

Legislative Assembly,

Tuesday, 29th August, 1922.

	Page
Questions: Railways, Commissioner's reply to	
Royal Commission	435
Bills: Attorney General (Vacancy in Office), 2s. ...	435
Licensing Act Amendment, 2s. ...	435
Wyalcatchem-Mount Marshall Railway Extension, 2s. ...	443
Closer Settlement, 2s. ...	445
Agricultural Seeds, 2s. ...	449
Married Women's Protection, 2s. ...	451
Broome Hill Racecourse, 2s., Com., report ...	452
Miners' Phthisis, 2s. ...	453

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

QUESTIONS—RAILWAYS, COMMISSIONER'S REPLY TO ROYAL COMMISSION.

Mr. CARTER asked the Minister for Railways: Is it his intention to have the reply of the Commissioner of Railways to the Royal Commission on Railways printed and placed upon the Table of the House?

The MINISTER FOR RAILWAYS replied: Yes.

BILL—ATTORNEY GENERAL (VACANCY IN OFFICE).

Second Reading.

The PREMIER (Hon. Sir James Mitchell—Northam) [4.37] in moving the second reading said: This is a short measure. It is necessary because there is no Attorney General. It enables the Minister for Justice to exercise all the statutory powers vested in the Attorney General. On more than one occasion it has happened that a Minister for Justice, a layman, has controlled this department. The Bill does not propose to amend all the statutes; that would not be practicable. It gives general authority to the Minister for Justice to do such things as the Attorney General is authorised to do. It is made retrospective to cover actions already taken by the Minister for Justice acting as Attorney General. In this way we legalise what has been done in the past. There are many statutory requirements that have to be met by the Minister for Justice to-day, whereas the statute says those powers shall be exercised by the Attorney General. There are the Declarations Act, the Justices Act, the Arbitration Act, the Jury Act, the Customs Act, the Criminal Code, and many other Acts under which the Attorney General, by statute, is required to perform certain duties and carry out certain functions. There being no Attorney General, these duties devolve on the Minister for Justice. I ask the House to confirm that Minister's authority to do those things. It is a very simple measure, for it merely provides that when there is no Attor-

ney General the Minister for Justice, a layman, shall perform the functions of the Attorney General.

Hon. T. Walker: You ought to tell us what those functions are.

The PREMIER: I have told you. My learned friend, who has been Attorney General, understands the position quite well. All that I am asking the House to do is to say that it shall be legal for the Minister for Justice to do what the statute says shall be done by the Attorney General. It is not unusual to have a Minister for Justice instead of an Attorney General. I move—

That the Bill be now read a second time.

On motion by Hon. T. Walker, debate adjourned.

BILL—LICENSING ACT AMENDMENT.

Second Reading.

The PREMIER (Hon. Sir James Mitchell—Northam) [4.43] in moving the second reading said: May I explain at the outset that this is not a party measure. Any proposed amendment of the Licensing Act is welcomed by almost everybody at the beginning, but is not wanted by anybody once it gets before the House. I expect the Bill will be no exception to that rule. I never thought it would be my duty to introduce such a measure. However, we have to face our responsibilities and put the liquor traffic right. When I introduced the Bill of last year, I said the sale of liquor was a State monopoly. I was misunderstood in that, and many thought I meant it ought to be a State monopoly. But it is already a State monopoly, inasmuch as liquor is sold only under State license. That is the position. This State should set up a reasonable measure of control. The Bill will, I think, be found to set up the control that is necessary in this particular case. The great majority of the hotels are well run, but some are not. Some provide reasonable conveniences for the public and others do not. We want by this Bill to make it imperative that those who enjoy the privilege of selling liquor shall serve the public reasonably. This Bill should make for the better control of the trade. There are some people who do not want reform. They feel that if there is reform their desire for prohibition will not be carried into effect. We believe the trade should be reformed in the interests of the State. We have endeavoured by this Bill to hold the balance fairly between the contending parties. We also want to get a reasonable amount of revenue from this State monopoly. I will show later how little we do get from it and how much it costs us to get it, and also how much the Federal authorities take, and how little they do for what they get. The Bill is based upon last session's measure and the report of the Royal Commission. The Commission did much valuable work.

Mr. Underwood: Very valuable work.

The PREMIER: The inquiry was of a most exhaustive nature.

Mr. Underwood: Very exhaustive.

The PREMIER: They gave a lot of time to the work and took a great deal of interest in it. They must have delved very thoroughly into the question.

Mr. Underwood: They did.

The PREMIER: The result was that generally, though not altogether, their recommendations have been adopted. The Government have not been able to see eye to eye with the Commission in all respects, but as this is a non-party measure, members generally will be able to deal with it as they think fit. The major points of difference between the ideas of the Government and the recommendations of the Commission are as to the statutory majority necessary to carry prohibition, and as to bona fide travellers.

Mr. J. H. Smith: Very much so.

The PREMIER: There is a very considerable difference there. We also differ a little, if one can accept the view of one Commissioner, in regard to the amount of fees, that is the rate of percentage on the purchases of liquor.

Hon. W. C. Angwin: Are you closing clubs at nine o'clock?

The PREMIER: The principal provisions of the Bill are, first, that the Licensing Court shall consist of three licensing magistrates with jurisdiction throughout the whole State from a proclaimed date. This date will be fixed when the administrative details have been worked out. It is obvious that the court cannot cover the whole State, so it is given authority to delegate some of its powers. Until the Licensing Court is proclaimed, the districts will be continued as at present, but there is power relating to the grouping of certain districts in order to insure uniformity. The reduction provisions are similar to those contained in last year's Bill. A board of three members is to be appointed by the Governor. This is based on the Victorian and New South Wales Acts. This board will operate from the 1st January, 1923, and will hold office for six years. It will have jurisdiction throughout the State, and its decisions will be final. The board members may be licensing magistrates or vice versa. This is a proper principle. One board will deal with licensing and reduction, which, I think, will be a more convenient way of handling the matter. The expenses of the licensing reduction board will come out of the compensation fund. It may be regarded as a singular thing that one of the first provisions in this Bill is to give the licensees reduction board power to grant new licenses where necessary, either through increased population, or to provide increased requirements for the public, or where the public may express a desire for an increase. In Western Australia settlements grow quickly, sometimes on the

goldfields, and sometimes in the agricultural districts. If licenses are to be continued throughout the State they ought to be made to apply to these new settlements, and at times applied to places where the population in a given centre is considerably increased. So long as our statutes give people the right to have hotels, such hotel accommodation should not be denied to new and growing centres. The board may reduce the number of licenses to the extent that money in the compensation fund is available for the purpose. This power is to last for six years. For six years, and from year to year during that time amounts will be paid into the compensation fund. So far as funds are available this money will be used to reduce the number of licenses where they are in excess of the requirements of the public. In Clause 45 there will be found the guiding principle under which licenses are determined. It gives all the necessary powers to enable complete investigation and inquiry to be made, and provides for the confidential production of taxation returns. All parties interested will have a hearing. The man whose hotel is to be closed will be entitled to have his case heard before the board. In dealing with the question therefore the board will have full power to get at the truth. The compensation is based on the Victorian and New South Wales Acts. It will be assessed by the board and will go in part to the owner and in part to the lessee. It will be assessed by the board to the owner and lessee for diminution in value by reason of the loss of the license. It will be assessed to the licensee by reason of the loss of the license and the loss of business. It is difficult to determine how much should go to the owner or to the lessee, or to the man who is sub-lessee. It sometimes happens that the licensee of premises merely pays rent for the land and puts up his own building. There is provision by which the board is to determine in what proportion the owner and the licensee have to contribute to the compensation fund, and in what proportion they are to benefit from that fund. The claim of the owner will be made on the difference between the probable rents that he would receive with or without a license. This will be based upon the three years following the time of the cancellation of the license. The case of the lessee will be based on the difference between the probable net rent from his sub-lessee with and without a license for three years, or for the unexpired term of the lease, if that is the lessee. Net rent means the excess of rent received by the lessee over that paid by him. The compensation to the licensee is based, for each year or part of each year of the unexpired term of tenancy up to two years, on the average annual net profit for three years preceding the notice of deprivation. He may have six or eighteen months to go, but he would be paid on the average of his net profit for three years preceding notice of cancellation. In the Victorian Act two years

is provided and in the New South Wales Act three years. The Bill adopts the Act of the latter State. The compensation fund will form a trust fund at the Treasury. This will be contributed to by a levy of two per cent. on the liquor purchases, excluding duty. This two per cent. will be paid by those operating under the publicans' general, hotel, wayside house, Australian wine, wine and beer, and wine, lottle, and gallon licenses.

Mr. Underwood: It will be paid by those who buy the stuff.

The PREMIER: I suppose that is so. It cannot be paid by anyone else. Clubs are not included, for they do not benefit from the compensation fund. The board may allow a deduction by the licensee from rent up to half the compensation fee, having regard to the claim of the lessor on the fund. The owner's interest in a license may vary considerably. He may own the land, or the land as well as the building. In Victoria with a population, up to 30th June, 1920, of 1,504,260 there were 2,155 hotels, and 698 people per hotel. In Western Australia with a population of 339,640, there were 471 hotels (publicans' general license) and one hotel to every 721 persons, rather more than the Victorian figures. The work of the reduction board in Victoria between 1907 and 1919 resulted in 1,282 hotels being closed, and compensation to the value of £672,591 being paid, giving an average of £524 for each hotel. In Western Australia, in addition to there being 471 publicans' general licenses up to December, 1921, there were 97 wayside houses, one hotel, 17 Australian wine and beer licenses, and 51 Australian wine licenses. It will probably be contended that we have already taken a vote on this question, and that compensation was provided from 1911 onwards on the 10 years' notice that was given. The 1911 Act provided that there should be no cash compensation, but that all hotels should have a life of 10 years from that year. That Act said that hotels must be closed by a vote of the people. Now we hope to change the system and it is proposed to close hotels by means of the reduction board and to compensate from the fund provided by the trade. It will be remembered that the 1911 Act provided for no compensation for the closing of hotels after 10 years. If prohibition be carried, of course the hotels will close without receiving any compensation. I am told that in Victoria between 1885 and 1907 the hotels closed by means of local option numbered 217, and the average cost was £930.

Hon. T. Walker: And how many were opened in the same period?

The PREMIER: I do not know. It has to be remembered too that the reduction board will have the power to close bad hotels, as well as those that are not wanted, hotels which it is not possible to close under local option. Hon. members will recollect how the vote went in this State. Where there were too many hotels none was closed; in districts

where the number of hotels was not many, there were some closed. If we are to have reform we must face the situation as it is. We must profit by experience and close hotels in slum areas and where it is not desirable that they should be continued. With regard to fees, those at present in existence—except new brewer's license and spirit merchant's license, which are increased—will be paid as a minimum on the issue of the license. They may be paid in quarterly moieties if a portion of the year has expired. It is provided also that all licensees, including clubs, shall furnish within three months of the date of the license, a return of the purchases of liquor and amounts paid, or payable, for those liquors—excluding duties—for the previous 12 months ended December. The fees are to be assessed at 10 per cent. on these amounts less the minimum fee already paid. I hope the House will agree that this amount is not too high. This fee will be collected on the purchases. The license fee paid will, of course, be deducted. It is a system which was introduced in Victoria in 1916, where the percentage collected on the purchases, including duty and covering fees and payment to the compensation fund, is 6 per cent. From the brewer and the spirit merchant we propose to collect 10 per cent. on the sales—ex duties—to unlicensed persons in addition to the minimum fee. Of course we cannot collect twice, and where a brewer or a spirit merchant sells to the trade only, we get the percentage we want from the trade. But where they sell for private consumption they must pay. That is the Victorian provision also.

Mr. Latham: Is it to be made retrospective for 12 months?

The PREMIER: I am afraid it would be difficult to do that. The fees will be payable before the 1st June. It will be remembered that under local option certain hotels were closed, and whilst the revenue from licenses in 1920-1921 amounted to £37,234 it fell in 1921-1922 to £34,427. So far as I can judge from statistics, the sale of liquor did not decrease; rather, I think, did it increase. The expenses connected with the trade continued. The estimated revenue from the proposed 10 per cent., which is to go into Consolidated Revenue, is £110,000. The total gross purchases are estimated to amount to £1,700,000, and with the deduction of customs and excise amounting to £600,000, we get £1,100,000, representing the total gross purchases. On similar sales, Victoria's 6 per cent. produces £102,000. The Federal authorities collect a very substantial sum from this trade and no one has ever raised his voice in protest. The Federal people last year collected from the trade in Western Australia no less a sum than £605,129, as against £557,424 in the previous year. They actually received £47,000 more last year from customs and excise than they did in the year before.

Mr. Willecock: All over Australia?

The PREMIER: No, from Western Australia alone. No one minds that in the slightest.

Mr. Underwood: Do not be too sure about that.

The PREMIER: Well, the hon. member has not raised his voice in protest, and neither has anyone else.

Mr. Wilson: No one knew.

Mr. Johnston: They get too much.

The PREMIER: There is no reason why they should get too much and we should get too little. On a good deal of the spirits, I believe, duty is paid in the Eastern States.

Mr. Underwood: You can apply the same argument to land taxation.

The PREMIER: No, the land tax is a little drier. The two matters are totally different. A good deal of the spirit, too, I believe is bottled in the East and duty is paid there. Last year our license fees fell by nearly £3,000, while excise duty was increased. The Federal Government collected 36s. per head of the population in connection with this trade in Western Australia, and it is interesting to remember that their per capita payment to us is only 25s. Whilst the Federal Government made this huge levy, the State Government collected only 2s. per head last year. Imagine it, 2s. against 36s.! There are expenses connected with the trade—there are the courts, police inspectors, etc., while the Federal Government merely incur the expense associated with the collection of customs and excise. It has to be remembered too that we render many free services to the Commonwealth, and one would think that the Federal Government would leave a portion of the revenue to be derived from the liquor trade for the State Government to collect. We must not forget likewise that Federal taxation generally is about three times higher than that of the State, while there is no harm in quoting again that Federal taxation of the trade is 18 times higher than that of the State. I have already explained that whilst we propose to collect 10 per cent on the sales less duty, in Victoria they collect six per cent. on the gross purchases. That six per cent., however, covers fees and contribution to the compensation fund. The Victorian receipts from all sources last year totalled £164,134. I do not know that I need say very much about what we propose to collect because I hope the House will realise that we are entitled to additional revenue. I come next to the question of submitting the subject to the people. The present resolutions which it is proposed to abolish are "continuance, increase, reduction, and no-license." The issue to be put before the electors will be simplified—it will be a question of wet or dry, and the vote will embrace all licenses and clubs. It stands to reason that if prohibition be carried, all licenses will have to go. If when the next poll is taken prohibition be carried, then at the succeeding poll the question to be put to the people will be "restoration." We propose that the first vote shall be taken in 1924 and every five years thereafter. It is provided

also that the poll shall not be taken on the day of a general election. Hon. members will see that if prohibition be carried we shall have a dry State because the vote will have a general application. The Bill sets out the old provision of the three-fifths majority and it is also stipulated that 30 per cent. of the votes on the roll must be cast for prohibition, that is to say there must be a three-fifths majority and a minimum of 30 per cent. of electors on the roll must vote for prohibition. If prohibition be carried it will take effect at the end of that year. If restoration be carried at a subsequent poll, then the licenses may be issued forthwith. There will be no compensation in the case of hotels closed by reason of this vote. The hours of trading at present are from 9 a.m. to 9 p.m., and this provision will be made permanent, except in the goldfields districts, where the hours will be from 9 a.m. to 11 p.m. At present the hours there are from 6 a.m. to 11 p.m.

Mr. J. H. Smith: Why the exception?

The PREMIER: The circumstances are very different there. The men work shifts throughout the day and night. However, that is the provision contained in the Bill. The bona-fide traveller clause is abolished altogether.

Mr. Latham: That is hard luck for the man outback!

The PREMIER: This privilege has been very much abused in the past. It is rather strange that this is the only thing that hotel-keepers have ever asked me to do.

Mr. J. H. Smith: Those hotel-keepers would be in the metropolitan area.

The PREMIER: Not at all. The request for the abolition of the bona-fide traveller provision was the only request made by hotel-keepers to me. They pointed out that they were between the devil and the deep sea. They must sell to a man who says he is a bona-fide traveller. If they suspect that he is not a bona-fide traveller and refuse to give him drink and should he happen to be a bona-fide traveller, the hotel-keepers refusing to serve him can be prosecuted. It does not seem to me that the abolition of the bona-fide traveller clause will inflict any great hardship upon anyone merely by saying that for one day in seven they must keep away from hotels. After all, the people who run hotels have a right to some consideration. I do not know that many bona-fide travellers will be inconvenienced by this proposal.

Mr. J. H. Smith: My word, they will!

The PREMIER: I know there are many "bona-fide travellers" who will walk a long distance to hotels on Sunday. People who do that, however, are not bona-fide travellers in any sense of the word. I venture to assert that, but for Sunday trading, the voting at the last election would have shown a very different result. I think there is no need to retain the bona-fide traveller provisions.

Mr. Heron: I do not agree with you.

The PREMIER: Provision is made for the lodgers and boarders, and a register must be kept by the hotel-keepers.

Mr. Chesson: A lodger can get a drink?

The PREMIER: Genuine travellers will be provided for as lodgers for the purpose of meals and so on. At this stage, I may point out that the Royal Commission did not recommend the abolition of the bona-fide traveller clause.

Hon. P. Collier: No, their motor-car broke down and they had a long way to walk one Sunday.

The PREMIER: The Commission recommended that the distance should be extended to 10 miles.

Mr. Latham: Make it 20 miles, but do not cut it out in the country districts.

The PREMIER: Hon. members will have an opportunity to discuss this aspect. I have already pointed out it is a non-party question and everyone can vote as he thinks fit. I do not agree with the Commission that we should retain the bona-fide traveller clause. At present the distance is five miles, and anyone travelling that distance is entitled to a drink.

Hon. W. C. Angwin: We do not want the Perth people coming to Fremantle and getting booze there on Sunday.

Mr. J. H. Smith: Cut it out for the metropolitan area.

The PREMIER: I can understand the Perth people not wanting the Fremantle people to come to the city, but I cannot understand the Fremantle people objecting to the Perth people going to the port on Sundays. They provide mixed bathing and all sorts of attractions that the member for North-East Fremantle enjoys so much.

Hon. W. C. Angwin: We do not want them at Fremantle, getting boozed on Sundays.

The PREMIER: Fremantle is a very attractive place on Sundays and we must make the distance more than 12 miles if we are to retain the bona-fide clause. If new licenses are to be granted, they will only be granted at the absolute discretion of the court. The new licenses granted are not to exceed the number of the same description as at the 31st December, 1922, except where granted by the licenses reduction board. The reduction board can only be moved by a petition signed by the majority of the adult residents of any centre. I think that is important. I have in mind a place like Kununoppin. There is a license at Wyalcatchem, and another at Ben-cubbin. Kununoppin is an important centre and they think they should have the privilege of licensed premises at their centre.

Hon. T. Walker: There is one at Trayning.

The PREMIER: That is seven miles away. That is quite sufficient to satisfy the hon. member.

Hon. T. Walker: I consider it is a nuisance.

Hon. W. C. Angwin: The reduction board will have nothing to do but grant licenses for a year or two.

The PREMIER: It will be simplifying the matter by having only one board. When a license for a hotel is granted a premium

must accompany the tender. This is nominally the system to-day but as a matter of fact, it is only nominal. Instead of getting a reasonable premium for the right to erect a hotel, we find that we get £1 or £5 or some such small sum. That was never intended when we asked for a premium. It will not happen in the future, for the premium will have to be a reasonable one. Provision is made for proper accommodation in hotels, including bathrooms and sanitary conveniences, as well as furniture, which must be reasonably decent. This provision is taken from the Victorian Act. Existing licensed premises are to be brought up to a proper standard within a period of five years. When a man applies for a hotel license he will require to produce testimonials guaranteeing his bona-fides, his good character and so on. If we could be certain that the right man was to run a hotel, then all that would be necessary would be to say that the license could be granted and then we would know that it would be well run. In such cases, it would not be necessary for all these hundred and one provisions. It is because hotels are not well run that we have to legislate in these varied directions. Regarding clubs, I have already informed the House that these institutions are included under the prohibition vote. The number of clubs is not to be increased except by the authority of the reduction board. The minimum number of members of clubs in the metropolitan area will be 100 for the future.

Hon. P. Collier: Then the reduction board means an increase there too!

The PREMIER: It is a useful board.

Hon. P. Collier: You are quite right!

The PREMIER: It suits both sides.

Hon. P. Collier: It reduces and increases.

The PREMIER: It suits both sides, and I think it is rather clever.

Hon. P. Collier: You are quite right!

The PREMIER: The number of members stipulated for in Perth clubs at the present time is 30. For the future, it will be 100. In the country, the number required for clubs is 30 and for the future it will be 50. Liquor sales in clubs are not to be made after 11 p.m.

Hon. W. C. Angwin: Make it 9 p.m., the same as the hotels.

The PREMIER: As to the fees, the clubs will pay 10 per cent. on the liquor purchased just as is the case with hotels. There will be no Sunday sales except to lodgers and boarders. Probably no one will be quite satisfied with that provision.

Hon. T. Walker: What is the distinction between a lodger and a boarder?

The PREMIER: One man will only take his meals in the club. Clubs will be open to inspection. Then we propose to deal with the licensing of railway cars and refreshment rooms. This is a perfectly reasonable provision. Under the Government Railways Act, 1904, power is given to the Commissioner of Railways to say who shall be licensed for these purposes. In future the court will have to decide that, and these people will

have to conform with the directions of the licensing bench.

Hon. W. C. Angwin: There is no power to wipe them out altogether.

The PREMIER: They will have to be approved by the licensing bench. The board will control the licenses and they will be subject to the Act just the same as any other seller of liquor. The leases run out next year, and we will have to respect that arrangement during that period. After that, therefore, the right to lease these refreshment rooms will come under the Licensing Act.

The Minister for Mines: The Bill will only deal with the sale of liquor.

The PREMIER: As the Minister for Railways reminds me, the Bill will only affect the railway refreshment rooms so far as the sale of liquor is concerned, otherwise the refreshment rooms will be able to proceed with their business the same as usual. The licensing bench will decide who is to sell the liquor.

Hon. W. C. Angwin: Will the bench over-ride the Crown?

The PREMIER: The bench will over-ride the Commissioner for Railways. The Bill will regulate this question.

Hon. P. Collier: It is time it was put under the control of someone. They are abolishing it, granting it, and changing again. We want some stability.

The PREMIER: Bar attendants are to be over 21 years of age for the future and must be registered. They will be made liable for breaches of the Act.

Mr. J. H. Smith: Will they have to wear discs?

The PREMIER: The minimum age of persons who may obtain drinks in licensed premises has been raised from 18 to 21 years. If this provision is agreed to, no man under 21 years of age will be permitted to buy drinks in any hotel nor yet to take drink on licensed premises.

Mr. J. H. Smith: I suppose they will not be allowed to go away and fight for their country, if necessary, under 21 years of age!

The PREMIER: I do not think this will mean any hardship at all or that it will be regretted by anyone. The age of 21 is quite low enough. I venture to say that very few members of this House drank much before they were 21.

Hon. P. Collier: Shakespeare was married at 18.

The PREMIER: This Bill does not prevent a man from marrying.

Hon. P. Collier: If a man is old enough to get married, he should be old enough to take a drink.

The PREMIER: A man does not need to be married to take drink.

Mr. J. H. Smith: But he might need to take drink because he is married.

The PREMIER: Gaming in hotels is to be prohibited. If the measure passes, it will be an offence for an hotelkeeper to post racing results. The managers of State hotels will be liable for breaches of the Act.

Hon. P. Collier: They are Crown servants.

The PREMIER: Yes, but if they disobey orders by selling after hours or commit any breach of the law, they should be punished. A State hotel at Gwalia or Leonora might be in competition with other hotels and it must conform to the law.

Hon. T. Walker: Who will pay?

Mr. A. Thomson: The Government.

The PREMIER: No, the man must pay.

Mr. J. H. Smith: The Government will pay in the long run.

The PREMIER: Clause 3 provides for an increase in the minimum penalties. We propose that single women over 30 years of age may hold licenses.

Hon. T. Walker: Why 30?

The PREMIER: Because women sometimes have the misfortune to reach 30. The hon. member did not suggest otherwise 10 years ago. Last year it was pointed out that many hotelkeepers failed to serve the public with meals notwithstanding that the Act required them to do so. If this measure is passed, meals must be served and the price may be fixed by the board. To-day the public can demand meals and the hotelkeeper can offer lunch or dinner and charge for it 10s. or any other prohibitive price. We provide that the board may interfere and fix the tariff. I do not know what the strength of beer is, but this Bill provides a strength of 9 per cent., and for stout 12 per cent. I am told by a learned legal gentleman that stout will no longer be worth buying because it will be too weak.

Hon. T. Walker: Is that a legal question?

The PREMIER: With him it is. We also provide that whisky is to be kept three years in wood. It may be a little difficult to enforce that. Some people advertise 10 year old whisky.

Hon. P. Collier: Are there suitable woods in the State?

The PREMIER: The Forests Commission might be able to answer that question.

The Minister for Mines: Why injure good wood?

The PREMIER: Whisky of course has to be kept in bond and it will be possible to place a check on it there. The further employment of Asiatics will be prohibited. Asiatics now working in hotels will be permitted to continue, but the number must not be increased.

Hon. P. Collier: But does that apply to the Weld Club, too?

The PREMIER: It applies to some of the hotels on the fields.

Hon. P. Collier: There is no hotel up there employing Asiatic labour.

The PREMIER: The Bill provides that a standard measure may be demanded for any quantity over half a pint. The serving of a semi-intoxicated person is made an offence. While it is difficult to say when a person is drunk, it is still more difficult to say when he is in a state of semi-intoxication.

Hon. T. Walker: Why put that in? It is absurd.

The PREMIER: No, it will be possible to refuse to serve a person obviously the worse for drink. Vinegrowers to-day may sell wine made from fruit grown in their own vineyards, but often a wine-maker buys grapes from the owner of an adjoining vineyard for wine making. Mr. Ferguson, of "Houghton," makes wine from his own grapes and from the grapes grown by neighbours. The Bill provides that a vinegrower may sell wine made from purchased fruit grown in the State. This represents an alteration in the law.

Hon. W. C. Angwin: A man in Fremantle was fined for that last week.

The PREMIER: Boys under 16 are to be excluded from bars as servants. Billiard rooms in metropolitan hotels must close at the same time as the bars, namely, 9 p.m. The Bill proposes to abolish the two gallon license and the brewer's license. The brewer will take out a spirit merchant's license in addition to the brewer's license.

Mr. Munsie: Are you still retaining the gallon license?

The PREMIER: Yes. It will be necessary for hotelkeepers to obtain the court's permission before a second bar can be opened, but for this no fee will be charged.

Hon. W. C. Angwin: It would be a good thing to remove the screens before the bar doors.

The PREMIER: I have had no experience of them. Of course, the hon. member has.

Hon. W. C. Angwin: They are not used in country hotels.

The PREMIER: The Commission recommended that a licensed person may be placarded for adulteration. This recommendation has been adopted. The Commission recommended that the wayside license be not retained. We have decided to retain this license as it will pay the minimum fee. The Australian wine bottle license is retained against the recommendation of the Commission. If every Australian wine bottle licensee could take out a wine license as suggested, it would lead to an increase in the number of wine shops, and this, of course, would be contradictory of the provisions of the measure for no new licenses. Another recommendation of the Commission not adopted is that relating to wine licenses. The Commission proposed to exempt from licensing the seller of wine in two gallon lots grown within the State. If this were adopted it would allow anyone and everyone to sell Western Australian wine in two gallon lots without a license, which certainly could not be entertained. I have explained that we intend to allow vignerons and orchardists to sell wine of their own manufacture from purchased fruit.

Mr. J. H. Smith: And cider, too?

The PREMIER: Yes. The most important of the Commission's recommendations not adopted is with regard to prohibition. The Commission proposed a simple majority

with an 85 per cent. poll and compulsory voting under a penalty of £5. It would be foolish to imagine that it would be possible to get an 85 per cent. vote in this great scattered country.

Mr. Mann: It is said that they got 93 per cent. in Queensland.

The PREMIER: If that is so, I do not know how they obtained it. Scattered far and wide over a vast area as our people are, it would be impossible to get 85 per cent. here.

Hon. P. Collier: At my last election we got a little over 84 per cent., which was the highest in the State.

The PREMIER: Yes, probably the highest we have ever had, and the hon. member's electorate is a very compact one, where everybody could walk to the poll.

Hon. P. Collier: And they appreciate their citizenship.

The Minister for Mines: Are you sure there were not free drinks going that day?

Hon. P. Collier: You must not libel them like that.

The PREMIER: It was a keenly fought election and I was not surprised at the high percentage. We may as well determine upon having no vote at all as ask for an 85 per cent. poll. I do not think our rolls are in such a state of perfection as to justify us in saying that 100 per cent. of electors are entitled to vote. Many are dead, many have transferred their residence to other places. So we propose to adhere to the present system. With an 85 per cent. poll there would be no chance of carrying prohibition now or at any other time.

Mr. Munsie: Why have a two-fifths majority for liquor?

The PREMIER: I do not know why there should not be that majority. If hotels are to be closed by a vote, then the vote should be conclusive and definite, and such a vote would not, I think, be obtained by a simple majority. One poll, under the simple majority system, might result in the closing of hotels and the next vote in favour of opening them. If the people are in favour of abolishing the sale of liquor, let them say so by a substantial majority. The question of prohibition is not an ordinary one, to be decided by simple majority.

Hon. T. Walker: Why?

The PREMIER: Because one man wants to say to me, "You shall not take a drink."

Hon. T. Walker: If a beefsteak was poisoned I would prevent you from eating it.

The PREMIER: The hon. member is not a judge of that.

Hon. T. Walker: It has been scientifically demonstrated that alcohol is a poison.

The PREMIER: We are taking poisons all day long. If hotels are to be closed by this means, there should be a vote that will mean finality.

Hon. T. Walker: This is special pleading.

The PREMIER: I am prepared to listen to arguments from hon. members opposite on

this question. The Commission recommended that for taxation purposes the prices of beer and wines and spirits should be taken as at the place of manufacture; that the 10 per cent. should be collected on the shipment in London and not in the dock at Fremantle. The Government, however, say that the price to be taxed should be the wholesale price paid in this State, less Customs duty. We cannot have two different systems for charging duty.

Hon. W. C. Angwin: Charge the duty on the imported stuff. That is the only chance you have of getting it.

The PREMIER: The Commission suggest that the board should allow reasonable time before the closing of an hotel. The Bill fixes the time as from the end of the current period of the lease, the 31st December.

Hon. T. Walker: That is, of the license, not of the lease.

Hon. W. C. Angwin: Do you anticipate that the board will close any hotels?

The PREMIER: I do.

Mr. Pickering: On the fields the board will close hotels.

Hon. W. C. Angwin: But not anywhere else.

The PREMIER: I have already said that the Commission recommend the restriction of compensation to publicans' general licenses and Australian wine and beer licenses. The Bill, however, includes all hotels and licensed premises in the benefit of the compensation proposed by the measure. Gallon licenses are likewise included. The Commission recommended that the board should have power to borrow money for compensation purposes. That recommendation finds no place in the Bill. Further, the Commission recommended that any person carrying away liquor from licensed premises within one hour of closing time should be regarded as guilty of an offence. That would mean one hour before the present closing time of nine o'clock.

Mr. Mann: It means that liquor must not be carried away from licensed premises after eight o'clock.

The PREMIER: I do not quite see how one can say to a man, "You can stay in the hotel till nine, but you must not carry away a bottle after eight."

Mr. Mann: It will prevent a lot of excessive drinking.

Mr. Richardson: That is one of the worst features of the drink trade, selling bottles at closing time.

The PREMIER: But I do not understand why it would be right to carry away a bottle of beer at eight o'clock and wrong to take it away at, say, 20 minutes past eight.

Mr. Johnston: The provision could not be enforced, any way.

The PREMIER: At all events, that provision does not find a place in the Bill. The Commission have done such good work in connection with the measure that I want to explain to them exactly what attitude the Government are adopting towards each of their recommendations.

Mr. Mann: Just go round Perth on Saturday night and see the beer that is being carried away from the hotels.

The PREMIER: And yet it is proposed to let a man take away beer inside him until nine o'clock. To me the principle seems wrong.

Mr. Mann: It will stop excessive drinking after nine.

The PREMIER: Another suggestion of the Commission is that the police should be empowered to seize any vessel that is being carried away after hours and is suspected to contain liquor. This means that any person or lodger leaving an hotel after closing hours might have his luggage searched.

Mr. Mann: At present the police, if they see a man leaving an hotel after hours or on Sunday, are not entitled to search him.

The PREMIER: The Government do not consider that it would be wise to give such a power to the police. If it were granted, the man who had never taken a drop of liquor in his life might have his baggage searched by the police.

Hon. W. C. Angwin: Do the Commission propose any safeguard as to liquor ordered by medical men?

The PREMIER: In the same way the Commission proposed that there should be no right on the part of club members to carry away liquor from club premises after nine p.m. In drafting this measure the Government have not entertained that idea. Again, the Commission say that a lodger at an hotel should be required to sign his name in a book. That provision is not found in the Bill. It would mean that every person must know the licensing law. On the other hand, the licensee is expected to know the law.

Mr. Mann: That provision would prevent the keeping of dummy books.

The PREMIER: It might have that effect, but I think that a man capable of keeping a dummy book would be capable of writing names in a book. The bona fide traveller is altogether abolished by the Bill. The Commission say he should be retained and the distance increased to 10 miles.

Mr. Pickering: Is he abolished in the country too?

The PREMIER: Yes. What is good for the town is good for the country. I know there will be difficulties as regards the bona fide traveller, but I think we ought to have some regard for the people who run hotels.

Mr. J. H. Smith: Do not the hotel-keepers in the country want the clause retained? I say 90 per cent. of them do.

The PREMIER: I venture to say that no hotelkeeper in the country would want to keep open for the purpose of serving merely bona fide travellers. All the men travelling within reach of Bridgetown on any Sunday in the year would not produce enough revenue to make it worth while for one hotel-keeper in that district to keep open. The bona fide traveller section has never been used in a bona fide way. It has produced more trouble than anything else connected with the liquor traffic.

Mr. Mullany: In the cities it has, yes.

The PREMIER: In the country too.

Mr. Mullany: No.

The PREMIER: I know it is said that on a Sunday a man can drive or motor 10 or 12 miles and get liquor. It is for this House to determine whether such a man is a bona fide traveller. I say unhesitatingly that he is not. If the House is of opinion that a man after motoring or driving 10 or 12 miles should be entitled to have liquor, that is a different matter altogether; but certainly he is not a bona fide traveller. As regards adulteration, the Commission recommend that the penalty should be £50 for adulteration with water, and £200 for using other adulterants. In my opinion, the present penalties are sufficient: a man is fined £50 for the first offence, and £100 for the second, with liability to six months' imprisonment; moreover, the license may be forfeited. To-day the plea of having merely added water to liquor is a good defence, because the publican is at liberty to break down his proof spirit. To add water to liquor in a proper manner is not to adulterate at all.

Mr. Mann: Under the existing Act it is just as serious an offence to add water as to add tobacco.

The PREMIER: But the law permits the action of adding water to spirits. I think proof spirit is broken down 25 per cent.; I know that some argue it ought to be broken down still further. I have said all I want to say about the Bill. It was discussed last year and on previous occasions. It will make for the proper control of the liquor traffic, and will give to the people a reasonable amount of revenue. When we take £600,000 for one taxing authority, and £100,000 for another, it aggregates a big sum. The member for Pilbara (Mr. Underwood) says the consumer has to pay. Of course he pays for the lot, including the liquor. If hon. members will take a reasonable view, they will see that we are entitled to get something more from this trade, which costs the country a very great deal and which ought not to be allowed to cost the general taxpayer anything. It will be contended that, as we have already provided means of compensation, there should be no further provision for compensation. I hope hon. members will realise that the closing of hotels by the reduction board will not be the same as the closing of them by a vote of the people, and so we shall have to adopt some new measure of compensation for hotels closed by the reduction board. Of course, when an hotel is closed by the vote of the people there will be no compensation paid. I have nothing more to say, except to express the hope that the House will pass the Bill without delay, for if it is to be of use this year it must go through quickly. It has been before us previously, and is now really a Committee measure. It comes with a good deal of recommendation from the Royal Commission which, hon. members will remember, was originally a select committee appointed by the House. There may be one or two small matters which I have omitted this afternoon,

but I am sure they are of only minor importance. I move—

That the Bill be now read a second time.

On motion by Mr. Underwood, debate adjourned.

BILL—WYALCATCHEM-MOUNT MARSHALL RAILWAY EXTENSION.

Second reading.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [6.5] in moving the second reading said: The Bill may give rise to some debate amongst those interested in other authorised railway projects. We are asking for an extension of the newly constructed line which starts at Ben-cubbin and runs to a point near Danjining.

Mr. Mann: It runs up to Mukinbuden.

The MINISTER FOR WORKS: There is quite a number of settlers further east than the present terminus of the line, and they are on land said to be well adapted for wheat growing. We have all the plant and material there. The use of the material cannot in any way interfere with other lines under construction, and so it seems wise to continue this line another section of from seven to 10 miles in length. I have here a plan which shows exactly where it is intended to take the line. Not only have we the men on the spot, but we have also sleepers and rails and fastenings. There is provision for a one-mile deviation on either side of the extension. The line will serve from 50 to 60 settlers who, if the extension be not built, will have to cart an undue distance, in some instances up to 17 or 20 miles. Previous Parliaments have recognised that a farmer should not be asked to cart more than 12½ miles.

Hon. W. C. Angwin: Why has this extension been constructed before the Pingrup line, which was previously authorised?

The MINISTER FOR WORKS: We had the rails available. They have come from the Coolgardie-Kalgoorlie section, where the duplicate line was no longer required. The Government decided that since the rails and sleepers were available, it would be as well to shift them to the nearest point where they were required. That has been done. Members will remember that in a previous session we proposed to lease the Coolgardie-Kalgoorlie duplication to one of the firewood companies. However, the House did not agree to that and so the Government decided to remove the line and put it down where it would help the man on the land. Now we want to extend that line.

Hon. W. C. Angwin: I think the Government should honour their predecessors' promises to Parliament.

The MINISTER FOR WORKS: The Government ordered 60 miles of rails from the Broken Hill Proprietary. Those rails, instead of coming to hand in quantities, came in penny numbers.

Mr. A. Thomson: We were prepared to accept them in penny numbers for our line.

THE MINISTER FOR WORKS: But I was not prepared to build the line in penny numbers. Despite all we could do, we could not get delivery of the rails. Recently I have received a letter from the Broken Hill Proprietary, asking why the Government have sent an order to the Old Country for about 8,000 tons of rails.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR WORKS: As I was saying before tea, this projected line of seven miles is an addition to the line authorised as an extension from Bencubbin. This seven miles will serve certainly 40 or 50 settlers who without it will have to cart their produce seven miles in addition to the 10 or 12 miles they already have to traverse.

Mr. Latham: Further than they already have to go?

THE MINISTER FOR WORKS: Does not the hon. member know there are many soldier settlers there?

Mr. Mann: There are over 50 at Lake Brown.

THE MINISTER FOR WORKS: I am glad to have the assistance of the member for Perth. The taking of the rails and sleepers to construct this extra seven miles does not interfere with the construction of any other line within economical range of where these rails are. It would be foolish, while we have the plant there and the men who are accustomed to the work, not to construct this length of line, if we are satisfied it is required to assist the men who are settled on the land. If it is advisable to go in for railway extensions this is one of the lines I am assured should be extended and dealt with at once. The clauses of the Bill do not require explanation, because they are the usual clauses dealing with a project of this sort.

Hon. P. Collier: Where is it intended to link up with the goldfields line?

THE MINISTER FOR WORKS: The idea that obtained was that the line should swerve and go round to Merredin. Since then it was discovered that there was quite an area of land upon which wheat could safely be grown which would be served by a line further east. Those who understand land questions are satisfied that it is good enough for that purpose. Inquiries are being made to see whether it would be safe to link up with the Bullfinch line, in which case it would be desirable as an economic railway proposition to connect with the Bullfinch line, and thus junction with Southern Cross.

Hon. P. Collier: Is it not necessary to know that now in order to determine the route of the extension?

THE MINISTER FOR WORKS: No. This extension of seven miles can swerve round if necessary and go either to Merredin or Burracoppin, if it is decided it should not go further east in a direct line towards the Bullfinch railway.

Hon. P. Collier: Could it still join on with the Bullfinch line?

THE MINISTER FOR WORKS: Yes, if the land is proved to be good.

The Minister for Agriculture: The land is all right.

THE MINISTER FOR WORKS: There is nothing in the proposed extension which will be uneconomical in the way of carrying it on either to the Bullfinch line or joining it to the goldfields line at Merredin or Burracoppin.

Hon. P. Collier: The terminus is a pivot which can be swung in any direction.

THE MINISTER FOR WORKS: Yes. I move—

That the Bill be now read a second time.

Hon. W. C. ANGWIN (North-East Fremantle) [7.35]: I was surprised to hear that this railway was to be constructed.

Mr. A. Thomson: Is the seven miles of line under construction now?

Hon. W. C. ANGWIN: The Government are working on 23 miles now. The Bill authorising the construction was passed on the 3rd December, 1919. Prior to the passage of that Bill, many promises had been made concerning railway construction. The member for Kanowna said at the time there was a thought passing through his mind that in authorising the construction of new railways we might be jeopardising the work authorised in another part of the State. The Premier gave his word that that would not be so, and the member for Kanowna said that word was inviolable, and he trusted the word of the Premier in a matter of this kind. He went on to say that he was not a dog in the manger and rejoiced to see that the line would be gone on with. He was referring to the Esperance line. There were other lines which were promised, and which it was said would be carried out in the order in which they were passed by Parliament. I was Minister for Works for some time. I promised faithfully to the people east of Katanning that their line should be the first started after the Esperance line was begun or as soon as we could get rails.

The Minister for Works: The Nyabing-Pingrup line?

Hon. W. C. ANGWIN: Yes.

The Minister for Works: That is in hand now.

Hon. W. C. ANGWIN: In passing additional railway Bills we should not overlook the construction of lines sanctioned by this Parliament several years ago.

Mr. Latham: Since 1914.

Hon. W. C. ANGWIN: That would be utterly wrong. No promise that was ever made by a Government which preceded the Labour Government was neglected by the Labour Government when in office. We had plenty of opposition to the raising of money for the purpose of constructing railways promised by a previous Government, but we carried out those promises.

Mr. Underwood: Most of them.

Hon. W. C. ANGWIN: If members had for a moment thought that this particular rail-

way would have been given precedence over others that were passed prior to it, I am sure they would not have agreed to pass the authorising Bill. It has been pointed out several times that other railways have been authorised and these should be built in the order in which they were authorised. This was the last authorising measure put through Parliament and yet the line is already under construction. The Minister for Works now asks us to permit him to add seven miles of line to that railway. We do not know whether it will cost £3,000 or £10,000 a mile.

Mr. Underwood: It would be all the same whatever he told you.

Hon. W. C. ANGWIN: We do not know whether the people concerned are close to the railway.

Hon. P. Collier: Or how long they have been there.

Hon. W. C. ANGWIN: All we are told is that if we do not grant this extension, the people will have to carry their produce seven miles further.

Mr. A. Thomson: What about the people in my district living over a score of miles from a railway?

The Minister for Works: You do not want these people to cart that extra distance, do you?

Hon. W. C. ANGWIN: No. But I want a fair thing done by the State as a whole. It does not matter to me whether a railway is constructed near Wyalatchem or any other place. If the Government went out of office and a Labour Government came in, we should carry out whatever promise was made by the Government which preceded us. When a promise is made, it should be carried out. The Minister has told us that he is getting rails from the line between Kalgoorlie and Coolgardie. This may have saved a few pounds in the matter of rails.

The Minister for Works: A great deal more than that.

Hon. W. C. ANGWIN: Must a promise made to Parliament be violated for the purpose of saving £50?

The Minister for Works: A lot more than that.

Hon. W. C. ANGWIN: That may be so. We ordered 60 miles of rails from Broken Hill, but we could not get them. Other rails were taken up in order to construct the Lake Grace line. A distinct promise was made that the railways should be constructed in the order in which they were authorised. The Labour Government, when it went out of office, had under consideration the construction of the Nyabing-Pingrup line. It is no excuse to say that the Government have men already doing work of this class. When the Minister for Mines was Premier he visited Lake Grace. It was said then that the men had done their work well and that no railway had been constructed more cheaply than that one; that now the men were there they should be kept there and that the line should be continued right through. We replied that we had pro-

mised to build other railways and that those railways must have consideration first. Now we find that this railway has been constructed over a distance of 15 miles.

The Minister for Works: It is 23 miles and we want it another seven miles.

Mr. Underwood: We want time to look at the map.

Hon. W. C. ANGWIN: It will be nearly in a straight line.

Mr. Underwood: It may be going in the wrong direction.

Hon. W. C. ANGWIN: Two years ago the Minister said in regard to the Wyalatchem-Mt. Marshall railway extension—

The original sketch plan shows that it will ultimately junction with the main line at a point further along or perhaps at Merredin. Further investigation, however, might possibly lead to a decision that it would be better to junction nearer to Southern Cross, perhaps at Burracoppin. That, however, cannot be decided until the land is surveyed.

I hope the House will not agree to pass any additional railways until those already authorised or under construction are completed. In the Legislative Council in 1914 an objection was lodged to the passing of the Esperance Railway Bill on account of the fear that if the Bill were passed, the construction of the railway might take precedence over other railways at that time authorised. Two amendments were actually moved to the Bill, but Mr. Drew, who was then representing the Government, assured the House there was no intention of carrying out the construction of the line until those already authorised had been completed. Mr. Drew's word was accepted and the amendments were withdrawn. I have no wish to obstruct the passage of the Bill before the House, but at the same time, I wish to say that this railway should never have been started in advance of others, to the construction of which Parliament agreed. I hope that in future when a Bill such as this is brought down, hon. members will see that a clause is inserted for the purpose of protecting the people to whom promises have been made that the lines authorised will be constructed in the order of precedence.

On motion by Mr. Johnston, debate adjourned.

BILL—CLOSER SETTLEMENT.

Second Reading.

The PREMIER (Hon. Sir James Mitchell—Northam) [7.50] in moving the second reading said: It will be remembered that a similar Bill passed through this House last session and was referred by the Legislative Council to a select committee. The Bill before hon. members at the present time is framed as it passed the Assembly last year, that is to say, the amendments made to it by this House are embodied in the measure. The

Bill has received a good deal of attention at the hands of hon. members, and the public as well. The only alteration perhaps is that which provides for the third member of the board to be varied so that the appointment of one with local knowledge may be made.

Mr. Underwood: You are always making provision for the appointment of someone on a board.

The PREMIER: I consider this will be a wise provision, because the appointment will be that of a person possessing local knowledge, which will count for a great deal. The limitation to a distance of 12 miles from a railway has been removed from this measure. I can assume that the measure which was introduced last session was regarded by a majority in this House as a good one. It must be realised that such a Bill is a very difficult one to prepare, inasmuch as there are so many interests to consider apart from the interests of owners. For instance, one does not wish to interfere with securities. If one did that, the effect might be serious upon the borrowing power of the owners. The select committee which was appointed by another place took a little evidence.

Mr. Davies: Very little.

Mr. Munzie: But some of it was very important.

The PREMIER: It may have been important, but on one point alone. Hon. members will see printed with the evidence a copy of a letter from the select committee in which it is admitted that the Bill is a good one so far as it applies to freehold land, but that it is bad only because it does not apply to conditional purchase land. There can be no doubt about it that there is need for a measure such as this. Many hon. members visited the South-Western portion of the State last year, saw a good deal of the country, and came back and talked about it. The Bill will apply more to the South-Western portion than to the Wheat Belt. We hear a good deal about the land that is available in the Wheat Belt, and some have gone so far as to say that there are two million acres of available land between York and Northam, land which is not being utilised. So far as I know that land, it is very well improved, and is being used, that is to say, the land which is suitable for settlement. I remember when I assumed office on the last occasion, I looked around for land for soldiers, in that part of the State, but failed to find any. I assure hon. members that if it had been there it would have been taken. There is need for subdivision of land. The last few years have shown conclusively that land which at one time was thought to be of little value has been proved to be capable of production. A good deal of land we are using to-day we would not have dreamt of using about 10 years ago. There is a considerable area of land adjacent to existing railways, which can be utilised and successfully settled in comparatively small blocks. Hon. members know we can put many

people on small blocks close to the railway now owned by the Government between Flinders Bay and Margaret River. There is land close to railways nearer to Perth which can be made use of. On areas between Perth and Bunbury, and at no great distance from the South-Western railway, we can also settle many people. During the past 12 months we have been actively putting people on the land, and in a few days we shall be sending 320 people out to take up blocks at not a great distance from Perth. We also hope to settle a number of people between Bunbury and Augusta. There is good land between Bunbury and Bridgetown, but it runs over the ranges and is hardly suitable for closer settlement. Beyond, there is a good deal of land still in the hands of the Crown, and if our railways are to be made to pay, we shall have to bring into cultivation those areas which are more favourably situated. Our great trouble is to-day that we have so many miles of railway for so small a population, and the fact also that our production is limited. We have about a thousand miles of railway on the goldfields and we know that the traffic there has fallen off considerably. Then, too, we require to resume a good deal of land because our own people are anxious to take up areas and they should be given an opportunity to do so and to be as close to the market as possible. We should have the power to take all that land which is available and which is not being used. I may draw attention to our exact position in connection with land settlement at the present time. We have disposed of the freehold of 9,725,000 acres of land; under conditional purchase and other conditions, the area of first class land taken up is 9,097,000 acres and of grazing leases 6,833,000 acres. The grazing land is of poorer quality. The total area is thus 25,655,000 acres, either alienated or in process of alienation. Much of the freehold land was taken up in the early days and, I am sorry to say, a good deal of it was taken up at a very low rate, some of it at 1s. an acre. Taking the poor land from the total I have just quoted, and setting that down at 11,655,100 acres, we get a total of 14,000,000 acres of good and fairly good land. Of that area there are cleared to-day 5,036,000 acres and partly cleared 2,668,000 acres, giving us a total of 7,704,000 acres. We regard the progress which has been made as entirely satisfactory. We have but a handful of people on the land in this State, and during the war period it was difficult to carry out improvements. Even since then a difficulty has existed because of the high price of fencing and other material. But notwithstanding the period of the war and the aftermath, we have got on remarkably well. In 1910 there were only one and a-half million acres of land cleared and 12 years later the total was increased to nearly five and a-half millions, so that in 12 years we had an increase of over 3,000,000 acres cleared and prepared for the plough. That has not been a small task. It took the State nearly 80

years to clear a million and a-half acres, and in less than 12 years we increased that number to over 5,000,000 acres. There is also a good record of other work done in connection with land settlement, and I want the House to realise that the man on the land has not been altogether careless of his responsibilities and obligations.

Hon. P. Collier: Especially those who have gone on the land in the last 15 years.

The PREMIER: They have done their share. Thus there are 14,000,000 acres of land fit for the plough. Five million acres have been cleared and another 2½ million acres are in process of being cleared. That notwithstanding, the position regarding these operations is unsatisfactory. It is impossible for people to carry out the improvements necessary, and there has been no demand so far for land for closer settlement. I remember some years ago I endeavoured to bring the South-West into greater popularity. It was very difficult to do it. Men preferred to grow wheat rather than to go to the South-West, and the time has come when we should endeavour to encourage the development of land adjacent to railways wherever possible. We propose that the board shall include an Agricultural Bank official, because the money necessary to secure the development of the land in that part of the State must come from the Bank. The quality of the land and the situation of the property must be satisfactory to the Bank otherwise the money cannot be advanced. We are endeavouring to develop our land by the means of men who possess limited capital. For that reason we have to find the land and the capital as well. It makes it all the more necessary that a bank official should be on the board. Then there should be an officer from the Lands Department and the appointment of such an official to the board is also proposed. There is also provision for one outside member of the board, who will be changeable as I have already shown. If, for instance, we were dealing with land in the Pinjarra district, a man who knows that district would be on the board. The same thing would apply if we were dealing with land in the Bridgetown district and the Kellerberrin district.

Hon. P. Collier: Do you not think two local men selected by the Primary Producers' Association would be satisfactory?

The PREMIER: I have no doubt they would be good men.

Mr. Pickering: They would be efficient anyhow.

Hon. W. C. Angwin: Perhaps this one is proposed for them.

Mr. Angelo: It would be a good thing.

The PREMIER: The Primary Producers' Association have not suggested that at all.

Hon. P. Collier: They overlooked it.

Mr. Pickering: We did not have any chance to do so.

Hon. P. Collier: They ask for two representatives on these boards.

Mr. Pickering: Do not you think it is a good thing?

Hon. P. Collier: We shall have to get a Cheek Bill introduced.

The PREMIER: The cost of administering the board will be small, because the existing staffs will make the necessary inspections and reports. The board will be required to inquire into the suitability and requirements of land held in fee simple. The Act is to remain in force until the 31st December, 1924. It will apply to freehold land only. I have said that a select committee was appointed by the Legislative Council to consider the Bill last year and they suggested that conditional purchase land should be included. It must be remembered that land held under those conditions is practically held under contract, and it seems to me that so long as the man holding such property carries out the conditions provided in his contract lease, he should remain undisturbed. There are limitations provided in the Land Act regarding the areas to be held. I admit that some men have 2,000 acres, but generally speaking the Act sets out the improvement and use to which the land must be put. The conditional purchase conditions guarantee the utilisation of the land to a great extent. The amount to be spent on the land is fairly considerable having regard to the cost of clearing. Every hon. member knows that for the last 10 or 15 years work has gone on in the wheat belt. There may be odd farmers who have not done their duty, but holders of conditional purchase land have done their work with money borrowed largely from the Agricultural Bank. During the last six weeks we have authorised loans totalling about £120,000 for the clearing of land. During the last 15 months we have authorised advances for clearing totalling nearly half a million pounds. That money is largely for clearing on conditional purchase blocks. The improvement there is going on quite satisfactorily and we can get that land put into proper use. Quite apart from that aspect, however, we must have some regard for existing contracts. We said to the holders of those contracts that if they went on the land and carried out the necessary improvements in a stated number of years, they would not be disturbed. If the land is held as freehold property, we should have the power to take it when deemed necessary. People may have the right to do certain things within 20 years, but we cannot say to them that if they do what is required within that period they may subsequently rest on their oars for all time. This is a difficult measure to draft, because while it may be desired to acquire land that is not properly utilised, we do not desire to interfere too much with landowners who are doing fairly well with the land they hold. We do not wish to interfere with the question of security. A producing country is always a borrowing country, and men on single-crop land must always borrow. I do not know whether it is realised that before we start harvesting, the wheat growers will have put two and a half millions in cash into their crops. That is a good deal of money, and it means that a considerable portion of

it must be borrowed. In Queensland and New Zealand land held in fee simple only is taken: In Victoria conditional purchase land is also taken, but it is subject to resolutions passed by both Houses of Parliament.

Hon. P. Collier: There is very little conditional purchase land in Victoria.

The PREMIER: There is some.

Hon. P. Collier: But not much.

The PREMIER: There is some in the mallee country. In New South Wales a Bill was prepared to deal with this question, but it was not proceeded with. The board will be required to report on the land unutilised and unproductive for two years, after the hearing of interested parties. If it is cleared land and not utilised for two years, we will have the power to take it. The land will then become subject to the provisions of this Bill. If the board find that the land is utilised, they can discharge it from the operations of the measure. That is a necessary provision. The owner of the land will be notified that his property is required and he in turn must notify all interested people. Within three months of such notice, the owner must elect to subdivide and offer his land for sale. He must submit his proposed subdivision and make surveys as required by the board. He must offer his land for sale on approved terms and conditions. If an owner will cut up his land and sell it without the Government intervening it will be better for the State. If he does not elect to do what I have indicated, he must pay treble land tax from the commencement of the current financial year without the abatement of income tax payable on profits from the land. Not only that, but he must carry out all the necessary improvements while paying the treble tax. Last year the member for North-East Fremantle (Hon. W. C. Angwin) thought that the owners of property would escape if the income tax were larger than the land tax. This is clearly prevented, however, by the inclusion in Subclause 4 of the words "without any abatement under Section 17." If the subdivision and the offer for sale are not to the satisfaction of the board, the treble tax will have to be collected and it will be subject to an appeal to a Supreme Court judge. If the owner fails to notify as set out in Clause 6, the land may be taken for closer settlement and compensation assessed on the unimproved taxation value plus 10 per cent., the owners having the right, within 30 days of the commencement of the Act, to increase his taxation value, on which the Commissioner will re-assess.

Mr. Munsie: That is the request put in by the farmers' representatives?

The PREMIER: That was in the measure last year.

Mr. Munsie: It was not put in last year. It was moved and struck out.

The PREMIER: I have no objection to striking it out again. I was told it was inserted in the measure last year.

Mr. Munsie: It was of little use last year, but with the inclusion of that provision the measure will be absolutely useless.

The PREMIER: It will provide us with some revenue.

Mr. Munsie: Not "tuppence."

The PREMIER: At any rate, that is the proposal, namely, that the compensation shall be assessed on the unimproved taxation value plus 10 per cent. The improvements are to be taken at a fair value. If the improvements have added to the value of the land, that value will be paid for as improvements.

Mr. Munsie: I wanted it to be in the Public Works Act, but you insisted upon cutting it out.

The PREMIER: I think that if we pay 10 per cent. on the value submitted for taxation, we are doing a fair thing, and if we pay for improvements that represent increased value to the land at the moment, it will be a fair thing too.

Mr. Munsie: You pay 10 per cent. on the amount to which the owner increased his value.

The PREMIER: I do not mind striking that out. Funds have to be appropriated by Parliament before they are spent. Last year £200,000 was appropriated under this measure, but another place deleted that provision. If a part of a man's property is taken, the owner may require the whole of it to be taken. Land will be disposed of under the Land Purchase Act. Land may be taken from anyone. If land is taken from a member of Parliament it will not mean any disqualification in the Constitution Act for that hon. member. There must be an annual report to Parliament. In Queensland the land taken must be freehold. It may be taken by agreement or by compulsory acquisition. The provision for compulsory acquisition only applies to land exceeding £20,000 in value. The owner may retain for residential purposes or for the purposes of his business in one block, land to the value of £10,000 outside improvements. Where the estate is valued at over £50,000, the owner may retain in one block, land of the value of £15,000 outside improvements and where the estate is valued at over £100,000, he may retain a block for residential or business purposes valued at £20,000, outside improvements. In Queensland compensation is determined by a land appeal court, consisting of a judge and two members of the court. The compensation is based on the value of the land and improvements and the business loss in consequence of the acquisition. In Victoria, the Act is still more complicated. Land held in fee simple, on conditional purchase conditions or held under lease, which has an unimproved value of over £2,500, may be taken by agreement or by compulsory acquisition. If the owner does not accept the offer of the Crown, a resolution by both Houses of Parliament may direct the compulsory acquisition of the whole or part of the land, subject to an appeal to a special board which may exempt the land for four years.

Mr. Underwood: Is that for large estates?

The PREMIER: Yes.

Mr. Munsie: That is where the owner disagrees with the price.

The PREMIER: Yes. The owner may retain land to the value of £6,000 or up to £10,000, if a judge so decides. Compensation there is determined by agreement before a judge with or without a jury or assessors. It is based on the value of land and improvements, damage by severance, and enhancement or depreciation of other adjoining land. The New Zealand Act is often quoted. It refers to fee simple land only, and may be acquired by agreement or compulsorily.

Mr. Munsie: On what terms?

The PREMIER: It may be taken compulsorily if the owner refuses to sell subject to limitations, namely, the area must exceed the prescribed maximum, the owner may retain the prescribed maximum consisting of 1,000 acres of first class, 2,000 acres of second class land, and 5,000 acres of third class land, and the owner may require the whole estate to be taken if part is required. Regarding compensation, a claim for over £1,000 is heard by a judge. It is based on the value of land and improvements and loss to business. It is assessed separately for unimproved value and improvements. The unimproved value is the assessed value under the Valuation of Land Act. To this unimproved value is added up to £50,000, 10 per cent., and over £50,000, 10 per cent. on the £50,000 and 5 per cent. on the residue. To the total compensation is added 2 per cent. for deprivation.

Mr. Munsie: That is on the actual taxation return?

The PREMIER: Yes.

Mr. Munsie: They do not give a land owner the right to alter his valuation?

The PREMIER: No.

Mr. Munsie: You will never get an acre of land under your Bill.

The PREMIER: I am agreeable to taking out that clause. I do not know why 2 per cent. should be added in New Zealand for deprivation. The New Zealand Act provides for a district valuation roll being prepared showing the nature and value of improvements, the unimproved value and the capital value. On one occasion a measure was introduced into this House with the object of getting a valuation roll. In New Zealand these valuations are used by local authorities and by the Taxation Department. If the Valuer General considers land to be assessed at less than the capital value, the owner may be required to increase the amount and, failing his consenting, the land may be acquired. The owner may at any time increase the unimproved value which shall then become the taxable value. If the roll shows the value as £10,000 and the owner considers the value is £15,000, he can increase the amount.

Mr. Munsie: If he pays on £15,000, the Government then have a right to acquire at £15,000 plus 10 per cent.?

The PREMIER: Yes.

Mr. Munsie: You could not do that under your Bill.

The PREMIER: Yes, we could.

Mr. Munsie: No, you give a land owner 30 days to alter his assessment and he would certainly put up the valuation.

The PREMIER: I have no objection at all to deleting the clause referred to by the hon. member. If this Bill becomes law we shall be able to get the land we require. It will be very much more effective than any law on the subject existing in the other States. There is always a difficulty for the reasons I have stated. It is not a question of the owner of the land being solely considered; it is a question of land security. For various reasons the owner may not be in a position to do all the work necessary for the improvement of his holding. Again, no limit of area is set up under this Bill. Any unimproved land adjacent to the railways may be acquired. This of course is what we want. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier, debate adjourned.

BILL—AGRICULTURAL SEEDS.

Second Reading.

The MINISTER FOR AGRICULTURE (Hon. H. K. Maley—Greenough) [8.23] in moving the second reading said: The desirability of introducing a measure of this description has been under consideration for some time. It was mutually agreed between the Ministers of Agriculture at the recent conference held in Perth that Western Australia and South Australia should come into line with Victoria, Queensland, and New South Wales by introducing Bills on uniform lines. The Bill is urgently necessary in the interests of the man on the land. This has been proved as a result of certain botanical investigations relative to the value of seeds sold from time to time throughout the State. When a grower places an order for a particular kind of seed, he expects to get it.

Mr. A. Thomson: But does not.

The MINISTER FOR AGRICULTURE: He is entitled to get it.

Hon. P. Collier: What happens now without regulation? Is not that a reflection on the honesty of private enterprise?

The MINISTER FOR AGRICULTURE: The careful and honest tradesman to-day, without legislation, will give a warranty that the seed he is selling is up to standard.

Hon. P. Collier: One of the principles of private enterprise is that the honest man goes to the wall.

The MINISTER FOR AGRICULTURE: The unscrupulous man has no qualms because, except for the criminal law, there is nothing to prevent him from selling inferior seed.

Hon. W. C. Angwin: All I would have to do would be to get a paddock of a few acres and I could sell what I liked.

The MINISTER FOR AGRICULTURE: That is all that is necessary to-day.

Hon. W. C. Angwin: That is all that will be necessary if this Bill is passed.

THE MINISTER FOR AGRICULTURE: Seeing that the hon. member has had the Bill in his hands for only two minutes—

Hon. W. C. Angwin: It required no longer to ascertain that.

THE MINISTER FOR AGRICULTURE: The trouble is there are certain dealers prepared to buy up old stocks of seed and, when the planting season comes round, they sell it and the purchaser does not know that he is not getting the preceding season's seed. An unscrupulous dealer can make a fair amount of profit by purchasing for practically nothing seed discarded by more reputable firms.

Hon. W. C. Angwin: Why do not you put the farmers on the same footing?

THE MINISTER FOR AGRICULTURE: It would be impossible to do so except at great expense.

Hon. W. C. Angwin: A man could get a paddock of a few acres and start growing and he would be all right.

THE MINISTER FOR AGRICULTURE: A farmer buys on the crop of his neighbour. In spite of the absence of restrictive legislation, some seedsmen give a guarantee of a certain percentage of germination.

Hon. W. C. Angwin: If a farmer sells seed he is not liable, but if merchant sells seed he is liable.

THE MINISTER FOR AGRICULTURE: It would be very easy to make restrictions so arduous as to limit the supply of seed available for sowing, especially in a season of scarcity.

Hon. W. C. Angwin: I would put the same penalty on the farmer as on the other man.

THE MINISTER FOR AGRICULTURE: I will show the hon. member presently that that is not necessary. Care has been taken to guard against imposing undue restrictions on the sale of seeds, because any expense attached to the administration of the measure would naturally rebound on the purchaser. A seedsman would take care to pass on any cost. The Commonwealth Quarantine Act aims chiefly at preventing any additional noxious weed seeds being introduced from overseas. We take precautions under this Bill to guard against the introduction of noxious weeds into a clean district from an infested district within the State. It is not considered necessary to restrict a farmer who sells seed to a merchant or a farmer who sells to another farmer, because the merchant buying from the farmer is quite able to protect himself by making a form of contract; and the grower buying from another grower generally has a knowledge of what he is buying, because he has seen the crop. It is deemed to be unnecessary, and, owing to the expense which inspection would entail, almost impracticable, to follow up seeds sold from farmer to farmer. With a view to providing for alterations in details which administration may show to be necessary from time to time, power is provided to make regulations. Provision is made in the

Bill for samples to be taken for examination, not only by the officers appointed for this purpose, but with suitable safeguards for the purchaser himself to take samples or to have them taken on his behalf by a departmental officer. The present Bill has embodied in it the best features of the Victorian and Queensland Acts, and of the regulations dealing with the testing of seeds in force in Great Britain during the war. The main clause in the Bill is that dealing with warranty. This warranty provides that the purchaser shall be given such information as will enable him to assess the value of the seeds which are being offered to him for purchase. The warranty does not compel the vendor to supply seeds of a certain standard. It would be very easy to fix standards both of purity and germination, that would prove to be unworkable, but this has been avoided in the Bill. Whilst it is desirable that the quality of seeds should be as high as possible, it is sometimes impossible to obtain seeds of the desired standard. It is, therefore, obviously better to permit the sale of seeds of a lower standard, provided their quality is made known, than to have no seeds offered for sale. The warranty provides for this. Though the warranty provides that seeds of any quality may be sold provided the purchaser is advised regarding the quality, provision is made in the Bill authorising the Governor, when circumstances make it advisable, to prohibit the sale of seeds below a certain standard. The Bill provides that description of seeds offered for sale shall be given in detail. The warranty clause provides that the seed seller shall state (a) Kind of seed—i.e., species, not variety—and percentage of seeds true to species. (b) In case of mixture, proportion of each kind of seed in mixture. (c) Percentage of pure seeds which will germinate. (d) Quantity of total impurities, including disease. (e) Quantity of dodder or other impurities in case of certain prescribed seed. (f) Country of origin of such kind as may be prescribed. This last provision is important, and is in accordance with latest continental practice. It has been found, as in the case of lucerne, that seed grown in certain countries has far greater value, both agriculturally and commercially, than the same kind of seed grown in other countries. Unless such a provision is inserted, the way is opened to unscrupulous dealers to deceive purchasers. The requirement of detailed description is the only method by which it can be ensured that the purchaser will have sufficient information to enable him to assess the true value of seeds offered to him. It will be noticed that the seedsman is required to guarantee that seeds shall be true to species and not true to variety. At first sight one would expect the guarantee to be "true to name or variety," but experience in the Eastern States has shown that such a provision is unworkable.

An instance illustrative of this has been published in an Eastern agricultural weekly, the "Sydney Mail." It is as follows:—

Grower buys some seed labelled "Succession Cabbage," which when it comes up proves to be "St. John's Day Cabbage." Under the "true to name" provision he is entitled to sue the merchant who sold him the seed, and to win his case. Now this is certainly unfair to the seedsman, who has no possible means of telling the one from the other. They are absolutely alike, and it may be that what he sold was seed actually saved from the patch of "Succession" variety, which has been cross-fertilised from a patch of "St. John's Day" near by. Such accidents of nature are occurring every day, and no legislative control can assist anyone. The phrase "true to species," instead of "true to name," would probably meet the circumstances; that is to say, the seller would have to guarantee that the seed referred to was cabbage, but he would not be liable to prosecution for selling it as "Succession" if it turned out to be some other variety. On the other hand, he would not be able to sell as he does now, say, red clover seed simply as clover. He would have to give the specific name of each species. The same with grass and other seeds. The term "true to species" would allow a certain amount of latitude, but would not be too wide to permit of much fraud being perpetrated by its use.

The warranty is necessarily limited in its extent. After very mature consideration, it was decided that samples necessary for testing must be taken on the premises of the seedsman or whilst in the course of transit to the purchaser. The guarantee does not prohibit the sale of inferior seeds, or prescribe that seeds of standard quality only shall be placed on the market; but it does provide that the seller shall make known to the prospective purchaser the actual quality of the seeds being offered. The question of using the quality offered rests entirely with the purchaser. He is protected by being informed as to its true value. Summarised, the Bill protects the grower by providing him with a true and detailed description of the quality of the seed being offered to him, and aiding against the further spread of noxious seeds and pests. I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Hon. M. F. Troy, debate adjourned.

BILL—MARRIED WOMEN'S PROTECTION.

Second Reading.

The PREMIER (Hon. Sir James Mitchell—Northam) [8.40] in moving the second reading said: This Bill does not provide for

anything that is new. It merely extends the provisions of the law as it now exists, and makes it easier for married women to obtain protection from a husband who is undesirable or neglectful or cruel, or who commits any offence now provided for in the old Act. The Bill makes it easier—and rightly so—for women in such a position to obtain protection. It repeals the old Acts of 1896 and 1902, and is based on the South Australian Act. It retains the bulk of the old provisions which afforded summary protection for cruelty, desertion or failure to provide maintenance for wife and children, but subject always to conviction of the husband for assault or the wife leaving the husband owing to his persistent neglect or cruelty. This Bill does away with the necessity for a conviction for assault. It will no longer be necessary, under this measure, for a wife to prosecute her husband up to conviction for assault, nor will it be necessary for her to leave home without provision for maintenance previously made. To-day she must either obtain a conviction for assault or leave home before she can obtain relief. It is considered that that position should no longer obtain. Because of these greater powers, however, it is necessary to make some alteration in the constitution of the court. Under this Bill a police magistrate or a resident magistrate, with a justice of the peace, will have power to make orders allowing cessation of cohabitation, granting custody of children up to the age of 18 to the mother, and directing payment of maintenance and securing such payment. Under this Bill the mother may be granted power in respect of children up to 18 years of age, whereas the present age limit is 16. Further, under this Bill the court may grant maintenance beyond the present limit of £3 per week, which limit is abolished by the Bill. In fixing the weekly amount of maintenance the court is to have power to determine the question according to the needs of the applicant and the position of the husband. For instance, the wife may have several children or she may not have any. The financial position of the husband may be a comfortable one, and the court will take that fact into consideration. Under the old Act the court which actually made the conviction for assault could also make the order for maintenance. If the husband were of drunken habits, or if he committed adultery, that would be sufficient ground for the granting of a separation and an allowance to the wife. In no way is the jurisdiction of the superior court affected, and of course the dissolution of marriage under this Bill would be impossible. It is provided that orders may be varied or discharged on application. Again, under the Bill an order for protection may be heard immediately after conviction for cruelty. That is new. If the order be disobeyed, the husband may be fined £10 or imprisoned for two months. That also is new. The appeal to the Supreme Court is not new, for it is provided in the existing law. The material alterations in the Bill are

the two I have mentioned, that is to say, the wife need not prosecute her husband to conviction for assault, nor is she compelled to actually leave him. It will be seen that sometimes it is impossible for the wife to leave her husband before getting some allowance for herself and her children. Nor ought it to be necessary for the wife to prosecute her husband to conviction for cruelty. I hope the House will pass the Bill. It will afford a measure of relief to married women who are badly treated. I hope they are few and far between. Sometimes, of course, the man acts under great provocation as, for instance, bad cooking or neglect to keep his buttons from falling off. I ask the House to approve of this measure of protection being made easier for married women while still affording the husband all the reasonable protection he ought to have. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier, debate adjourned.

BILL—BROOME HILL RACECOURSE.

Second Reading.

The MINISTER FOR AGRICULTURE (Hon. H. K. Maley—Greenough) [8.47] in moving the second reading said: This is a short Bill designed to give the local authorities at Broome Hill power to concentrate their recreation grounds for racing and for sports in one enclosure, in the same way as has been done at Narrogin. The sporting bodies and general public of Broome Hill are dissatisfied with the present racecourse, which is about two miles out from the town and, lying low, is practically flooded in winter time. They think it desirable to get a site closer to the town, and we propose to give them power to sell the present racecourse, hold the money in trust and, with the consent of the Minister for Lands, devote the proceeds of the sale to the purchase of 63 acres of land within half a mile of the town for recreation purposes, including the purposes of a racecourse. It is an admirable thing to get all the sports grounds within one enclosure. The member for Boulder (Hon. P. Collier) will agree that had that been done years ago on the gold-fields, the present upkeep of the recreation grounds at Kalgoorlie and Boulder would have been very much less than it is. That is what it is desired to do at Broome Hill, following on the lines adopted at Narrogin last year. I move—

That the Bill be now read a second time.

Hon. W. C. ANGWIN (North-East Fremantle) [8.50]: The Bill does not provide exactly what the Minister says it does. It is true that, according to the Minister, some of the residents at Broome Hill are dissatisfied.

The Minister for Agriculture: I said the sporting bodies and the general public.

Hon. W. C. ANGWIN: We are told that there should be only the one recreation ground. If they want to have the racecourse and the

cricket ground and the football ground all in one enclosure, there is nothing to prevent that being done without the Bill.

The Minister for Agriculture: Yes, the present ground is unsuitable.

Hon. W. C. ANGWIN: The Bill merely provides for the selling of the existing racecourse. Nothing is said about allowing the people to have one ground.

The Premier: Yes, there is.

Hon. W. C. ANGWIN: It is a Bill to allow them to sell the racecourse.

The Premier: And buy other land.

Hon. W. C. ANGWIN: I have always looked on the Premier as an optimist. Surely he realises that some of those towns will eventually become cities. The towns along the Great Southern must grow so large as to require several recreation grounds each. What does the Bill provide?

The Premier: It merely provides for an exchange of grounds.

Hon. W. C. ANGWIN: It provides for the selling of the reserve.

Mr. A. Thomson: It is not suitable; it is low lying and boggy.

Hon. W. C. ANGWIN: How extraordinary it seems that, with thousands of acres of land all round Broomehill, they should have picked out the only boggy place in the district for a racecourse! I am afraid the hon. member cannot convince us of the truth of that story.

Mr. Johnston: They want to use the reserve as a swamp garden.

Hon. W. C. ANGWIN: The reserve should be retained. We cannot afford to give away our reserves. Already in the metropolitan area more reserves are required. At Cottesloe they have not any reserve.

The Minister for Mines: They have a beach.

Hon. W. C. ANGWIN: But they want a reserve for hockey, for football, and for cricket. Only the other day they had to lease as a sports ground a piece of land from the Education Department. Some day the people of Broome Hill will be in a similar fix. This reserve must be a valuable piece of land.

The Minister for Mines: Move for the appointment of a Royal Commission to inspect it.

Mr. Pickering: Do you know the block of land?

Hon. W. C. ANGWIN: No, but I see that the intention of the Bill is to allow the local authority to sell that land. If the land is not valuable there is no necessity for the Bill, because they will not be able to sell it.

The Minister for Mines: It is all right, except that it is a bit sloppy.

Hon. W. C. ANGWIN: We should hesitate before passing the Bill. Some time ago an area of land at Fremantle was granted for church purposes. It was not used for those purposes. Later it was found that it would be suitable for a school ground. The church, on being appealed to, said, "You can have it for £400."

Hon. P. Collier: It must have been a Scotch church.

Hon. W. C. ANGWIN: I valued that piece of land at £160. I am quoting this to show the value which accrues to land. The Minister says this reserve is two miles out from Broome Hill.

Mr. Pickering: Why not build a railway to it?

Hon. W. C. ANGWIN: We should be careful in allowing our reserves to be sold. We are parting with our reserves without any care whatever for the requirements of future generations. I regret that the Bill should have been introduced.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Stubbs in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 1, agreed to.

Clause 2—Trustees empowered to sell Kojonup location 4770:

Hon. W. C. ANGWIN: I move—

That progress be reported.

Motion put and negatived.

Hon. W. C. ANGWIN: What is the value of the land, and what is the area? We know nothing about it. We do not know whether it is valuable or not. If it is only swamp land it is not worth the money spent on the printing of the Bill.

The MINISTER FOR AGRICULTURE: The land comprises 240 acres 9 perches, and the selling price is 35s. per acre. The money will be held in trust for the purpose of purchasing 63 acres nearer the townsite.

Hon. W. C. ANGWIN: Someone may be anxious to get hold of this land, and add it to an area he already holds. One of the trustees of the racecourse may have his eye on it. I know of a case where a man secured a block of land by this means, and caused the surrounding farmers to travel two miles further to the railway station. I move an amendment—

That in line six the word "the" before "purchaser" be struck out and "a" inserted in lieu thereof, and that after the word "purchaser," there be added the words "who shall be approved by the Minister."

Mr. A. THOMSON: The hon. member can take my assurance that everything is fair and square and above board. The sporting bodies and the public generally of the district have been dissatisfied with the present ground for sporting purposes. The present racecourse is two miles from the town. The reserve for cricket and football purposes is also unsatisfactory. At a general meeting of sporting bodies it was resolved to ask the Government to better the conditions. What Broome Hill is asking for is an arrangement such as was made at Narrogin.

The CHAIRMAN: That point is not under discussion. The amendment of the member for North-East Fremantle is before the Chair.

Mr. A. THOMSON: I trust the hon. member will withdraw his amendment. The people of the district are raising funds to enable them to get a good sports ground and racecourse. The land in question is of little value. It is estimated that £420 will be derived from the sale of the land, and the proceeds will go towards the purchase of the other land at £3 per acre and improvements thereon. The rest of the money will be found by the public.

Hon. W. C. ANGWIN: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Hon. P. COLLIER: We find that the reserve used for racing purposes consists of 240 acres and is situated two miles out of the town, and the Minister for Agriculture proposes to exchange that 240 acres for an area of 61 acres closer to the town. I thought that the reforming zeal was abroad in the district of Broome Hill. I do not know that the proposal is a good one. It is bringing temptation so far as horse-racing is concerned nearer to the people. The people apparently would not go to the races so far out of Broome Hill. Now it is proposed to take the racing to the people. I do not believe in increasing facilities in this direction, especially amongst the unsophisticated youth growing up in such districts. If Broome Hill is in such a bad way, the only hope for it is not to make it easier for the people to indulge in horse-racing, but to dispose of the present reserve and to utilise it for the growing of cape gooseberries, or something of a profitable nature, and to wipe out or prohibit horse-racing altogether. If the people of Broome Hill want to indulge in racing, I have no doubt they can have their races in one of the main streets of the town without causing any inconvenience. Then again, there is a cleared track alongside the railway line. In summer time there is an area cleared beside the fence wide enough to make an excellent racing track. Moreover, the people at Broome Hill hold a race meeting only once a year. There are dozens of men in my district crying out for land and the Government have not any to give them. Will hon. members oppose an amendment to make use of the block of 61 acres exclusively for recreation and show purposes, and in that way set an example to the youth of Broome Hill inclined to racing?

Clause put and passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—MINERS' PHTHISIS.

Second reading.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [9.25] in moving the second reading said: Though this is a short

measure, it is none the less important. I will admit it does not include some of the provisions that members representing mining constituencies may feel it is necessary we should have at the present juncture, but I wish to tell hon. members that this is not a subject that can be dealt with as easily as it has sometimes been suggested. It is about 18 years since I entered this House and almost every session since that date I have heard members representing mining districts refer in terms of disgust to the fact that nothing had been done to give relief to the men employed in the industry, or because ways and means had not been provided by which something could be done to relieve the sufferers. So far the most we have succeeded in doing is to establish a fund on a voluntary basis which is contributed to by the men employed on the mines, by the mine owners through the Chamber of Mines, and by a subsidy from the Government.

Mr. Munsie: Not altogether voluntary.

The MINISTER FOR MINES: To all intents and purposes it is voluntary. The men could refuse to continue to subscribe. There is nothing of a statutory nature to compel them to subscribe.

Mr. Munsie: You cannot get a job on the Golden Mile unless you do subscribe.

The MINISTER FOR MINES: I admit that is the case on the Golden Mile. In other parts of the State they have ceased to contribute. The result is that we are really living in a false paradise in connection with this fund. But I venture to make this remark, that we may establish that fund even on a compulsory basis without doing much except to render relief to persons who have become wrecks on account of their employment in the mining industry, and also assisting their dependants. But while that is all very good in its way, I am sure it is not meeting what is the earnest wish of those engaged in the industry, inasmuch as I think we ought to do something along the road to prevention if such is possible. I will not make the statement that it is possible to entirely prevent the disease, because I am afraid that is not so. It can, however, be lessened considerably and I believe arrested by a proper regard to the conditions of mining, and more especially ventilation. We have done much in that direction, yet the ravages of the disease go on. We use the term miners' phthisis because it covers quite a number of different forms of the disease to which the men employed in the industry are subject. But the one that plays the greatest havoc is silicosis, and the remarkable feature of that is that certain forms of dust do not appear to have any serious effect. For instance, coal miners are very free from tuberculosis, yet men working in quartz mines are particularly subject to it. It is also evident that a person suffering from dust on the lungs is more subject to tuberculosis than one whose lungs are free.

All of us I suppose, at one time or another, have harboured the tubercle, but our bodily condition has been sufficiently good to throw it off. However, when a man is suffering from dust on the lungs, the tubercle germ has an excellent chance to make rapid headway.

Mr. Underwood: Because of the laceration of the lung by the dust and grit.

The MINISTER FOR MINES: That is so. The sufferer is then prone to the tubercle. A man who has reached that stage and is employed in a mine becomes a menace to his fellow workers. Up to date we have not attempted to discover the degree to which men in our mines are suffering, whether it is from tuberculosis or merely from silicosis. We can never make progress until we do so. The first step is to obtain data concerning the condition of our miners. Relief to miners who have broken down in health represents some £20,000 per annum, contributed to by the Government, the mine owners and the miners themselves. If we could get a proper survey of the men employed in our mines, and remove those suffering from tuberculosis, we would appreciably decrease the strain entailed in providing relief for those broken down in health. From the progress made in South Africa it is evident that by means of X-ray examination we can discover the men suffering from silicosis and classify them in three grades. A man advised that he is suffering from the disease in the first stage can leave the industry and make a complete recovery. If he gets into the secondary stage he becomes highly susceptible to the attacks of the tubercle, and of course if he remains until the third stage is reached he is liable to be permanently ruined by the silicosis itself, without any attack by the tubercle. The object of the Bill is to provide for compulsory medical examination of all men engaged in or about a mine. It is not provided that a man shall necessarily go up for examination every six months, but it is provided that he shall do so if required. To make the provision general would entail a very large medical staff, the cost of which would be prohibitive. On the Address-in-reply I told the House I had approached the Prime Minister on this subject and that he had agreed to assist. He is establishing a bureau in Kalgoorlie under Dr. Robertson, the Commonwealth Director of Hygiene, and Dr. Lanza of the Rockefeller Foundation, who has been loaned to the Commonwealth Government, and is investigating industrial diseases generally. Through the establishment of this bureau in Kalgoorlie, Dr. Lanza will be able to apply himself to the making of an investigation of this particular disease amongst our miners. The two doctors are arranging for the establishment of a very powerful plant, more powerful than any under the control of the State. But, as Dr. Robertson explained to me, what they are doing is on a purely voluntary basis. The trouble is that on the voluntary basis a man may submit himself for examination or may

decline, with the result that we can get no definite information likely to lead to beneficial results; because while a man may come up voluntarily for examination this year, he may decline to come up again, and unless we can get continuity of examination we cannot tell to what extent the employment in our mines is affecting the health of the men. I am sure hon. members do not want to declare all our mines as being mines calling for the compulsory examination of the men employed therein. However, if it be found that there are certain mines which are having a particularly serious effect on the health of the men employed, we can then look into the questions of sanitation and ventilation, and the provision of dust precautions on those mines, and so we may find it necessary to take a more drastic course of action respecting those particular mines. But under the voluntary system we are not likely to get sufficient information to arrive at a definite conclusion. I asked Dr. Robertson whether, in the event of the State making this provision, he and his colleague would make their plant and their officers—appointed for the purpose by the Federal Government—available to us, thus avoiding duplication of work and expense. He was able to tell me that they would be delighted to have such an opportunity, that it would help them if we could come to an arrangement to provide for the compulsory medical examination, and at the same time appoint their officers to carry on investigations and examinations. I am of opinion that with the exception of the small amount which will be required for initial organisation, operations under the Bill will cost the State little if anything, since the examinations will be carried out by the Federal authorities. While we provide that it shall be compulsory for men to appear for medical examination, and that the medical officer appointed shall make regular reports in order that proper data shall be established, we also provide that no names shall be published with the publication of the examination results. It is essential that these matters should be treated as confidential, in order in the first place to encourage the men to accept what is laid down in the Bill, realising that it is all in their own interests. Then we provide that they shall not be at a loss because of the time occupied in the examinations. There is in the South African Act no provision for the reimbursing of the men for any loss of time. The mine-owners there agreed that they would pay for the loss of time, but I think we ought to make provision that if the men are required to undergo examination, they shall be released from their employment by the mine-owners and the lost time paid for. That is not asking too much of the mine-owners. We are also making provision that where it is established on examination that a man is suffering from tuberculosis, he shall be notified under the hand of the Minister that he cannot any longer engage in work in a mine. I admit that it appears to be a very drastic step to take, but it is in the interests

of all engaged in the industry. If hon. members will glance through certain paragraphs of the report recently published as the result of investigations by the Hon. J. Cornell, they will see that on analyses of the sputum found in different parts of the mines in South Africa, it was found that a large percentage of it carried the tubercule germ. We know that the greatest destroyer of the tubercule germ is the sun, and we know also that the sun cannot reach the sputum 1,000 feet below the surface. Therefore the mine becomes a favourable breeding place for the germ, and the tubercular patient is at once a menace to others in the mine. In consequence, every man suffering from tuberculosis should be withdrawn from the mine. It is further provided that if a man is dissatisfied with the medical decision arrived at, he may consult another medical officer and make an appeal against the original finding, subject to his being able to attach to his appeal a certificate from the second medical officer that in his opinion the miner is not suffering from tuberculosis. In those circumstances the case will go before a board consisting of the Principal Medical Officer or his appointee, another medical officer appointed by the miners, and a third appointed by the Government. Thus the question will be considered by a properly constituted board, the majority of whom shall decide whether or not the miner is suffering from tuberculosis. I hope this will be the first step in the direction of removing the possibility of the spread of the disease. Of course there will be differences of opinion on the question of compulsory removal of men infected by the germ. Members will agree that, later on, after we have established proper data regarding the various mines, probably it will be found necessary not only to remove tubercular men, but also other men who have reached a serious stage of silicosis. It may be necessary for the State to render assistance to the men thus withdrawn; for instance, we could give them preference of employment in certain classes of work. I know personally men who have suffered from silicosis in its early stages and, leaving the mines, have come down to the metropolitan area where, under the Minister for Works, they have found employment in deep drainage and sewerage operations, work for which the miner is peculiarly suited. Those men have recovered from the disease. In the interests of the State we must do what we can to enable such men to earn a livelihood without having to go to any fund for financial assistance. As we gather this data, we can put our house in order and see whether there are not certain classes of work where we can use these men, drawn compulsorily from the mining industry, and give them the first preference in connection with those classes of work. I will quote one paragraph from the report to which I have referred. It says—

It will thus be observed that silicosis is a non-organismal, non-infectious disease; it is more mechanical than anything else,

and if an early case of silicosis were placed in medically ideal surroundings, there is no reason why it cannot be cured.

We do not attempt to do anything of the sort. We permit a man to go on until he breaks down, and then we find him asking for some light job, such as that of a night watchman, and these jobs are not easy to find. Such is the purpose of the Bill. Some members will ask for something more. Some will ask for provisions dealing with compensation for men withdrawn from industries, while others will ask for the establishment of the relief fund on a different basis. I want to impress upon those hon. members that, if we establish a compulsory medical examination and withdraw all men suffering from tuberculosis from the industry, we will have made one step forward. That step forward will enable us to make a comparison with other aspects of work in the mines and assist us to discover valuable information by comparing the conditions prevailing in the different districts. We will even be able to find out things by comparing conditions as between mines in one district, by comparing the various systems of ventilation and sanitation, and so on. This can be done before the time arrives when we will have to consider the establishment of a fund on a compulsory basis, following upon the withdrawal of these men and placing them in other occupations. Before we arrive at that stage, we will be able to arrange effective methods which will assist us to reduce the ravages of these diseases to a greater extent than is possible to-day. I have already referred to the fact that certain forms of dust have different effects. It has been established almost to a certainty that in the case of men working in quartz mines who are transferred to coal mines, the effect of the coal dust settling on the quartz dust in the lungs is to make both forms of dust leave the lungs altogether. It is a most remarkable discovery but it has been well established. On that basis, we might well endeavour to arrange an exchange of miners. We might arrange for some men who have been engaged in mining for five or ten years but who do not show any outward sign of silicosis or any other disease, to work in the coal mines while men from the coal mines are sent to the gold mines.

Mr. Wilson: Where did you get that data regarding the effect of the two types of dust?

The MINISTER FOR MINES: From expert evidence.

Mr. Wilson: I doubt it.

The MINISTER FOR MINES: Scotchmen doubt most things.

Mr. Wilson: It was not so when I was working in the mines.

The MINISTER FOR MINES: It has been established by the best medical authorities. Naturally the member for Collie (Mr. Wilson) has not taken a deep interest in this matter, because it does not affect the coal miner

as it does the gold miner. I suggest to him that he should read the report to which I have referred.

Mr. Wilson: The same thing applies in the ironstone mines, but it has no effect regarding the coal mines.

The MINISTER FOR MINES: I do not suggest that it applies to all forms of dust, but it has been found to work as I have indicated with gold miners and coal miners.

Mr. Underwood: Fibrosis is rather different from silicosis.

The MINISTER FOR MINES: That is so. I do not think it has any effect on fibrosis and I have only spoken regarding the effect in cases of silicosis. The assistance granted under the present relief fund is unsatisfactory. The miners in the Murchison district decline to make any further contribution. We have to face the position, that if miners in the Murchison district become complete wrecks, as they can become—

Mr. Munsie: And as they are in some cases.

The MINISTER FOR MINES: They will come upon the State to bear the whole burden. We might be justified in making it compulsory that they should continue their contributions to the Miners' Relief Fund until we get over the period necessary to collect the data. But I hope that the Murchison men will continue to voluntarily pay into the fund for the time being. I do not know how long it will take to carry out the medical examinations of the men and get all the necessary data, so that we may arrive at some definite scheme. I urge the Parliamentary representatives of the mining districts to impress upon the men that we are making a step forward. Having taken that step forward, we cannot go back. The miners themselves should appreciate the fact that we are taking a step forward that will lead to a betterment of their conditions, and for that reason, they should voluntarily continue their payments to the fund. I do not intend to interfere with the fund as it is at present. I did discuss the question with the representatives who control that fund, and they urged me to make the contributions compulsory.

Mr. Wilson: Why should you not do so?

The MINISTER FOR MINES: If we were not taking the course of action I have outlined, I would undoubtedly submit a Bill to make those contributions compulsory. We are moving along different lines, however. I am not satisfied merely to build up a fund to provide relief for persons who become afflicted from these diseases. I would prefer to face the question fairly and squarely in an attempt to eradicate the diseases. I believe we can do something along those lines, but we cannot do anything until we collect the necessary data. We should proceed along the lines I have indicated, and it is better to adopt that course rather than spend large sums of money from the Treasury and from the money provided by the mine-owners and the men in building up a fund for the mere relief of persons suffering from these serious

diseases. I believe that will be the best method to adopt. I move—

That the Bill be now read a second time.

On motion by Mr. Munsie, debate adjourned.

House adjourned at 9.55 p.m.

Legislative Council.

Wednesday, 30th August, 1922.

	Page
Question: Mining accident	457
Bill: Broome Hill Racecourse, 1s.	457
Address-in-reply, Seventh day	457

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

QUESTION—MINING ACCIDENT.

Hon. H. SEDDON (for Hon. E. H. Harris) asked the Minister for Education: Will he lay on the Table of the House all reports relating to the winding engine on the Golden Horseshoe Estates, Limited, on which a fatal accident occurred in December last?

The MINISTER FOR EDUCATION replied: A previous motion having been tabled in the Legislative Assembly concerning this subject, and requesting that these papers be there tabled, it will be necessary to await the result of such motion.

BILL—BROOME HILL RACECOURSE.

Received from the Assembly, and read a first time.

ADDRESS-IN-REPLY.

Seventh Day.

Debate resumed from the previous day.

Hon. J. EWING (South-West) [4.35]: It is very interesting to be able to make a few remarks on this most important debate. I have listened to the speeches made with the greatest of pleasure, but I have not been too well satisfied with the opinions expressed regarding the great immigration scheme initiated by the Premier. Thirteen members have already addressed the House and it is quite possible that all other members will give their views.

Hon. J. Duffell: Is it necessary?

Hon. J. EWING: It may help to elucidate some of the points and encourage the Minister to answer the very important questions which have been raised and which call for explanation. This is one of the most important sessions in the history of the Parliament of Western Australia. I am satisfied that we are at the parting of the ways, one way leading to failure and the other to prosperity. Some members have evinced a slight fear regarding the policy now laid before the country. Mr. Willmott, representing the great South-West, and other members, see in this scheme the prospect of great prosperity for Western Australia. The Premier's work has been recognised throughout the length and breadth of the State and the people are looking forward to the future with the greatest pleasure and the greatest hope. It is not necessary at this stage to dilate on the financial position. It is sufficient to say that the financial position is serious. The Government are confronted with many difficulties and the way out is not easy to find, but the way pointed to us by the Premier seems to be the surest. The onus is upon the Ministers who are governing the country to find some way out. Some members—among them Mr. Lovekin—have expressed fears regarding the Premier's scheme, and it seems that the position has not been made quite clear. As I understand it the Premier has arranged for a loan of £6,000,000, one-third of the interest to be found by the State Government, one-third by the Federal Government and one-third by the Imperial Government. There are obligations attached to the lending of this money. The total obligation upon the Commonwealth Government and the Imperial Government amounts to £600,000. This is the total each will have to pay on the £6,000,000 during the five years, after which the whole responsibility will rest upon the State. It must be recognised by every sensible person that unless some assistance were forthcoming at the present moment, it would not be possible for Western Australia to embark upon such a policy. What would it mean to Western Australia? During the five years the State Government would have to find by way of interest no less a sum than £1,800,000. We would also have to pay for the transport of all the people who are to be brought here but who, under this scheme, will come free of cost to the State. The obligation would be altogether too great for the State to undertake at present. During the first five years the Federal Government and the Imperial Government will pay in interest £1,200,000. This amount will be saved to the State. All the immigrants are to be landed here free of charge to the State.

Hon. A. Lovekin: That was arranged long ago.

Hon. J. EWING: The benefit still remains; the Leader of the House will doubt-