Bill were not rushed through, if we waited for a year

or two, we would, in my opinion, be acting wisely. I do hope that this Bill will be a warning to all future governments in connection with the purchase of private properties. No one Government is responsible for what has been done; all previous Governments have been more or less responsible, and I hope that in anything done in the same direction in the future the Government will pause and endeavour first to see whether something cannot be done towards developing some of the enormous areas of agricultural lands which are still in the possession of the Crown. I would point out that there is a large number of abandoned farms today on the hands of the Agricultural Bank awaiting re-settlement. In view of all these circumstances, I think this Bill should at least be a warning to all future Governments.

Hon. J. F. CULLEN (South-East) [5.54]: The hon. member who has just addressed the House overlooked the fact that the settlers sought to be aided under this Bill have had many years of waiting. They have been suffering disabilities for many years past, and the remedy proposed in the Bill to reduce the price of their holdings should, in my opinion, have been brought in years ago. Some time ago Parliament, realising the hardships under which conditional purchasers laboured, granted those holders relief in the matter of rent, and this Bill makes provision in a similar regard for the purchasers of those lands contained in the repurchased estates.

Hon. J. W. Kirwan: But some of these estates have been purchased only four years.

Hon. J. F. CULLEN: Some of them were purchased eight and nine years ago. When the holders of lands under conditional purchase obtained the redress I have referred to, the people who had selected in the repurchased estates naturally felt that they, too, should obtain some similar redress. With regard to the danger which the hon. member sees in the Minister for Lands having the power, at his own discretion, of selling land in the repurchased estates as low as 2s. 9d. per acre, I wish to point out that this power is similar to that which the Minister for Lands has in regard to all Crown lands, and I would further add that the Minister

in this connection merely represents the Government.

Hon. J. W. Kirwan: But a Minister has not that power now.

Hon. J. F. CULLEN: Yes, he has.

Hon. J. W. Kirwan: Then why is it provided for in this Bill?

Hon. J. F. CULLEN: The Minister has exactly the same power in the ordinary course of land selection. I see no danger whatever from that point of view. I should, however, like the Minister in charge of the Bill to look into the claims of purchasers under the Denmark concession. This is the most extraordinary of all the repurchased estates. The Denmark concession does not come under this Bill, nor does it come under the previous Act, providing redress to conditional purchase holders. Denmark has been left out in the cold, and yet the Denmark lands were amongst the most extravagantly priced lands in the history of land settlement in this State. Prices here ranged from twelve shillings and sixpence up to £14 per acre for rural land.

Hon. J. Ewing: That is for town lots.

Hon. J. F. CULLEN: No, rural land, £14 per acre. A lot of it has not yet been sold, but a lot of it has. I want to know from the Minister whether it is the intention to leave the Denmark repurchased estate out in the cold. Denmark is in my province, and I am very much concerned about it. Some hon. members will recollect the marvellous booming of Denmark. Year after year it was boomed in the Press and in Government publications. The Government were partly clearing that land and the booming process lasted until the partly cleared land had grown up again—a harder proposition than the virgin bush—before the land came on to the market. No old settler would look at it, and the Government dealt with new chums from the Old Country and the goldfields men who came down with a little money in their pockets but absolutely no knowledge of timber country. These persons took up the land at prices marked on the map, and the Government helped them liberally for a time by Government work and the utilisation of the unemployed, but there came a point when collapse was inevitable for 90 per cent. of those who had purchased the land. Then the Government made

an attempt to modify the trouble. I want to know from the Minister what it is intended to do with Denmark. Will the Government, in dealing properly with conditional purchase estates and carrying out an act of justice in the case of a number of those re-purchased estates, leave Denmark out?

Hon. J. W. Kirwan: Was not most of the Denmark land abandoned? I understood it was.

Hon. J. F. CULLEN: A certain amount of the land has been abandoned, but a number of the settlers are clinging like grim death to their holdings.

Hon. J. W. Kirwan: Are there many?

Hon. J. F. CULLEN: A fair number is doing so, hoping for such redress as has been given in the case of conditional purchase leases.

Hon. J. Ewing: But cannot they do this under the measure?

Hon. J. F. CULLEN: The Denmark land was taken up prior to 1909 and cannot, therefore, come under the provisions of this Bill. It is not technically a repurchased estate, although strictly speaking, it is. The timber concessionaires cut out the timber; their town which they built was worn out; the sleepers of their railway were practically rotten; but they put up a beautiful case to the Government of the day, based on what they had spent, and the Government, after getting a certain cut off that said, "We will pay you this £50,000," when they could have got it at probably half the amount. The Government proceeded to survey the land (and quite right, too), and then they proceeded to find work for the unemployed, paying them standard wages and getting in value of labour perhaps about one-eighth of that standard wage. This was all loaded on to the land and as I have mentioned, no old settler would look at it, and new-comers from England and non-land men from the goldfields, took it up. I wish the Minister would tell us at all events that he will ask Cabinet to look into the position regarding Denmark.

The Colonial Secretary: Cabinet is looking into it.

Hon. J. F. CULLEN: If the Minister had stated that earlier I should not have con-

sidered it necessary to make the remarks I have.

The Colonial Secretary: There have been several deputations in the matter to the Government.

Hon. J. F. CULLEN: I appealed to the Colonial Secretary at the beginning of my speech and he is to blame for the length of my remarks. I am very thankful now to learn that the Government are considering what is due to these settlers. I hope the Minister in his reply will give an assurance that they will do justice to Denmark, for that is all that Denmark wants, and that they will write down the price of the land to a fair thing. I shall vote for the second reading of the Bill and hope to hear a satisfactory answer regarding that portion of the State.

Question put and passed,
Bill read a second time.

BILL—FOOTWEAR REGULATION.

Second Reading.

Debate resumed from the 8th February.

Hon. J. W. KIRWAN (South) [6.5]: I would not have referred to the Bill, but that Mr. Sanderson referred to me on many occasions in connection with his second reading remarks and I am afraid if I do not say something in reply to what he said he might consider it discourteous on my part. I fear he very much exaggerated my knowledge of Commonwealth procedure and the Commonwealth Constitution. I quite agree with him in what he said concerning this Bill. It is an example of the extraordinary round-about way by which some legislation is carried on now. Before it is given effect to, it has to pass through six State Parliaments and one Federal Parliament. It has thus to pass the gamut of no less than 14 Houses of Parliament and to receive the approval of the 658 members of Parliament with which this Continent is either blessed or cursed, whichever way it may be regarded. The Bill itself is all the more extraordinary when it is remembered that it contains nothing which any one of the 658 members of Parliament would take exception to. It is simply a measure designed to put a stop

to fraud, to prevent anyone from obtaining money under false pretences, and to prevent persons from selling something which is not what it is represented to be. Notwithstanding the simple nature of the Bill, it must be voted for throughout the whole of the Commonwealth, and has to go through the extraordinary round-about process which has been referred to by Mr. Sanderson as "tomfoolery." Goodness only knows how much the Bill costs to pass, and it is certain that it takes a very long time before it is given effect to. I am not quite sure, but I think the Colonial Secretary mentioned in his speech that it was in 1910 that this matter was first taken up. It was then found that a certain number of the manufacturers of Australia is defrauding the public, and owing to this extraordinary method of bringing legislation into effect, it is in this year, 1917, seven years later, that it comes before us and it is doubtful whether it has passed through all the State Parliaments yet. Mr. Sanderson, when referring to this extraordinary, round-about method of legislation, spoke about the remedy of unification. Some years ago there was a proposal before the country to enlarge the Commonwealth powers. I was one of those who did what little I could to have that amendment of the Constitution carried. I am glad to say it was carried by an overwhelming majority in Western Australia, although the other States turned it down. Had that amendment been carried—I am not sure whether Mr. Sanderson supported it, or not—it would have obviated this sort of thing. This is only one of many similar Bills that have come before this House and this Parliament, and it is an exemplification for the necessity of an amendment of the Constitution. Mr. Sanderson, whenever he speaks, talks about unification. Whilst at one time I was very strongly opposed to the idea of unification, I have gradually been drawn to the belief that he is upon the right track, as, to my mind, it is almost the sole solution for the existence of the two taxation machines which are beginning to be such a burden on this country, and which sooner or later must break down by their own weight. I

furthermore believe that we should thus have a better system of home rule and self government than exists at the present time. Under unification it will be necessary to have a series of county councils. These county councils would induce a spirit of local government to a better extent than is induced by State Parliaments. Not in this State alone, but in other States of the Commonwealth, it is the capital of the State, the thought of the capital, the newspapers of the capital, that influence legislation. It is the capital which governs the State. Under a system of unification with county councils, even though these would be under the veto of the Commonwealth authorities, I firmly believe we would have a better system of self government and home rule than exists at the present time. This perhaps is going beyond the scope of the Bill. I would not have mentioned the matter but that the hon. member drew my attention to it. There is one thing in connection with the Bill that I wish to draw the attention of the Colonial Secretary to. This is a Bill which is intended to make effective Commonwealth legislation. It will make effective the Commerce Act. Under this Bill the cost of the administration ought to come to a fair amount. It provides for inspectors to be appointed. If it be properly administered, there must be provision for the inspecting of boot-shops and of manufacturing establishments, such as there are in Western Australia and repairing shops. As the State Government are introducing this matter in order to make Commonwealth legislation effective, I do think they can reasonably go to the Commonwealth Government and say, "Yes, we will assist you in every possible way, but surely you, with all your wealth, whilst we are so poor, should pay the cost of the administration of this measure." I ask the Colonial Secretary if he would induce the Government to approach the Commonwealth Government on the matter, not only in connection with this Bill, but similar Bills which are designed to make effective Commonwealth legislation in this State. I do think that the State Government might, if they cannot do it directly, at all events have the matter brought up at the Pre-

mier's conference, and that the least we can do would be to ask the Commonwealth to pay the cost of the administration of Bills designed to make effective Commonwealth legislation.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.15 to 7.30 p.m.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Interpretation:

Hon. J. W. KIRWAN: A reference is here made to inspectors. That has a bearing on the question of administration. On the second reading I asked the Colonial Secretary if he would endeavour to get the Government to request the Commonwealth authorities to bear the cost of administration, inasmuch as the purpose of the Bill is to render effective the Commonwealth Commerce Act. The Colonial Secretary did not then say whether or not he would do that.

The COLONIAL SECRETARY: I took a note of the hon. member's suggestion. I can assure him it is not the intention of the Government to incur any extra expense by appointing new inspectors. The work will be done by existing inspectors under other Acts. The hon. member's suggestion is a good one and will be taken into consideration by the Government.

Hon. E. M. CLARKE: What will be the effect of the Bill in respect of imported shoes. Unless the public are protected against imported shoes, the Bill will not be of much use.

The COLONIAL SECRETARY: That point is covered by the Commonwealth Commerce Act. The Bill is necessary to complete that Act, and is in all respects supplementary to it.

Clause put and passed.

Clauses 4 to 7—agreed to.

Clause 8—Complaint to be dismissed in certain circumstances:

Hon. J. M. DREW: Is the Bill an exact copy of those passed or about to be passed in the Eastern States? The Bill deals with the local manufacturer, but it seems to me

that the overseas manufacturer could send here boots and shoes containing material condemned by the provisions of the Bill, and still escape punishment. It would be the easiest thing in the world for the importer to prove that he had no reason to believe certain things. Under other Acts the defendant in a prosecution is not permitted to plead that he did not know that certain articles were adulterated. I think the clause is defective in this respect, although I am prepared to admit the necessity for uniformity.

The COLONIAL SECRETARY: I can assure the hon. member that the Bill is in accordance with legislation in the other States. I am not prepared to say that every other State has already adopted it, but where it is not yet law it is waiting to be accepted.

Clause put and passed.

Clause 9—Regulations:

Hon. A. SANDERSON: A special issue of the *Commonwealth Gazette*, published last month, declared boots and shoes to be necessary commodities for the purpose of the War Precautions Prices Regulations, 1916. Under the clause, apparently, regulations can be made. In accordance with the special *Gazette* referred to, further regulations can be made, and possibly the two sets of regulations will conflict. The Committee should be in possession of this *Commonwealth Gazette* and should see exactly what is going on in Melbourne. We are told that there is every prospect of a rise of 25 per cent. in the prices of boots and shoes to civilians. In a newspaper article it is stated that the way is now clear for a full investigation into all the circumstances governing the prices, that Senator Russell, the Minister controlling the Federal fixing of prices, has now directed the Federal Commissioner to arrange for an investigation covering the wholesale and retail prices of boots and shoes, and that the inquiry will be opened in Melbourne on Thursday next. Apparently we are to have framed here a number of regulations, while the most important matter, namely that of prices, is to be fixed in Melbourne. Could we not indicate to the Federal Government that as we are to make regulations dealing

with boots and shoes, it would be advisable to regulate the whole business in Western Australia, including prices?

The CHAIRMAN: I do not think the observations of the hon. member are germane to the clause. If the hon. member seeks information, he should seek it in the form of a question to the Minister. However, if the Minister is prepared to reply, I will allow him to do so.

Hon. A. SANDERSON: The Bill is to regulate the sale and manufacture of footwear. Surely, therefore, my remarks are pertinent.

The COLONIAL SECRETARY: I am fully acquainted with what the hon. member has told the Committee, but I fail to see that it has anything to do with the clause, which empowers the Governor in Council to do certain things which the Commonwealth Government have no power to do. They have power under the War Precautions Act to fix the prices of certain commodities, but that has nothing to do with the clause.

Hon. A. SANDERSON: Let the Committee examine the clause and consider the title of the Bill.

The COLONIAL SECRETARY: Let the hon. member read paragraph (d) of the clause.

Hon. A. SANDERSON: The attention of the public and of the boot manufacturers should be called to the position of affairs. The prices of boots are to be fixed in Melbourne. I doubt whether the public and the boot manufacturers of Western Australia are acquainted with the facts I have stated; and it seems to me that this is the proper place to draw their attention to those facts.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—EARLY CLOSING ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [7.48]: This is a very brief measure, and has only one object. Its purpose is to bring hairdressing

saloons into line with other businesses in regard to the weekly half-holiday. That is to say, in shop districts which have by poll of electors decided in favour of the Saturday afternoon half-holiday, hairdressing shops will under this measure henceforth close for their weekly half-holiday on Saturday instead of, as at the present time, on Wednesday. In the metropolitan area the ordinary half holiday has been observed by shops generally on Saturday for a number of years, but the hairdressers have continued to observe it on Wednesday. This fact was due to an oversight in the framing of the principal Act, the schedule to which omitted hairdressing shops. The omission was discovered too late to be remedied. This amending measure is supported by both employers and employees, and no fewer than three deputations have waited on the controlling Ministers in the late Government and in the present Government.

Hon. J. W. Kirwan: Would this measure apply to the whole State?

The COLONIAL SECRETARY: It would in this way—where a resolution has been passed in a certain area that the half holiday be observed on a certain day of the week, that resolution would, under this measure, apply to hairdressing saloons as well as to other businesses. That would apply in the metropolitan area, for instance, and at Albany and at Geraldton. The present anomalous position is a source of irritation to a great many people, and a convenience, I think, to no one. The petition in favour of this measure has been signed by both employers and employees, and also by 6,000 residents of the metropolitan area. Had time permitted, a consolidating and amending measure, dealing with a number of other matters, would have been introduced this session; but it is not the intention of the Government to ask Parliament to consider those other questions at the present time. I do not think there is anything of a contentious nature in this Bill. I know that it is agreed to by both sections of the trade, and I believe it has the support of the general public. I move—

That the Bill be now read a second time.

Hon. J. E. DODD (South) [7.51]: I have much pleasure in supporting the measure.

The question with which the Bill deals was brought before the late Government on several occasions, and the fact that a consolidating and amending measure was not introduced was due only to the extraordinary pressure of legislation and the abnormal times. I doubt whether a single section of the existing Early Closing Act can be upheld in the courts, and I am sorry this Bill does not amend the principal Act in other respects. It represents a simple act of justice to the hairdressers, who will be enabled to take their weekly half-holiday on Saturday afternoon, in the same way as other shop assistants do.

Question put and passed.

Bill read a second time.

“BILL—SALE OF LIQUOR AND TOBACCO.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Dealings by gallon licensees to be recorded, and books, etc., produced:

Hon. J. W. KIRWAN: I submit there is a much simpler method of regulating the trading of gallon licenses than that proposed by this clause. The suggestion I am about to make might form an addendum to the clause. It is that gallon licensees should carry their stocks in sealed parcels containing one gallon, so that not less than a gallon should be available for sale. An inspector could go into the premises of the holder of a gallon license to see whether the sealed parcels were all intact. If any such parcels were broken, so that single bottles were available, it should be an infringement of the law.

Hon. J. J. Holmes: But the broken parcel might be kept out of sight.

Hon. J. W. KIRWAN: Quite so; but a thorough search would discover it. This suggestion was conveyed to me by a gentleman who was Chairman of a Licensing Bench; and he told me that he got the suggestion from a police officer.

Hon. C. SOMMERS: I am afraid Mr. Kirwan's suggestion would be unworkable. A gallon licensee's customer might want his

gallon to be made up of different kinds of liquor; and this could not be done if the gallon license were restricted to sealed parcels containing one gallon. A customer might want a gallon of liquor made up of beer, brandy, whisky, and liqueur. Such a provision as Mr. Kirwan proposes would have the result of driving the trade from the present gallon licensees to the hotel-keepers, who would probably not want to be bothered with an order such as I have described. Another result would be that the honest gallon licensee would give up his license, while the dishonest man would continue it.

Hon. J. W. KIRWAN: I was not aware that under the existing law a gallon licensee could make up a gallon from different kinds of liquor. I do not think such was the intention of the framers of the original legislation; and if that is allowable it appears to be a defect in the existing Act. The proposal I have submitted seems to me the only means of making the law relating to gallon licenses effective.

Hon. C. SOMMERS: The custom has been as I state, and it is a reasonable trade custom too. The adoption of Mr. Kirwan's suggestion would force the whole of the gallon license trade to the publicans. The thing is to see that only reputable people get the gallon license.

The COLONIAL SECRETARY: The Government have seriously considered the question regarding gallon licenses generally. Many would like to see them wiped out altogether, but the Government do not propose at the present time to introduce anything of so contentious a nature as that. A promise has been given that if this legislation does not prove effective, the matter will be taken into consideration again.

Clause put and passed.

Clause 4—Amendment of Section 117 of Licensing Act of 1911:

Hon. J. DUFFELL: To make this clause more effective I suggest that it should contain a provision, the effect of which would be to reach the person or persons responsible for sending children under the age provided in the Bill to purchase liquor. It is an easy matter to punish the person who has sold the liquor to a child, and the per-

son responsible for that child procuring the liquor should be punished likewise. I move an amendment—

That the following stand as Subclause 2:—"Any person who instructs or requests any other person under the age of 18 years to purchase, or attempt to purchase, liquor from the holder of a gallon license, or an Australian wine license, shall be liable to a penalty not exceeding £50."

Hon. members will see that my object is to equalise the responsibility.

The COLONIAL SECRETARY: I do not think that there is anything very objectionable about the proposed subclause, but I would remind hon. members that before the House rose in December a short Bill was passed to prevent the licensing courts renewing wine licenses for a period beyond the March sittings, and an undertaking was then given that fresh legislation would be introduced in the meantime. That undertaking has been kept. Owing to circumstances for which this House has been in no way responsible, there has been a considerable delay in the consideration of this measure, and at the present time we are within a few days of the March licensing sittings. Therefore, I would ask hon. members not to press any amendment, no matter how desirable that amendment may be. Hon. members will appreciate my argument when I say that if an amendment, even though it be of a non-essential character, be passed in this House, and the Bill does not become law before the March licensing court sits, grave results may be apprehended.

Hon. J. DUFFELL: I realise the position as it has been explained by the Colonial Secretary and, under the circumstances, I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Hon. J. CORNELL: I am opposed to the clause as it stands. It does not appear in the Bill at the present time as it was originally drafted. The word eighteen has been substituted for sixteen. The age in the parent Act is 16, and so far as my knowledge of the working of the law goes, there have been no grave disabilities under

the parent Act. When a boy reaches the age of 16 and sets out to earn his livelihood that boy should be allowed a certain amount of latitude. Then again, if we are going to fix the minimum age, we should also fix the maximum age. While it may be grave to see a boy under the influence of liquor, it should pain one even more to see an old man or an old woman in such a condition. Our law, as it stands, reflects to our discredit when it makes no provision in the direction I have suggested. Why make the age 18 years? I started to earn my livelihood at 14. On the Great Boulder Mine there are many boys of 17 who are earning the minimum wage, and when they come off shift they are as much entitled as anyone else to a pint of beer.

The COLONIAL SECRETARY: The opinion of the Government is that it is very harmful to the growing child to take liquor. In at least two other States the minimum age is fixed at 21, and it was strongly urged that we should make it 21 also. The Government, however, preferred to take the more moderate course and decided upon 18, as in Victoria.

Clause put and passed.

Clause 5—Australian wine license:

The COLONIAL SECRETARY: The word "newspapers" appears at the end of Subclause 2. It was not in the Bill as originally drafted but in another place it was pointed out that the holders of wine licenses—and in one instance for 17 years—had been in the habit of selling newspapers and that there were also many cases near railway stations where holders of wine licenses had also been selling newspapers for many years. It was explained that a hardship would result if the word "newspapers" was not inserted in the clause, and for that reason the Government agreed to the amendment. It does not give sellers of newspapers any privilege to sell wine after hours, but it does permit that wine may be sold in the same place as where newspapers are sold.

Hon. J. CORNELL: I move an amendment—

That all the words after "wine" in line 7 be struck out.

I am opposed even to hotels selling wine and cigarettes, and I am opposed to people holding wine licenses selling cigars and cigarettes.

Amendment put and negatived.

Clause put and passed.

Clauses 6 to 9—agreed to.

Clause 10—Tobacco not to be sold or supplied to children:

Hon. J. CORNELL: I move an amendment—

That the word "eighteen" be struck out with a view to inserting "sixteen."

Tobacco, it is true, is harmful in its effect to some few people, but I claim that as a rule it is beneficial to others. In the agricultural areas of Australia will be found the finest type of manhood in the world, and I venture the opinion that if proper statistics could be prepared it would be found that the men in our agricultural areas have smoked at an earlier age than 18 years. Many lads younger than 18 are earning their own living, and I claim therefore it is not right they should be prohibited from purchasing tobacco if they choose to do so. Many of the men now with the army at the front went on active service before reaching the age of 18 years.

The COLONIAL SECRETARY: When the Bill was introduced the age was stated at 16 years, but it was altered in another place to 18. While I do not think that any harm can be done by preventing a boy purchasing tobacco before he is 18, I do not claim that because he is deterred by this law he will be benefited in consequence. As it has already been decided that the age at which liquor may be purchased is 18 years, confusion may be created in the court if the age in this instance is made 16. I therefore intend to support the clause as it stands.

Amendment put and negatived.

Clause put and passed.

Clause 11—Complaints to be heard before magistrate:

Hon. J. W. KIRWAN: In my opinion members of the licensing bench would be the proper people to hear complaints under this Act. I desire to enter my protest against the manner in which this Bill has been brought forward. The House has been sitting for some time since the new year, and

if it was intended that the Bill be passed quickly, it should have been introduced earlier in order that members might have had an opportunity of dealing with it properly. Were it not for the reasons given why this Bill is brought forward to-day, I should have felt inclined to move an amendment on this clause to the effect that all complaints should be heard before one or more members of the licensing bench for the district.

THE COLONIAL SECRETARY: I am entirely in sympathy with the hon. member, and I regret very much the circumstances which have compelled me to ask members to deal hurriedly with the Bill to-day. I would point out, however, that the Government introduced the Bill at the earliest possible moment. They recognised it was necessary it should be passed this month, and the only thing they did not foresee was the enforced idleness of Parliament. So far as the clause is concerned, the practice at the present time is that proceedings for offences under the Licensing Act are not heard before members of the licensing benches, but before honorary justices, with the result that there have been complaints from all parts of the State. Many honorary justices do not care to be asked to sit and decide cases under the Licensing Act, and it has therefore been thought best to have all those cases taken before a resident magistrate.

Hon. J. W. KIRWAN: My reason for bringing the matter forward is that many justices to whom I have referred the question have expressed the opinion that it would be of advantage if some alteration in present procedure were made.

Hon. J. CORNELL: The clause is the brightest spot in the Bill, and I intend to support it.

Clause put and passed.

Bill reported without amendment, and the report adopted.

House adjourned at 8.29 p.m.

Legislative Assembly,

Tuesday, 27th February, 1917.

	PAGE
Privilege: Article in the <i>West Australian</i> —Disorder—	
A member named	1939

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

PRIVILEGE—ARTICLE IN THE WEST AUSTRALIAN.

Premier's Statement.

The PREMIER (Hon. Frank Wilson—Sussex) [4.32]: With the permission of the House I would like to make a statement. It will be remembered that on Thursday last when the member for Kanoona (Hon. T. Walker) under Standing Order 76, which he then quoted, called the attention of the House to an article which appeared in the *West Australian* which he also read to the House, he concluded by moving that the publisher of that newspaper, Samuel Thomas Williams, was guilty of contempt. That motion was duly seconded, and was accepted by the Government and carried. The Government have since had under consideration what further steps should be taken to vindicate the honour of the House. We had intended that to-day I should move that the publisher of this newspaper should be ordered to the Bar of the House to show cause why he should not be dealt with for contempt, of which he was deemed guilty by the House.

Mr. O'Loughlen: Do you ask us to believe that?

The PREMIER: I ask the hon. member to believe nothing. This morning, however, hon. members may have noticed that the newspaper concerned has acknowledged the contempt, and published a withdrawal and apology.

Hon. J. Scaddan: A withdrawal of the truth.

The PREMIER: It also expresses regret—

Hon. J. Scaddan: For publishing the truth.