

Legislative Council,

Tuesday, 29th November, 1910.

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

OATH OF ALLEGIANCE.

Hon. M. L. Moss took and subscribed the Oath of Allegiance to His Majesty King George V.

PAPERS PRESENTED.

By the Colonial Secretary: 1, (a) Roads Act, 1902—Kellerberrin roads board by-laws. (b) Meekatharra roads board by-laws. 2, Municipality of Busseton by-laws.

QUESTION — RAILWAY DEPARTMENT, STOCK WAGONS.

Hon. E. McLARTY asked the Colonial Secretary: 1, How many stock wagons have been added to the Railway Department during the past twelve months? 2, How many such wagons are in course of construction? 3, When do the Railway Department expect to be in a position to meet the demand? 4, Is the department aware of the loss and inconvenience caused to stock-owners and agents in consequence of the inability of the department to meet the demands?

The COLONIAL SECRETARY replied: 1, None. 2, 25 four-wheel cattle waggon. 3, When reasonable notice is given the department has found no diffi-

culty in meeting the demand. 4, Answered by No. 3.

QUESTION—RAILWAY CONSTRUCTION, PORT HEDLAND TO MARBLE BAR.

Hon. Sir E. H. WITTENOOM asked the Colonial Secretary: When the Government expect the railway from Port Hedland to Marble Bar to be finished, and whether it is intended to have an official opening for the first railway in the Northern portion of the State?

The COLONIAL SECRETARY replied: The date for completion of the contract was 20th May, 1911, but owing to additional work which has been required it is anticipated that the whole of the works may not be completed until October next. It is therefore impossible to deal with the question of an official opening at present.

LEAVE OF ABSENCE.

On motion by Hon. J. F. CULLEN, leave of absence for the remainder of the session granted to the Hon. C. A. Piesse on the ground of important private business.

BILL — SOUTHERN CROSS-BULLFINCH RAILWAY.

Read a third time, and *passed*.

BILL — PERTH MUNICIPAL GAS AND ELECTRIC LIGHTING.

Recommittal.

On motion by the Colonial Secretary, Bill recommitted for the purpose of considering Clauses 3 and 9.

Clause 3—Powers of Council on purchase of undertaking:

Hon. J. W. LANGSFORD moved an amendment—

That in line 6 after the word "shall" the words "subject as hereinafter provided" be added.

If that amendment were agreed to by the Committee he intended to ask them to

further agree to a proviso "that the council shall not carry or extend such works within the district and municipality of Subiaco, the municipality of Claremont, or the municipality of Victoria Park except for the supply of gas for purposes other than lighting, without the consent of the said municipality." The Act under which the Gas Company were working at the present time provided that within a radius of five miles of the Perth town hall they could extend their works, construct their lines, and sell their commodity without the permission of the local governing bodies. When the Act was passed conferring those privileges on the company none of the existing municipalities were in existence. At the request of several municipalities he was moving to insert the proviso. He did not think there would be any objection on the part of those municipalities when the greater Perth scheme was accomplished to work in harmony with the Perth city council, but the local bodies certainly should have the right of saying whether the City council should take their works into the other municipalities, many of which had their own electric lighting plants, which they had erected at a great expenditure of loan moneys.

Hon. S. STUBBS: Municipalities that had gone to the expense of putting up their own electric lighting plants should not have to compete with the Perth Gas Company if there was any desire to extend that scheme outside its present boundaries. The Act giving the Perth Gas Company power to go outside the Perth municipality was a good idea at the time because there was no other municipality in existence within their radius. Since then the districts had grown and new suburbs had come into existence many of which had installed electric lighting plants at considerable expense. These plants had to be maintained and provide interest and sinking fund, and it took some of them all their time to do that. As a matter of fact, one of the municipalities was running its plant at a slight loss owing to the insufficiency of population. The amendment was a good one and should be supported.

Hon. A. G. JENKINS: The amendment should not be agreed to because it was a most unfair one. The councils had established lighting plants well knowing that the Perth Gas Company could compete against them. The Gas Company had these rights to lay mains and supply light, and the City council were buying those rights. Where was the difference between applying such a course as that proposed to the Gas Company and to the City council? The City council would have to pay the Gas Company for those privileges, and the hon. member desired now to say that those privileges should not be granted to them. The rights which the Gas Company held should not be taken away from the council.

Hon. C. SOMMERS: The Perth city council were negotiating with the Gas Company for the privileges which the latter were holding, and the Committee should not put the City council in a worse position than the Gas Company were in.

The COLONIAL SECRETARY: The reasons which had been given were sufficient to warrant the Committee rejecting the amendment. It might be added that a similar amendment was moved in another place, but was rejected; therefore, it was extremely unlikely that it would be accepted when the Bill was returned.

Hon. J. W. LANGSFORD: All the arguments in favour of the amendment had not been put before the Chamber. He had in his possession letters from the municipal councils of Victoria Park and Subiaco desiring that Parliament should move in the direction suggested. Evidently these people saw danger ahead.

Hon. A. G. Jenkins: That is no argument in favour of it.

Amendment put and negatived.

Clause 9—Votes of ratepayers, how taken:

The COLONIAL SECRETARY: It was pointed out when the Bill was previously before the Committee that there would be no check in connection with the rolls, and that possibly many names might be omitted. In order to get over the difficulty he moved an amendment—

That in line 2 the word "which" be struck out and "certified as correct by the mayor" be inserted.

Hon. M. L. MOSS: The clause was deficient; there still might be a roll prepared, and it might be certified to by the mayor, and it might not contain the names of all the people on the current year's rate-book. There should be more machinery to enable the names, which had been omitted, to be inserted, and these means should be cheap and easy. If such machinery were not provided the only alternative would be that people would be compelled to get a writ of Mandamus, which would be beyond the means of most of them.

Hon. J. F. CULLEN: There was another way of looking at the clause. Why was a special roll necessary; why not provide that the roll then existing in the municipality should be used?

The Colonial Secretary: Because there was a provision with regard to the taking of the poll, which was not contained in the Municipal Institutions Act.

Hon. J. F. CULLEN: That did not matter; this did not provide for a different roll.

The Colonial Secretary: Yes, it does.

Hon. A. G. Jenkins: It provides for owners and occupiers.

Amendment put and passed.

The COLONIAL SECRETARY moved a further amendment—

That in line 7 the words "according to the direction in such schedule" be struck out and "by signing his name thereon" be inserted.

The amendment was only a verbal one. The words which it was proposed to strike out were wrongly inserted in another place.

Hon. M. L. MOSS: What was the Minister going to do with regard to the objection to the clause about enabling rate-payers to be enrolled by a simple and cheap method?

The COLONIAL SECRETARY: Under the Municipal Institutions Act only owners could vote in favour or against a loan.

Hon. M. L. Moss: That is not my point.

The COLONIAL SECRETARY: If a roll was not correct it could be amended; the rate-book would have to be taken as if correct.

Hon. M. L. MOSS: In the Municipal Institutions Act there was a group of sections, from 55 onwards, providing simple machinery to enable electoral lists to be revised. The council would have to hold a court, and in this way enable people, whose names had been improperly omitted, to make objections, and to get their names inserted on the roll.

The CHAIRMAN: The hon. member might postpone his observations until the clause, as amended, had been put.

Amendment put and passed.

Hon. M. L. MOSS: All the machinery was provided in the Municipal Institutions Act. In fact it was in the Roads Act, and other Acts as well. Hundreds of names might be left off the roll, and even then the roll might be certified to by the mayor, and the result would be that people who wanted to vote would be compelled to apply to the Supreme Court for an injunction, and that would be a very expensive proceeding. The existing machinery in the Municipal Institutions Act should be made to apply to the clause.

The Colonial Secretary: The Bill would only apply to one municipality.

Hon. J. W. Hackett: To several municipalities.

The COLONIAL SECRETARY: Indirectly it would. But it was only intended to provide that the City council should have power to supply light and power within a radius of five miles of the town hall. In this way, of course, it would touch certain municipalities, but there would not be a charge on any of the others. The amendment suggested by Mr. Moss was hardly necessary. The revision court would apply to an instance such as that he mentioned. He (the Colonial Secretary) had discussed the matter with the town clerk and that officer did not appear to think that such an amendment was necessary. If the Committee, however, thought that it was necessary, there would be no objection to postponing the consideration of the matter with a view of allowing any hon. member submitting an amendment such as that suggested by Mr. Moss.

Hon. M. L. MOSS: While not desiring to cast aspersions on the mayor and town

clerk, suppose a large number of persons who had pronounced views were omitted from the list, the opinion of a majority of the people of the city of Perth could hardly then be procured. Some machinery should therefore be provided to enable complete lists to be made.

Progress reported.

BILL—FISHERIES ACT AMENDMENT.

Report of Committee adopted.

BILL—ABORIGINES ACT AMENDMENT.

Report of Committee adopted.

BILL—SOUTHERN CROSS-BULLFINCH RAILWAY APPROPRIATION.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a short Bill for the appropriation of £40,000 from the Loan Suspense Account to be used for the building of the Southern Cross-Bullfinch railway. It is rather unusual to bring down an Appropriation Bill for a single work, but the reason is that the loan for this work has not yet been passed and it is necessary to get on with the work at once and, in order to make everything in order, this Appropriation Bill is brought down appropriating from the Loan Suspense Account a sum of £40,000, so that the work may be proceeded with at once and the payments legally made. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—FREMANTLE FREEMASONS' LODGE No. 2. DISPOSITION.

Second Reading.

Hon. R. LAURIE (West) in moving the second reading said: My duty in moving the second reading of this measure is very simple indeed. A perusal of

the preamble as set forth will very clearly show what has happened, and the report of evidence taken before the select committee of another place, which has been placed before each member explains the position clearly. In the year 1875, Fremantle town lot 870 was granted to certain trustees for the Fremantle Lodge No. 1033. In the year 1900 the number of the lodge was changed; it was transferred under an Act of Parliament to Lodge No. 2, and the block of land that was granted to Lodge 1033, when the transfer was made from 1033 to No. 2 with all matters in connection with Lodge 1033, was transferred to Lodge No. 2, but, unfortunately, there is no record at present that this block of land was transferred at that time. It is a very simple matter, and we have the evidence here of Mr. Humble, the only living member of the trustees, which makes it clear that all the other business in connection with this transfer has been carried out and there is no question about that. All that is asked now is that this small measure, which will allow to be legally done what cannot otherwise be done, shall be passed. This question has arisen owing to the financial position in which the lodge now finds itself, and it is found necessary to raise money on the land and property of the lodge. When inquiries were being made it was found that the property was still vested in Lodge No. 1033. It is only a question of having matters put right which can easily be done by allowing the measure to go through the House. The trustees will be in the same position as now. It has been said that this could be done in a more simple manner, but if the Bill carries out what is desired there can be no objection. It is a simple matter which can be seen by the evidence which has been supplied to members, and a perusal of which will satisfy members that what is being done is properly being done. I move—

That the Bill be now read a second time.

Hon. D. G. GAWLER (Metropolitan-Suburban): This is a private Bill, and therefore one is anxious to see it go through, and it is hardly necessary to

criticise a measure such as this too closely, but I would like to point out solely in the interests of the promoters of the Bill some of the results of the passing of the measure in its present form. Clause 2 provides that the trustees under the trust shall hold the land for the general purposes of Lodge No. 2, and not for their private benefit, and subject to the direction of the members from time to time by resolution of a majority present at a meeting convened in accordance with the by-laws of Lodge No. 2. Then Clause 3 provides that on the presentation of the transfer the registrar shall cause three new trustees to be registered as trustees of the property. I would like to suggest that under that provision it seems to me, when the Registrar of Titles is called upon to register the title it will be necessary to go back to the Act and see if the formalities in connection with the powers given to the trustees were carried out. Under the Transfer of Land Act trustees were not recognised, and this seems to be an innovation of that principle. Then, under Clause 4, it will be seen complete power without regard to the members at all seems to be given to the trustees, that is to say, they can mortgage and transfer and deal with the property in any way they think fit. That seems to be contradictory. In any case I would like to point out that it throws the onus on the Registrar of Titles to see that the trusts are carried out, and if so the registrar will have to inquire whether the leave has been properly assented to by a majority of the members. It puts a large responsibility on the Registrar of Titles. I do not think it satisfactory to the promoters of the Bill. I notice that under the old Act, Section 2 provides that—

The powers in this Act conferred shall be exercisable only upon the consent and by the direction of the master and wardens for the time being of the said lodge of freemasons testified in writing under their hands.

That would have made matters much more simple for the Registrar of Titles. All he would have been required to see was that the document was in writing

such as I have mentioned, then he would have been in order in registering the transfer. I mentioned these matters to the promoter of the Bill in another place and he told me that the Registrar of Titles and the trustees are satisfied. If the Registrar of Titles is satisfied to register any deed brought to him by the trustees without inquiry into the matter, the interests of the lodge are not altogether safeguarded. I am not throwing out any suggestion that the trustees or future trustees would deal as they should not with the land, but according to the promoter of the Bill in another place, the registrar will register the deed. The Bill might have been drafted more in the interests of the lodge and of the Registrar of Titles. There is one other matter I would like to refer to. Clause 3 provides that the Registrar of Titles shall register the new transfer free from all encumbrances or trusts whatsoever now registered in the books of the Registrar of Titles. The select committee's report does not show that the Registrar of Titles was examined as to what incumbrances there were, and we may be asked to pass a measure vesting land in new trustees without any inquiry having been made as to whether there were any encumbrances or not. I am not suggesting there are any, but I think evidence should have been taken to satisfy us on that heading.

Hon. M. L. Moss: Is there no evidence that there are no encumbrances?

Hon. D. G. GAWLER: No.

Hon. M. L. Moss: That is very serious indeed.

Hon. D. G. GAWLER: My friend also considers it is serious to hand over by Act of Parliament land from one person to another free from all encumbrances. I do not suggest there are any, but there may be. I hope Captain Laurie will only take it that I offer these suggestions in the interests of the promoters of the Bill, and not with any desire to obstruct the measure.

Hon. M. L. Moss (West): The principle contained in Clause 3 of the Bill would have the effect of conferring upon these trustees a parliamentary title to the land free from encumbrances, but Mr.

Gawler says no evidence was taken before the select committee to show that the land is free from encumbrances. If there are encumbrances against the property it is a serious thing for Parliament to absolutely wipe out any person's security.

Hon. R. Laurie: There is evidence that they wish to borrow, that they could not borrow without getting a title.

Hon. M. L. MOSS: I see there is evidence to this effect—

We wish to borrow money. We have gone to the extent of renovating the hall and spent £750. Now we want to borrow and they tell us that we cannot borrow unless we bring about this change.

That does not meet the point; for this reason, there still may be a mortgage on the property—I am not saying there is—and yet they may wish to borrow £750 more. This is a substantial point; because once it is in an Act of Parliament it becomes law, these people become the owners of the property free from encumbrances. We ought to have a certificate from the Titles Office that there is no registered encumbrance, or there should be some evidence before the select committee that the land is free, before Parliament says “We will wipe out any previously existing security registered against the property.”

Hon. Sir E. H. WITTENOOM (North): It seems to me his difficulty can be overcome by advertising. Surely if people had advanced money against the property they would have known about this and would have said so.

Hon. J. F. CULLEN (South-East): It would be unheard of for Parliament to pass a clause ordering the Registrar of Titles to make a transfer in his book and make it free from encumbrance. Parliament has nothing to do with it.

Hon. M. L. Moss: The best way is to cut out those words in Committee.

Hon. J. F. CULLEN: Exactly. The promoter of the Bill might consent to the last three lines, and portion of the preceding line, in Clause 3, being struck out. If there are no encumbrances there is no need for these words. If the member in charge of the Bill is willing to

have these words struck out it would be well; but if not, the House would be certainly departing from all principle in passing a clause giving instructions to Government officers to do what we have no right to give them instructions to do.

On motion by Hon. J. W. Hackett debate adjourned.

BILL—LICENSING.

Second Reading.

Debate resumed from the 23rd November.

Hon. D. G. GAWLER (Metropolitan-Suburban): In regard to the Bill before us I am sure that it is one that will receive from members that calm and dispassionate consideration a question such as this urgently demands. In this Chamber we have the representatives of the various interests concerned—the two interests, I may say, concerned in the Bill—and I am certain that those members who may be interested in either direction will bring perfectly reasonable and open minds to bear upon the question. We have already had an expression of opinion from my colleague and friend, Mr. Langsford, in representing one of the interests; and if my colleague will allow me, I would like to congratulate him on the very reasonable and broad-minded way in which he approached the subject. It is a question that has considerably disturbed the two interests I have mentioned, the trade interest and also the interests of the teetotallers; but between these two interests there is a third interest which seems to me to have been absolutely forgotten, and that is the interest of the general public. To use a vulgar expression, I ask where the interests of the general public come in? To me they do not seem to have had a look in in this question at all, though it is a question that is essentially one to be decided by the moderate portion of the community and not by the extremists on either side. Up to the present the extremists on either side seem to have had all the say, and moderates' opinions do not seem to have been considered. Of course I hold the idea that liquor is not

in itself an evil, but that it is the abuse of liquor that is the evil. I hold that liquor taken in moderation is perfectly allowable and justifiable. I am of opinion that it is healthy; others of course are of the opinion that it is not healthy. I maintain that it is the abuse of the evil that we have to consider, but up to the present I regret to say that those representing one of the interests I have just mentioned, namely, the teetotal interests, have not shown that regard for the opinions of others on this question they should have shown. They have shown a narrow-mindedness and a tendency to refuse instalments of reform. They require the whole of their principles, and nothing but their principles, and they have set forth bigoted views on the question, and they have told us practically that every drinker is a sinner, and that a publican is a ghoul fattening on an evil trade; also that Western Australia is one of the most drunken States in the Commonwealth. Now, as regards the last contention, I submit it is entirely not in accordance with facts. As a matter of fact I believe statistics will show that, while the consumption of liquor in this State is higher than it is in any other State in the Commonwealth, the male proportion of the State is also the biggest of any State of the Commonwealth, and that in spite of these two facts the State stands third in the list in regard to convictions for drunkenness. I submit this is a very good record considering the two facts I have just mentioned. With my friends the teetotalers, I have an utter loathing for the evils that over-indulgence in liquors brings about. I think that a man, physically and intellectually able, who is sodden with drink and given over to the clutches of drink, is one of the saddest sights we see. The only sadder sight is to see a drunken woman. But I do not go so far as to say that every man who drinks a glass of beer or liquor is a sinner. In this Bill, or in any other measure of this sort, we have three classes of persons to protect—the man who by his surroundings is driven to drink, the man who drinks by reason of the fact that he is a slave to it, that is to say has a liking for it, and the man who drinks

because he has a love of company, sociability. It seems to me these are the three classes of persons we have to protect by such a measure as this. As regards the man who is a slave to drink, who cannot keep away from it, my idea is that the proper way to deal with him is to put him in an inebriates' retreat. It is suggested there is a place to-day, and that he can go to the asylum for the insane.

Hon. W. Kingsmill: No, but provision is made in the Lunacy Act.

Hon. D. G. GAWLER: Is there a separate institution?

The Colonial Secretary: No, but as Mr. Kingsmill says, provision is made in the Lunacy Act.

Hon. D. G. GAWLER: It seems to me it is a provision that has been very little availed of. I do not think it is the same provision that obtains in other States. I believe that in South Australia there is a retreat for inebriates, where these people are looked after in view of their special condition; and I think the only remedy for a failure of this sort is a retreat of that class. As regards the other two, the man who is driven to drink, and the man who drinks out of good fellowship, one of the remedies for that is to lessen the facilities for these men to get drink. Of course I also go a little further than that and say that drink is not necessarily the direct cause of these evils. Very often the cause is to be found in the home and the home surroundings, but that of course is altogether apart from a measure such as this; other means must be taken to deal with that aspect of the question. Where they are driven to drink then I say put out of their way, to a large extent, facilities for obtaining drink; and we can do that by enforcing the existing law. The main principle of the existing law is that no hotel shall be where it is not required for the accommodation of the public, but we find there is an outrageous supply of hotels in some parts—Perth and Fremantle especially. It is idle to say that the number of hotels that have sprung up in some of these places can possibly be for the accommodation of the public. It is an evil that has been allowed to grow up, and it is difficult now

to deal with them, except under the provisions proposed in this Bill, that is, under the local option provisions. When these local option provisions are brought in I very much hope to see the number of hotels now existing considerably decreased. There are also provisions in the present Act for dealing with the supply of liquor to drunken men and for allowing drunken persons to remain on hotel premises. I do not see why these provisions should not be enforced to a much greater extent than they are. If I remember rightly, there was an excess or inroad of enthusiasm on the part of the police in laying complaints and endeavouring to secure convictions against publicans for supplying liquor to drunken men, but very little came of it. There is a provision to our hands, which I say should be availed of. Then there is another thing in regard to the amending of this evil. I read in the cable news the other day, that in Russia, I think, there was a strong movement in favour of including in the school curriculum the instructing of the school children in the effects of the over-indulgence of alcohol. I think such a system could be adopted here with a great deal of success. You cannot begin too early to instruct children in the evils of over-indulgence in alcohol. Those being my general views on the measure, I would like to say a few words in regard to some of its main principles. First, there is the question of an elective bench. As the Bill has come from another place the licensing court is made elective; the original proposition was that it should be nominative. I think it is a great mistake to make it elective. You might as well elect your judges. We have before us an illustration of an elective bench in the present arbitration court. Without any disrespect to that court, I say it means that there is a judge sitting on the bench, and that the two advocates, instead of being before him in the court below, are beside him on the bench. They are elected by their respective bodies and, naturally, they are partisans. That is not a bench. I submit that under the Bill questions coming before the tribunal

should not be dealt with by way of principle. We do not want men of bias on the bench; what the bench requires to do is to perform the duties of an ordinary court, namely to deal with the evidence before it, in this case, as to whether licenses should be renewed, increased or in some other way dealt with. It should be a judicial bench. Therefore, I say it is really allowing the principles to be fought out on the bench instead of judicial consideration being given to the questions. The present scheme of an elective bench might result in the returning of two publicans or two rabid teetotalers to the bench. What would be the result? A bench like that is not going to decide questions as they ought to.

Hon. W. Patrick: You could not have publicans on the bench, according to the Bill.

Hon. D. G. GAWLER: In any case, we might have on the bench with the resident magistrate representatives of one particular interest or the other. That may be one of the results of the adoption of this principle of an elective bench. We find that excluded from the bench are those directly interested in the trade. I say then it is only reasonable that men of the opposite extreme should also be excluded. I cannot see at the present moment how it is going to be done, but it seems to me that what is fair to one side is fair also to the other. Leaving that and dealing for a moment with the question of local option, I do not think its prospects are very bright after the treatment of the question by another place. The process the Bill went through in another place was an instance on a small scale, of the working of local option. What was the result? It meant in many cases an unholy alliance; hence the Bill before us, which, I submit, is not in the interests of the general public. Although I am pledged to local option, I am doubtful as to whether it is all that has been said of it.

Hon. M. L. Moss: You pledged yourself too quickly.

Hon. D. G. GAWLER: When this local option comes to be exercised, it seems to me the supporters of both interests will

whip up their followers to the poll, and between them the moderate man will be left out; yet the moderate man is the very one who should have a large say in the question. Of course the moderate man may go to the poll if he wishes, but the chances are he will not; because nobody will take any notice of him, while every effort will be made to bring up the supporters of either side. Then there is the question of gallon licenses. I regret to see this provision has been deleted from the Bill, on the score, I believe, that there are two-gallon licenses, and that therefore, it will be unnecessary to have gallon licenses. Another objection raised to it was that the gallon license has often been abused. However, I think these instances of abuse of the gallon license are isolated. It is only abused by the grocers, and I do not think by the respectable grocers. However, the evils which have resulted from it have not, to my mind, been shown to be strong enough to warrant the exclusion of gallon licenses. The two-gallon licenses have been left, but it must be remembered that there is many a man who, though he desires to get a gallon of liquor, cannot afford to purchase under the two-gallon license.

Hon. J. F. Cullen: Why should he not go to the hotel?

Hon. D. G. GAWLER: These gallon licenses have been given to the public in order that they may get their liquor without going to the hotels. The small man who wants a gallon will not be able to purchase his two gallons. I do not think enough has been shown us to justify the exclusion of the gallon license. I would suggest to the Colonial Secretary that the present holders of gallon licenses, who obtain renewals on the 15th of next month, ought to be protected for next year. Under the Bill they are not so protected. I have mentioned this matter to the Attorney General, and he agrees that some provision should be put in the Bill, and I understood him to say it would be done. Another matter is the period to elapse before local option can be exercised in regard to reduction or prohibition. The provision in the Bill practically makes the term from the present time

12 years and 8 months. I think that is too long.

The Colonial Secretary: How do you make it 12 years and 8 months?

Hon. D. G. GAWLER: It shall not be exercised before 1920; but there is no poll till two years after that time.

The Colonial Secretary: That is only 12 years.

Hon. D. G. GAWLER: Twelve years and three months.

The Colonial Secretary: This will not be an Act for two or three months yet.

Hon. D. G. GAWLER: Its operation commences from the first of next year.

The Colonial Secretary: I am going to move an amendment to that.

Hon. D. G. GAWLER: At any rate, the term is over 12 years, and I think it is too long considering the notice that has already been given, that has, in fact, extended for the last two or three years, that some such provision would be brought about. I do not think any of the present hotel leases can be longer than from five to seven years, which is all the time required for them to run out. There is another provision that has been altered in the Bill, namely, that in regard to Sunday trading. Personally, I am sorry to see that under the provisions of the Bill hotels are to be closed altogether against bona fide travellers on Sundays. That is an absolute mistake. I believe the provisions of the existing Act in regard to bona fide travellers are an absolute farce. I think they have only given rise to evasion and, to a large extent, perjury. I believe there is no such person as a genuine bona fide traveller, that is to say, in such districts as Perth and the larger centres, where outsiders do not come on Sundays. I can quite understand that such persons may be found in places like the hills and seaside resorts, in places like Fremantle, persons whose interests should be catered for. I should like to see a modification of the provision in regard to bona fide travellers, which would enable them to be served in districts where there are to be found genuine bona fide travellers. I think that to shut up all the hotels, without discrimination, against bona fide travellers is a great

mistake. It has been suggested and discussed elsewhere that the hotels should be opened during certain hours on Sundays. That may work with success, and, I believe, it has so worked in some of the other States, in Victoria and South Australia, while we know that hotels are opened on Sundays in London, and in Ireland they are opened in many places, in towns with over 5,000 inhabitants, during certain hours of the day.

Hon. M. L. Moss: Do you advocate it?

Hon. D. G. GAWLER: I would prefer to hear further discussion before going that far, but I will advocate certain provisions dealing with bona fide travellers during certain hours. I do not intend to say anything more, but I hope the Bill, when it emerges from the House, will be in different form from that in which it has come here.

Hon. Sir E. H. WITTENOOM (North): Before making any remarks in connection with the principles contained in the Bill, I would like to say I consider it is one of the most important, if not the most important, measure that can possibly be submitted to the House. I listened with great attention and interest to the introductory speech made by the Colonial Secretary the other day, but I gathered he was not filled with enthusiasm, and I am inclined to think if he had had his way he would have introduced a better Bill. On several points I join issue with my colleague who has just sat down. I think the evils of drink have been well known throughout this country for a very long time, and although he said none of those evils could be attributed to drink it is, I think, only too generally accepted that they are attributable to drink.

Hon. D. G. Gawler: I said there was one class whom it does directly affect.

Hon. Sir E. H. WITTENOOM: When we look back on the history of legislation dealing with this subject, when we remember all the measures brought in in an endeavour to cope with it, when we read of the various suggestions that have fallen from people of experience to deal with it in some satisfactory way, and find it in the state it is at the present time it almost makes one despair of any at-

tempt to introduce any measure that will make for the amelioration of this great question. When I first perused this Bill I fully expected to see some effort to grapple with the question as an evil, but in reading it through I find that nothing of the kind is attempted. So far as I can see it is simply a Bill for regulating the supply of liquor and for amending the original Act and the various amendments which have been made to it from time to time. This Bill is apparently the outcome of the Government, or rather, the outcome of the Government and the Assembly, because I noticed the other day that the Colonial Secretary particularly disavowed the connection of the Government with it exclusively, and I can quite understand his disinclination to parent the measure. I sympathise with him in almost repudiating it as a Government measure, because it does not introduce one original idea or help forward the matter of improving the conditions of the drink traffic. I gather this from looking at the Bill, and on one of the pages I find that there are no less than thirteen different ways in which people are provided with facilities for buying liquor, so that instead of reducing the opportunities we find that they are being made as large and wide as ever. As I said before, the Bill appears to be a consolidating measure and also a Bill for regulating the traffic, and I think that in these circumstances, if that is all that is claimed for it, it is a good Bill. But there is no provision for putting drink beyond the reach of those who ought not to get it and those who are already under its influence. In considering this Bill the question that one should ask is as to whether the traffic is a good one for the country? Is this drink traffic in the interests of the public generally? I do not propose to offer any suggestions to answer the question one way or the other, but if hon. members will bring to their minds the cases which have come under their notice, the wrecks and failures they have seen as a result of drink, they will be able to answer that question in the negative. And so far as I can see there are no pro-

visions in the Bill which will prevent a single person from following in the footsteps of those others. It seems to me that if the drink evil is to be cured the only possible cure is total prohibition.

Hon. M. L. Moss: Do you advocate that?

Hon. Sir E. H. WITTENOOM: I am quite prepared to back it up if anyone will bring in such a proposal, but I cannot see that anywhere in this Bill total prohibition is provided for.

The Colonial Secretary: Yes, after 10 years.

Hon. Sir E. H. WITTENOOM: I am sufficiently a man of the world, and with a certain amount of common sense, to know that the question of prohibition is impossible; and, although I say that it is the only effectual cure for the evil, I feel certain that with the views of Parliament to-day, and the views of the general public, it would be impossible to carry prohibition. But one cannot help being struck with the inconsistency and the ill-logical action of Parliament when we remember that in the case of the hated coloured man or Chinaman no effort is spared to prevent him getting his opium and having his gambling. These aliens, who are not wanted in the country, are protected in every way from the effects of opium, and frequent raids are made to save them from the vice of gambling, but strangely no provision is made to save our own kindred from following in a course of life that leads to the same end. One would think that the Government and Parliament would place every opportunity in the way of these coloured men getting all the opium they require and consequently easily ridding the country of their presence.

Hon. J. W. Kirwan: Do you think the opium habit is confined to coloured people?

Hon. Sir E. H. WITTENOOM: So far as I can understand it was introduced by coloured people, and its use is taught to the white people by them; and if they were destroyed there would be no more danger to the European races from that source. In the absence of prohibition it is difficult to find any remedy for dealing with the evils of the drink traffic. I have

heard lots of suggestions made by other people. I met a man the other day, a gentleman well known in Perth and of sound reasoning powers, and his suggestion was that any man should be allowed to get drunk whenever he liked, but the man who took too much was to be punished. The man who made that remark showed very little knowledge of human nature. We all of us know that hundreds of people through taking too much drink have lost everything worth having. We might say that they have lost money, might, dominion, power, family, and home, in fact everything, and yet, knowing that their loss was due to the drink they continue to take it. If we want any other cases we have only to go to the magistrates and judges. Quite recently I saw recorded two or three cases of individuals who had been convicted something over a hundred times. What is the use of punishment in cases of that nature? When the craving has got to that stage it is no longer a crime, but a disease, and I was very pleased to hear in Mr. Langsford's very able and moderate speech the other evening a suggestion for the establishment of an asylum for inebriates, because that seems to be the only method of treatment. Another suggestion is that all "shouting" should be prohibited and that nobody should be allowed to pay for another man's drink. That may be a very good suggestion, but I do not think it would prevent drinking. Still a further suggestion is that all barmaids should be abolished, and that hotels should be closed at 9 o'clock. Perhaps if barmaids were abolished the drinking would be decreased, because undoubtedly many people drink because of the presence of barmaids, but whether there would be any good result from shutting the hotels at 9 o'clock I am not prepared to say. Apparently neither of these suggestions commended themselves to the Legislative Assembly because both of them were submitted and refused. The last suggestion and the most interesting and novel was that the consumer of liquor should be licensed as well as the seller and that anybody who consumed too much should be refused a license. A law of that kind might pre-

vent young people from drinking, but whether it would be effective in diminishing the evils of the drink traffic I leave to the consideration of hon. members in their spare moments. The trouble is that this question runs up against tremendous vested interests and it becomes to a large extent a question of money and profits against the interests of the people. That makes it very difficult to deal with and until that position is altered to a considerable extent I do not think there will be much improvement; but coming to the practical side of the subject I realise that the public must be dealt with in a rational manner. There is a large proportion of the public who from their youth have been brought up to the use of liquor, and have become so accustomed to it that it would be a deprivation to take it away. In these circumstances I believe that these people should be catered for, but I desire to express the hope that something may be done to limit the opportunities of the younger people obtaining drink. There is in many respects a similar case to the aborigines. When the missionaries went out amongst the aborigines they tried for a long time to teach Christianity to the adults, but they found it impossible to inculcate Christian principles into the minds of people who had grown up accustomed to other beliefs and other ideas. So they turned their attention to the young and were very much more successful. In these circumstances, I think it would be better if in some way or another attention could be turned to the means of preventing young people from getting liquor. Looking at this Bill carefully and studying it from every point of view, I am of opinion that the case could be well met by having, instead of thirteen licenses only two kinds of licenses to supply the different classes of people who have been used all their lives to the consumption of alcoholic liquors. There should be a publican's general license, under which the licensee could supply from a glass upwards to any amount, and the other should be a wine and spirit merchants' license, under which the holder could supply from a gallon upwards. Those two would serve all classes of the community.

The Colonial Secretary: What about club licenses?

Hon. Sir E. H. WITTENOOM: That is just a license for the same class of people.

Hon. J. W. Kirwan: And what about boarding house licenses?

Hon. Sir E. H. WITTENOOM: They have not got licenses; they must get their supplies from a licensed house. They cannot hold a license under this Act. Even of these two licenses which I have mentioned I consider that very few should be granted. I quite agree with what fell from my hon. friend just now that there are too many facilities for drink; almost in every 50 yards in Perth you can get some opportunity for taking drink, and it seems to me that if these opportunities were placed a greater distance apart there would be less drinking than there is now. Of course one is met by the remark, "Look at the monopoly you would give to those who get licenses!" I say let them have a monopoly. It would be better to give a monopoly to two or three good hotels than to have thousands of people ruining themselves through excessive drinking. And it would be better for another reason for these people to have a monopoly—they would keep first-class hotels, and first-class liquor, they would give better attention and they would be under no temptation to place liquor in the way of those who had already taken too much. If this suggestion does not meet with the approval of hon. members they can put the whole business under State control. It is contended that this Bill provides for local option—what is the good of local option in 12 years? If the principle is recognised that local option is good in preventing the sale of drink, why not bring it in at once? Of course we are met by the reply "What about compensation?" If this harm is going on, and if it is as injurious as people say the drink traffic is, would it not be better to pay £50,000, or even £100,000, compensation and stop it at once?

The Colonial Secretary: There will be local option as far as new licenses are concerned in April of next year.

Hon. Sir E. H. WITTENOOM: That will not reduce the number of licenses. It will not be possible to reduce any for 22 years, but you can continue or increase. As far as local option goes in connection with this Bill, it is absolutely a myth, and it is far better to pay compensation and have done with it. Coming down to the Bill itself, I think that Clause 8 should be altered. This clause deals with elective courts and I can endorse every word which has been said by Mr. Gawler. I think that having elective courts, or electing people to any judicial position, is not good. Even apart from the fact of this being a judicial position, whoever will be appointed will be bound to be delegates of retailers, or those interested in the liquor trade. Possibly we may have one of each; then of course no one will decide except the magistrate. It is the same thing in the Arbitration Court where the Judge is always the person who settles a dispute. The representatives on the Arbitration Court are delegates or advocates of both parties, and neither ever agrees, and the consequence is that the third party has to bring in the decision. That might be the case in connection with the licensing bench, and probably we shall have two delegates strongly representing one side or the other, and as these elections will take place every three years we may have two delegates representing one side sitting for three years, and two delegates representing the other side in the following three years. I think that was pointed out very ably in an article I read the other day and it was clearly shown that the position would be unworkable. I intend to move an amendment in Committee that the old method of nominating the licensing bench shall take place. With regard to Clause 28, dealing with licenses, as I have already said, there are too many of them, and a number should be cut out. I think if spirit merchants' licenses and two-gallon licenses were cut out, and one-gallon license put in, the wants of the public would be met.

The Colonial Secretary: You must have all the others.

Hon. Sir E. H. WITTENOOM: We find also that there is provision for tem-

porary licenses, and the very class of people we want to keep liquor away from are catered for under this heading. These licenses are invariably granted in connection with fairs, military encampments, races, regattas, cricket matches, and all forms of entertainment, where the young people go. The only other objection to the Bill that I see at present is in connection with some of the clubs. There is no objection to clubs being licensed but the clause will be quite unworkable as far as some clubs are concerned. For instance, take the turf clubs throughout the State. Clause 138 provides "No liquor shall be sold or supplied by or on behalf of a club in the club premises, and no liquor shall be kept in or upon such premises unless such liquor is sold or supplied to a member of such club, or is supplied to a visitor in the presence and at the expense of a member thereof." Turf clubs do not sell liquor at any time; the only liquor that they keep is a little to give away, and under this clause it will be necessary for them to be registered, and if they were registered they could not carry out the provisions of this Act because they are not clubs within the meaning of the measure. I think it will be necessary to make some kind of provision so that turf clubs may be put beyond the scope of the Bill.

Hon. W. Patriek: They would occupy the same position as private persons.

Hon. Sir E. H. WITTENOOM: Exactly the same.

Hon. D. G. Gawler: A turf club would come in as a club under this measure.

Hon. Sir E. H. WITTENOOM: A turf club does not keep liquor for sale or for profit. Having made these few remarks I do not intend to take up the time of the House any longer. It is not my intention to attempt to amend this Bill or to endeavour to bring it into keeping with the views I have enunciated. I have only stated that I thought it would have gone much further and endeavoured somewhat to cope with the undoubted evils of drink. I shall leave it to the younger members, those who are more enthusiastic than I am, to make amendments on the lines that I have suggested, and I can only hope that they will be successful.

If anyone moves amendments in the directions which I have intimated I shall be very glad to support them. I have much pleasure in supporting the second reading of the Bill.

Hon. J. F. CULLEN (South-East): I have listened with great interest to the two preceding speakers. The former struck me as a somewhat new kind of local optionist. The weight of his introduction was directed against certain sinners on the temperance side who were abusing drink and so on. The demands of the temperance people in connection with this Bill, and which the Government set out with very good intentions to meet, have nothing to do with abusing drink or abusing the trade in drink. It was purely to confer upon the people the right to say whether they should have fewer licenses, more licenses, or no licenses at all. I submit, that such a demand is on purely democratic grounds and cannot reasonably challenge any condemnation. I hold that the Government, in the Bill as introduced, set out to give an effective system of local option. In doing so they propose more or less to consolidate the licensing laws, and to amend a number of the provisions of the general laws, but the main object, and the object which I say they very fairly interpreted, was to confer upon the people of the State the privilege of local option. I congratulate the Colonial Secretary on the very fair and lucid speech which he made in introducing the second reading. I did not quite expect him to go so frankly into the matter, that is to say, I did not expect him to enlarge quite so freely upon its non-party and non-ministerial character, but for all that I hope that the Government will stand strongly by the main principles of the Bill.

The Colonial Secretary: They are standing by the Bill as a whole but not to all of the details.

Hon. J. F. CULLEN: I hope that the position is that the Government will stand by all that is good in the Bill and that they will accept any amendment which will have the effect of making the operation of the principle of local option more effective. Then if the Minister will take that ground I am satisfied that

this House will be with him, and that we shall all try to make the Bill as perfect as possible. I recognise among the strong features of the Bill, first, the exclusion of the gallon license. I differ from the last speaker on that question. The gallon license has been a power for encouraging drink in circles where before it did not exist. Numbers of people who would not go to the hotels to drink have gone to the grocer and obtained liquor there in the name of drink, sugar, or kerosene. I am sure that the Bill has been improved by the striking out of the gallon license; I would go further and strike out the two-gallon licenses, except as applying to breweries. I hold it is an undesirable thing, first to license a regular house for the vending of liquor, subjecting the holder of the license to inspection and surveillance, and then alongside to give power to a number of grocers to sell without inspection or surveillance.

The Colonial Secretary: You are giving a monopoly to the publican.

Hon. J. F. CULLEN: Except with regard to the spirit merchants and brewers I would give the monopoly to the publican. The testimony of people everywhere, people who like Sir Edward Wittenoom have had to do with the actual facts of moral life—experienced people, as against the opinions of amateurs—who have had to fight the battle on behalf of others, and all these experienced people say that the gallon license has been a curse and that the Bill is greatly improved by striking out this form of license.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. F. CULLEN: I was remarking that the main demand for this measure was that the principle of local option should be effectively embodied, and that the Government whilst making an effort to do that had also proposed to consolidate the law. I had gone on to remark on some of the good features brought into that consolidation as apart from the local option part of the Bill. I shall continue that line of remark for a few minutes, and then I shall deal with the question whether the Bill, as we now find it, gives us effective local option. The

first good point I mentioned was one challenged by a previous speaker, that of the deletion of the gallon license. I supposed that deletion. A still more important good feature is the effective provision made in the Bill for restricting clubs to their legitimate purpose. The bogus club is one of the worst things one can imagine, a regular soaking house, shut out from police surveillance, in which a number of men get together, drink all the day and all the night, especially on Sunday, and share the profits. That is a fair description of a bogus club. This Bill effectively closes the bogus club, and for that it is to be welcomed. Another good point is the effective restriction on the presence of children within the precincts of the bar; children under 16 years of age are not allowed, under this Bill, within the precincts of a bar, but I would like the Minister to explain what on earth is meant by the exception, "except during the hours of closing." What on earth do these words mean? Do they mean that while the act of closing up the bar is proceeding an unfortunate wife may bring her children with her to fetch her husband home, or is it bad English for expressing the time during which the bar is closed. However the intention of the Government is effectively to keep children right away from the drink traffic; that is an excellent feature of the Bill. The Bill was evidently drawn with an honest desire to meet the best sentiments of to-day on the licensing question, and generally speaking, I think the Minister is very greatly to be commended for the Bill as he introduced it, or rather, for the intentions displayed in the Bill as he introduced it. Now I come to the vital matter of this debate. Will this Bill, as it is now before us, give effective local option? I say straight out, it will not. Here are two provisions; one is that the poll must be taken on a quiet day and nobody will bother much about it. The local option poll is divorced from the proper day for any test of public opinion, the day of a general election. Why on earth has the local option poll been separated from the general election?

Several members: You would confuse the issue.

Hon. J. F. CULLEN: What a lot of simpletons our electors must be if they cannot carry in their minds whether they will have Bob Smith or Bill Jones as a member, and whether they will have the hotels or not? Why should they mix these two things? I would like to believe that that is the only reason, or want of reason for this provision. Before the Minister came in I asked, why is the local option poll to be taken on a day different from a general election.

The Colonial Secretary: Because you would confuse the issue.

Hon. J. F. CULLEN: That is just the answer I had—

Hon. D. G. Gawler: All over the Chamber.

Hon. J. F. CULLEN: I have had that answer from two or three hon. members who have had very little to do with elections.

The Colonial Secretary: This was fixed on the advice of men who had a great deal to do with elections, such as the Prime Minister of New Zealand.

Hon. J. F. CULLEN: The average elector is not quite such a simpleton as to have these two very diverse issues confused in his mind. Are they afraid that they will pronounce Bob Smith, a publican, or Bill Jones, a temperance man? Surely the average elector to-day who has got to face far more serious conundrums than this will not get involved. We have quite recently legislated that he shall not only pick between the one man and another, but that he shall pronounce on the varying qualifications of four or five, or half a dozen men. Any man who can do that, can vote his election ticket, and then take up his entirely separate local option ballot. Surely the main object is to get a reflection of the views of the whole people, not of a few. When are you likely to get the whole people to come and vote?

Hon. J. F. CULLEN: Are you not likely to get a greater number of them when the people are worked up on a great political issue; that is the time to get it; general election day is the day to get the fullest reflection of the mind of the people. Only a man who is afraid

of eliciting the fullest declaration need hesitate to put the local option poll on the general election day. The question of expense has also to be weighed. What will the local option poll throughout the State cost? Anything between £10,000 and £15,000, and why should £10,000 to £15,000 be gratuitously thrown away? And that is the smallest part of the expense, the part that the State has to bear; the worst part of the expense is the loss of time on the part of the voter, at a busy season of the year; interruption of work that may not mean simply loss of a day, but may in addition put a man seriously back in the year's work. Is that a rational proposition to expect of a busy man, a farmer, a miner, a Bullfinch investor? Is it a rational proposition? When there is no political issue on, will men drop their work and go to the poll?

The Colonial Secretary: Then the people will not take an interest in it.

Hon. J. F. CULLEN: Not necessarily, you might as well say a man does not take an interest in his wife and children, in their health. The House knows very well that a thing that can be done better on one day, if divided between two days will prejudice some part of the duty.

Hon. J. W. Kirwan: The Bill provides for a local option poll every three years. There may be an election every 12 months.

Hon. J. F. CULLEN: There is little difficulty in getting over that. It would be very easy to provide that if a general election happened—it has not happened often in this State at all events—in less than a year of a previous general election, that the local option poll shall go on to the next; there is no difficulty in arranging for these rare accidents.

Hon. M. L. Moss: We have had a general election within a year; when the Daighish Government went out of office.

Hon. J. F. CULLEN: Just once in the history of the State. So rare an occurrence could be provided for in the machinery of the Bill. I am pointing out the regular course. If you fix the local option poll on a quiet day it will be a great difficulty to get a fair reflection of the views of the people.

Hon. M. L. Moss: What is your suggestion if an election comes within a year or 18 months?

Hon. J. F. CULLEN: Let it go on to the next.

The Colonial Secretary: That would be 4½ years.

Hon. J. F. CULLEN: But another general election might come within 12 months. Why should you assume the next Parliament would necessarily run its ordinary course? The Bill provides on the one hand that the election must be on a quiet day. Alongside that it provides that a minimum of 30 per cent. is necessary to carry an issue.

The Colonial Secretary: That is only as regards reduction and no-license. A simple majority will carry the others.

Hon. J. F. CULLEN: Reduction or no-license or restoration of licenses; on these three important issues there must be 30 per cent. to make an effective vote, and that 30 per cent. must be dragooned to the poll on a quiet day.

Hon. D. G. Gawler: Or local option fails if you cannot get them there.

Hon. J. F. CULLEN: If we legislate an impossibility and it cannot be met, is it a fair thing to retort, "You are not in earnest, you fail to meet an impossibility, therefore you are not in earnest"? That would be a fine way for a practical man to talk. I make bold to say that if the Minister will face this consideration he will agree with me. We cannot hope to get 30 per cent. of the voters on the roll on a quiet day on any issue; the thing is utterly beyond hope.

Hon. M. L. Moss: Then things will remain as they are.

Hon. J. F. CULLEN: Exactly. We place an impossibility before the people. It is like saying to a man who is tied up, "There is a meal in front of you; if you do not eat it you cannot be hungry."

Hon. W. Patrick: Why is he tied up?

Hon. J. F. CULLEN: We are tying the voter up, we are tying the reformer up, we are saying to him, "You must take a quiet day and bring up 30 per cent. of the voters to the poll."

Hon. M. L. Moss: You cannot call it impossible. You may say the people are apathetic, but that is all you can say.

Hon. J. F. CULLEN: I am speaking in the light of the experience of electioneering history. When do we succeed in a scattered electorate on a most exciting issue in getting 30 per cent.? Here and there we may do it, but it is by no means a common thing, and then it is only when the whole country is seething, when the whole country has its mind upon one great issue, and the people say, "We will give up our one day's work in three years and go to vote for this election." But is it reasonable to expect it on a single social issue such as the temperance question? I say it is utterly unreasonable. I cannot believe for a moment that the Minister will deliberately mock temperance reformers by putting this double dilemma before them—"You must take a quiet day when nobody is thinking politically, and you must dragoon 30 per cent. before you get an effective vote."

The Colonial Secretary: Yes, to deprive the district of any licenses.

Hon. J. F. CULLEN: Or to restore them.

The Colonial Secretary: It is the same thing, but it does not apply to any others.

Hon. J. F. CULLEN: Legislators are not here to waste time putting on the statute-book what they know is impossible. It is practically an impossibility. I say on a general election day if we cannot get 30 per cent. to vote let the issue go. If we cannot get 30 per cent. on a general election day to carry an issue, then it is quite a fair thing to say, "All right, you must work up your interests a little more"; but to put the poll on a non-election day and to expect it I say is playing with the Bill. If the Bill is to be divorced from general election day then something like 15 per cent. will be ample. I want to point out this feature of the case that probably the Minister overlooked. It is easier to run a race if you have a competitor, than to have a man running a dead race with no one to inspire him. Now what will happen on either of these issues? If the local optionists are fighting the carrying

of no-license and they are strong in any district, they are the only people who will go to the poll. The others will stay away. They will say, "We will not put fire into that contest; we will stay away and let the other fellows run alone, and that will kill their ardour." It is an important point I am sure the Minister has overlooked. When the local optionists are trying to carry Resolution D, they will have to run alone where they are strong. On the other hand, where the other side want to carry an issue, if they are strong the local optionists will stay away and let them run alone. We have to estimate what are the probabilities of running a one man race on a quiet day for a social question. Do we think we will get 30 per cent.? The thing will never be done. In Committee I shall try to get the local option poll on general election day. This is the only day when it will cost nothing, as against costing the State £10,000 to £15,000 on any other day and costing the people, perhaps, double that amount by interruption to their business. Failing my securing that, this 30 per cent. must come down to just sufficient to guarantee a thoughtful vote.

Hon. J. W. Kirwan: What objection is there to having the bench elected on the same day as the Assembly poll?

Hon. J. F. CULLEN: The hon. gentleman is trying to help my argument by pointing out that the Bill provides that the election of licensing boards, a name better than licensing courts, is to be on the same day as the licensing poll. That would add a little interest, but at the same time there is no reason why the whole three issues should not be on the one day, and I venture to predict there will be few failures to separate the different issues. Now there is another serious difficulty from my point of view with regard to the provisions for the local option poll. It is provided that it cannot be touched till 1921. That, of course, was not the original intention of the Ministers. They provided what to my mind seemed a rational way of operating that poll, by providing a system of trade insurance—not compensation, but trade insurance. Where any offence can arise to any temperance

convictions in that trade insurance for the life of me I cannot see. It is greatly to be regretted that the provision for trade insurance was struck out of the Bill, and I should be inclined to move for its return, but that the proper way to support the Minister in this Bill is not to run the risk of having the Bill delayed. I submit that, if there is no trade insurance to cover the loss of the man who loses his license summarily, there must be a reasonable time notice; but I cannot see why the same term should be fixed for reduction as for no-license. Why should it be necessary to postpone the question until 1921? Every member admits there are numbers of houses crying out for closing. I remember some years ago travelling through a little goldfields town where there were about 12 inhabited houses, four of them being public houses. The explanation was that the town had once been booming, and these four houses did a roaring trade, but the town went away. But none of the four public houses would leave, each waited for the other three to close. Surely in a case like that it would be a merciful interposition for some legislation to come in and say, "Close up three of them." All the poor licensees could hope to live on were the takings from the prospectors who would come in and crush their little findings. They would crush their little findings and knock down their cheques in one or other of the houses or perhaps impartially in the four. That seemed the only possibility that these four houses had of maintaining an existence. Three of these houses, or better still the whole four, ought to be closed. Now why should "reduction" be postponed until 1921? Is it likely that the operation of the reduction principle would close the best houses? First, the reduction vote will close the least fit, the houses that perhaps ought never to have been opened, or which at least should have been closed years ago. Then surely there is no need to wait till 1921 for that? I would strongly recommend the Minister to make the period before "reduction" about five years; certainly we might safely begin to reduce after five years' time.

The Colonial Secretary: Ten years is the shortest period adopted in any other State.

Hon. J. F. CULLEN: That is for "no-license"; "reduction" is entirely different. "Reduction" would deal with the houses that have no warrant to be there. I submit that no injustice would be done if "reduction" were made operative after five years' time. With regard to "no-license," I think the year 1921 affords perhaps unnecessary grace, in view of what we know will be the operation of the system. Hon. members may ask "How can we know." We know human nature, we know the conditions of the State; if this were an old country like England where perhaps the population has reached its maximum—

Hon. W. Patriek: It is increasing by 700,000 a year.

Hon. J. F. CULLEN: And decreasing by pretty much the same.

Hon. W. Patriek: No.

Hon. J. F. CULLEN: It is going to decrease faster, because we are going to attract as many of the population as we can get. We know that even if we fixed the date at seven years the operations of the law will be this: it will take one or two, or perhaps three ballots, to educate the people on the question. If I were an owner or lessee of a decent hotel tomorrow I would have no fear of its being closed within the life of any member of the Chamber. If, I say, our population had increased to its maximum, and the temperance workers said "Well there are too many hotels and that surplusage cannot be reduced through increased population," it would be different; but what the intelligent elector would say in the present circumstances is, "Our population is growing every day, and if we at once stop the increase of licenses then the present surplusage will work itself out through the growth of population." And I know that the decent law-abiding hotel-keeper to-day has a pretty long lease of life, even with the fullest operation of the local option law. In any case it will take one or two polls to educate the people before a single house will be closed. If we were to start "reduction" in five years, I mean the permission to reduce in five

years, and the permission to vote "no-license," if so inclined, in seven years, I would have no fear that any injustice would be done. But I do think the houses that ought to have been wiped out long ago would then be wiped out. Now on this question I have tried to hold the scales fairly between the temperance worker and the man who has invested money in the trade. I recognise that if the temperance workers had drafted the Bill it would have been a very different measure; but however good such a Bill might have been, it would hardly have reflected the average mind of the State to-day. I recognise that the Government have tried to interpret the average mind of the State to-day, and with the exception of those two or three particulars which I have pointed out. I think they have fairly interpreted the average mind of to-day. My temperance friends say "Oh the license is for a year and a year only." So are our auctioneers' licenses, so are the certificates for every factory. But custom and use have been accepted as quite sufficient guarantee that the man who obeys the law will get his renewal. I think it is a moot question as to its being mandatory by the statute. Use and custom are quite sufficient for the honest man. I hold it is beside the question to repeat over and over again that the license is for a year and a year only. I say it is for a year with the understanding of renewal under the use and custom of a generation past. We have made the law, the trade has grown up under the law and the tradesman who keeps the law has the right to rely on use and custom. The Government, I think, have fairly tried to interpret the average mind, and I trust that the temperance workers, and those who desire to see the trade fairly dealt with, will come together and try to make effective the system of local option. I want to repeat that local option is not necessarily an attack on any trade or on anybody's convictions. Local option is a system whereby the advancing sentiment of the people may find effect through the poll. It is a system whereby you do not need every year to alter the law to bring it up with the advancing

public sentiment, but under which the vote of the district can carry the administration of the law along with the growth of that sentiment. I say in that respect local option is not only a purely democratic principle, but it is a sound, economic principle, and we should all try to give it such effect in this Bill as will leave no handicap for the temperance worker, but give him a fair opportunity, and at the same time inflict no injustice on the tradesman who is obeying the law. I think the Bill can be made a fairly effective measure by hon. members agreeing to sink extreme views and to leave free channels for advancing public sentiment.

Hon. E. McLARTY (South-West): I shall not take up the time of the House for many minutes. Hon. members who have preceded me have prefaced their remarks by touching on the moral aspect of the Bill, and I can assure you, if I can do anything to lessen intemperance, I shall work heart and soul for that object. I intend to refer to a few of the principal clauses in the Bill. In regard to local option, it may be a very good thing, but I am not such a firm believer in that principle as many appear to be. My experience of taking a poll, at all events in scattered districts, is that one man generally leads the van and gets the majority of votes. People are ready to sign petitions for any mortal thing, and I think very often injustice will be done under local option. However, I know it has been adopted in other parts of the world and it may be the right thing to try it here. Another matter that scarcely meets with my approval is the alteration of the gallon license provision. Mr. Cullen has expressed the opinion that the issue of gallon licenses leads to intemperance, and that many people avail themselves of that opportunity of securing drink. I think it is better to be able to get pure liquor from the merchants than to get, in some instances, liquor not so good from hotels. I cannot see that it in any way leads to intemperance; because if a person wants to get drink and cannot get it from a merchant he will avail himself of other opportunities. I think it is a convenient

form of license, especially in country districts, where many people are not given to intemperance. I have never been a drinking man myself, but I do occasionally get a gallon of spirits from the merchants. I do not want to get two gallons; I cannot afford to pay for two gallons. One is quite sufficient, and I see no reason why that alteration should have been made. The fact that a person is able to buy a single gallon will not lead to intemperance any more than if he were compelled to buy two gallons.

Hon. W. Kingsmill: If he has to buy two gallons he will drink two.

Hon. E. McLARTY: I am in favour of the law remaining as it is. With regard to the question of Sunday trading, this is a very big problem, and one about which I find some difficulty in making up my mind. If I could consult my own wishes I would certainly close up every hotel on Sundays. I think six days quite sufficient for people to have the privilege of drinking and spending their money on drink, but I fully realise the outcry there will be if this system is adopted. We know that people going excursions on Sunday, as hundreds of people do, require refreshments, and they will find it a great hardship if, on coming to a roadside inn or hotel, they discover they are deprived of the privilege of having a glass of beer, or whatever other liquor they may require. I think it is carrying the thing too far to say that a man shall not be allowed to get a glass of beer on Sunday if he is in need of it while travelling. Therefore I think it requires great consideration. The existing law prohibits the sale of liquor altogether on Sundays. What is the result? I can say from my own experience that there is more drunkenness in the place on Sundays than on the other six days of the week. I myself have more trouble with my own servants on Sunday than during all the rest of the week. Every man is paid his wages on Saturday night, and from those of them given to intemperance I have a great deal of annoyance on the Sunday through their coming on my premises drunk at all hours on that day. I see no attempt being made to stop this practice, for I find people passing in

and out of the hotels five or six abreast on the Sundays. I have been compelled to discharge men whose services I valued, rather than have them drunk about the place on Sundays. All things considered it would be just as well to permit the hotels to be open for an hour or so on Sundays as to prohibit them and have them breaking the law. However, if I consulted my own wishes I would have no Sunday trading and no drinking at all on that day; but I feel that if that point were carried it would lead to a good deal of dissatisfaction on the part of the general public. I agree with the gentleman who spoke first this evening, that the consideration seems to have been mostly for the extreme teetotaler, and the general public, to some extent, have been left out of the question altogether. We want, if possible, to strike the happy medium between the two; therefore, I find myself in a difficulty in making up my mind as to what is the best to be done in regard to Sunday trading, which I regard as one of the most important operations of the Bill. In regard to the constitution of the licensing bench, I am entirely opposed to it being elective. I think it is a most absurd suggestion and ought not to be put into the Bill at all. The matter has been very forcibly put by previous speakers, and I agree with them that it is far better to have a nominated bench than an elective bench. If an amendment to that effect is proposed I will support it; if not, I will move an amendment myself. In regard to wine licenses, I have had this matter forcibly brought before me for a considerable time past, and I brought forward a motion in this House last year regarding the scandalous state of things in the southern districts, where, in many parts, the people were not only selling colonial wine at their own places where it was made, but were putting up tin shanties in different parts of the country miles away, and were following up Government works with disastrous results. I am sorry that that motion has had no effect, for the same thing is going on to-day. They are not only selling it at their own vineyards, but they are putting it into casks and

carrying it along the railway line and selling it wholesale. I do not know whether the police have any power to prevent it; they say they have not.

The Colonial Secretary: The owner of a vineyard can do that under the present Act.

Hon. E. McLARTY: I hope that the Act will not be allowed to continue in that form, because if it is it will be no use issuing licenses at all. Again, a man who holds a general publican's license can load up his cart with a week's supply of liquor, take it into the country, and dispose of it as he thinks fit. This is an injustice to other hotels and it should not be allowed.

Hon. W. Patrick: It is against the law.

Hon. E. McLARTY: A good many things are allowed which are against the law, but I trust that before this Bill passes through the House there will be some restrictions inserted so that those who are making colonial wine can only sell it on the premises where it is made. Then there is the matter of State control. I am not one who favours State control. I think it is not a right thing for the Government to run retail businesses; they might just as well run butchers' shops and grocers' shops as anything else. I contend that hotels should be licensed to private individuals and run under proper restrictions.

Hon. J. W. Kirwan: The Gwalia hotel is the best conducted hotel in the State.

Hon. E. McLARTY: No doubt it is well conducted, and I admit that if there is one retail enterprise which the Government are justified in going into, it is in the liquor traffic. At the same time I think it would be better to grant licenses to men of repute, and those men should be kept up to the letter of the law. I have nothing more to say, but I intend to watch this Bill as it goes through Committee. There are several amendments that are very necessary, and I hope that when the measure leaves this Chamber it will be so improved that it will be acceptable to another place, and to the public generally.

Hon. J. M. DREW (Central): The Colonial Secretary, in his second reading

speech, was careful to impress upon the House that this is not a party measure. It seems to me that the question as to whether this is a party measure or not should have no concern for this Chamber, and will not be given a moment's consideration by hon. members. What is likely to engage the attention of the House is whether the measure is a good one, or whether it is possible to improve upon it. Now the correct interpretation of the Colonial Secretary's remarks, it appears to me, is that the Government have no fixed views on the liquor question, and that the leader of the House is prepared to accept the determinations of this Chamber, no matter what those determinations might be.

The Colonial Secretary: I have to do that on any Bill.

Hon. J. M. DREW: That the liquor question is a party question and a very prominent party question was, I thought, universally admitted. We have only to recall the general election, and we will discover ample evidence of the existence of two parties, one opposed to all restrictions on the trade, and the other determined to create and restrain and, if possible, obliterate the trade altogether. I am surprised, indeed, that the Government do not regard legislation of this character as a vital part of their policy; but I feel certain from the attitude which the leader of the House has taken up, that he will be quite prepared to accept meekly any amendments which hon. members may make.

The Colonial Secretary: You are putting words into my mouth which I never used.

Hon. J. M. DREW: It seems to me that there is very little in the way of reform in the Bill. The principle of compensation by the trade has been entirely deleted, and the vote on local option has been deferred until 1920, or to be exact, until April, 1923, because not till that date will people be able to vote in regard to increase, reduction, or no-license. This has been rendered necessary by the removal of the provisions for monetary compensation. I think it would be far better if provision were made for monetary compensation, in order that there

might be effective control of the liquor traffic with the least possible delay. I do not say that the compensation should come from the public funds; it should come from the trade itself, and I think the suggestion of Sir Edward Wittenoom is worthy of consideration, that the Government would do well if they advanced £200,000 or so to bring about local option and make provision for the trade to pay the amount back. As it is there will be no effective control of the liquor traffic until 1923. I notice that the one-gallon license has been removed, and that the two-gallon licenses and spirit merchant's licenses have been allowed to remain. The one-gallon license was removed I believe, because it was suspected that that form of license had been very grossly abused, yet we allow the two-gallon license and the spirit merchant's license to remain. Now, all the recent holder of a gallon license has to do is to apply for a two-gallon license, and also a spirit merchant's license, and if he was unscrupulous enough before to abuse his license surely he will not mend his ways under this Bill. I do not think it is wise to delete gallon licenses; by so doing we will drive a number of people into hotels and, in my opinion, the hotels are the worst features of the liquor trade. With their allurements they tempt many people to drink, and by preventing working people from getting small quantities of liquor in their homes we will drive them into the hotels. This must have a bad effect, and it seems to me that the last condition will be worse than the first. I notice that in Clause 9 females are classed with lunatics and criminals, and are not eligible for a seat on the licensing bench. That I regard as an insult to the women of the country. It is a matter which should be left to the electors. I do not think that many women would aspire to a seat on a licensing bench, but if any did, why not allow them to go to the poll and leave it to the electors to decide? One gentleman who should be disqualified, but who has a special subclause inserted to secure his eligibility, is the gentleman who is interested in breweries. Paragraph 2 of the proviso to Clause 9 reads: "Provided that no person shall be disqualified by

reason only of his being a shareholder in an incorporated company interested in the manufacture of liquor or holding or intending to hold by its agent a license under this Act." A woman is not eligible, but a man who has a controlling interest in a brewery holding licenses under the Act may be elected to the board. This creates a position which is not at all desirable, and I shall oppose that subclause when it comes up for consideration. In regard to permitting hotels to remain open till 11.30, I am of opinion that that is an unduly late hour. I believe it is quite necessary in Perth, and probably also in Fremantle; but it seems to me that 10 o'clock is a sufficiently late hour for country places. If a workman visits an hotel after tea, and remains there up till 10 o'clock he is not likely to have more liquor than is good for him, but if he remains after that hour he will probably drink too much and will not be able to go to work next day. I think that clause should be altered to 10 o'clock for country places, although probably the hour could be left at 11.30 for Perth and Fremantle. I am glad to see that the licensing bench is to be largely elective. I quite agree that the magistrate should be a member of that board, but I also hold that the two other members should be elected. Popular control would be such only in name if we had a nominated board. We have heard several suggestions to-night that the Bill should be amended and provision made for a nominated board; but we have had a nominated board in the State for many years, and we have to-day many licenses that should not be in existence at all. If it is a nominated board the board will be the nominee of the Government of the day. If that Government is strongly in sympathy with the temperance party the board will be chosen from the ranks of the temperance party. If it is a Government whose sympathies are with the liquor trade the board, it is only natural to suppose, will be chosen from those whose sympathies lie in that direction. If you throw the responsibility on the people, the people will be alone to blame if they make a wrong or injudicious selection. The people may act injudiciously in their selection, but in

the end I think they will be right. It is a question whether a Ministry consisting of six or seven individuals shall appoint the board or whether all the people of a particular district shall be entrusted with the duty. For my part I am prepared to trust the people. There are many other features that one might touch upon, but I think they will be better left until the Committee stage is reached. I hope, despite its many shortcomings, the Bill will accomplish something it is intended to accomplish, and I hope before it leaves this Chamber it will be considerably improved in many respects.

Hon. W. KINGSMILL (Metropolitan): I do not think that I should have taken the opportunity of speaking on the second reading of this Bill, which, as hon. members must realise, is essentially a Bill to be considered in Committee; but for the fact that I will not have the privilege of other members of discussing it when it reaches that stage, and it having been recognised that to give a silent vote means the casting of a certain amount of odium or disgrace on an hon. member, I think it best I should express my sentiments on some portions of the Bill at this stage. The leader of the House, in introducing the Bill said that it was not a party Bill, and the fact of its being before us to-day in the form in which we find it is ample evidence that it is not a party Bill. Had it been part of the policy of the present Government, I venture to say, with the changes that have occurred in it during its passage through another place, there would have been nothing left for the Government but to have withdrawn it. The fact of the Bill being here is ample evidence that it is not a party Bill. At the same time I must differ from the hon. gentleman who has just sat down and who said that this was a party question. It may be in the way that the hon. member spoke of it, namely, that there were two strong parties fighting a huge unconscious body, the general public, but these parties are not co-incident, and I hope they never will be, with the parties which in another political arena of this State are fighting one another for supremacy.

The first difficulty I can see in connection with this Bill—and it is one I admit I do not see a way of eliminating—is the difficulty with regard to proclamation of licensing districts. There is going to be trouble over this almost as much as over the fixing of boundaries for political districts. However, I suppose that with a lapse of time and the acquisition of more experience in this connection, that some satisfactory solution will be arrived at. The next difficulty, which I do see my way to eliminate if the Committee of this Chamber think fit to do so, is in connection with the present proposed constitution under the Bill of the licensing courts. I must say I cannot support the idea of elective courts. Mr. Drew said that in nominee courts, if a Government were in power which had sympathy with the sellers or traders in liquor, then that Government influence would go towards making a nominee court representative of that interest, and on the other hand if a Government were found which would have a preponderating liking for the teetotal cause, then the teetotalers would have their way in the constitution of the court. If that is so in relation to government, and, after all, Governments are bodies responsible to their masters, the people, how much more so will it be the case in the licensing districts where the electors are responsible to no one? An elective court in a licensing district, unless we get proportionate representation, will be a most tyrannical body, which will represent undoubtedly either one section of the community or the other. Any Government who have any respect for themselves or the people must see that the balance of power is held as equally as possible by appointing fair-minded men to the courts, and that neither side will have a preponderating influence, and that the perhaps inert body of ratepayers, who sometimes are not as ready as we could wish them to be in coming forward to express their views, shall have adequate representation, and that the conveniences of the public are studied before any other matter is thought of. I think, with regard to the reduction of licenses, Mr. Drew said that if we had nominee courts in a district

in sympathy with the liquor traffic, we would never get a reduction. I venture to say that aspect is taken notice of by the full measure of local option which appears in the Bill itself. The determining of the number of licenses which shall exist in certain districts is already in the hands of the people and it will be the people's own fault if they do not express a decided opinion on the matter in which after all they are the masters. I notice that there is not much alteration in the matter of the licenses which it is proposed to grant, but there is one matter I wish to call attention to and that is that the Government in framing the number of licenses which are to be granted have displayed a kindness—and I hope I shall be pardoned for the use of the word kindness—towards one individual in retaining one hotel license which they might well continue when they come to the question of club licenses. It is deemed advisable to retain the hotel license and hon. members know what I mean because a hotel is in existence which would be wiped out of existence if this hotel license were removed. When we come to club licenses we find that the Bill contains such provisions that it will wipe out a club which has been in existence in this State for a great number of years and I say that if this course is to be followed in the case of a hotel license some consideration should be extended in the case of clubs. I must say that I agree with the view of Mr. McLarty with regard to the provision that is made for the sale of Australian wines. I think it is a total fallacy to say it is a step antagonistic to the making of Australian wine if we limit the sale of Australian wine to the sale in bulk by the producer of it. If our Australian wine industry is to depend for its future upon the selling of this product in bottles at the place where it is made, there is a bad look out for the industry. Hon. members must agree that the future of this industry lies not in Australia but in the old country; it is not on local consumption that the future of the industry depends but on export. I think it is idle to say that the selling of a few bottles of Australian wine where it is made is going to encourage the industry which we

hope will become one of the great industries of the State and of the Commonwealth. I cannot help remembering a set of circumstances which took place some seven or eight years ago—a murder which was committed not far from Perth, in connection with which the defence was put forward that the people who committed the crime were incited to commit it by having bought on the spot where it was made certain Australian wine. I think this is sufficient argument against allowing the sale of this Australian wine in single bottles to take place where the wine is made. The provision I think is bad, and I hope it will be wiped out in Committee. With regard to two-gallon licenses, there is a good deal of truth in the contention that they appear to have existed in the past more as a shield than anything else. While I might not be quite correct, I say that the two-gallon license will afford as much protection as the one-gallon license, and if people are going to use a shield of this sort they will have no more compunction in using a two-gallon than they will a one-gallon license. I must congratulate the Treasurer on the system he has introduced in Clause 46—the system of premiums. It strikes me as being a most ingenious provision and it also strikes me that the worse the character of the applicant for a license the greater will be the premium which he will offer. If the prospective licensee is only sufficiently evil in character, goodness knows what financial penance he will offer to be allowed to continue his existence. With regard to compensation I think that the original idea of the Government that financial compensation be provided by the trade was a logical one and one which would satisfy at all events those members of the trade who went out of business. However, it has been struck out and its place taken by the proposition which as far as I am concerned is a most unexpected one. Hitherto when I have thought of time compensation I have thought of it in this connection—and what I think is a fairly reasonable way of thinking of it—that a poll should be taken at as early a date as possible, and that those houses marked out for the termination of their licenses should have their fate conveyed to them by that poll,

and that they should know accordingly when they would terminate, so that they may "make hay while the sun shines." I thought that was the form time compensation would take, and I say it is a better form than that to be found in the Bill. I cannot understand how it comes about that the time for the closing of hotels has been extended to half-past 11 o'clock. It seems to be one of those things that just happen in another place without any particular reason for it, and I think the House would be very wise in bringing back the time to what it is at present. Members may say that inconvenience is caused to persons arriving in Perth at a late hour; that is not so; there are bona fide travellers under the Bill of two sorts, the bona fide travellers who may be served after hours and the bona fide traveller who is served on Sundays. The bona fide traveller who is served after hours is not, to the same extent, a distinct species in the Bill before the House as the man who slakes his thirst on Sunday; he is quite a different man. So that that excuse for keeping hotels open until 11.30 disappears at once. The man who arrives in Perth after 11 o'clock has a right to demand, and be given refreshment and accommodation of the sort he desires. As to the other sort of bona fide traveller—the hermetically sealing of hotels on a Sunday I do not think is going to succeed. As a member of the metropolitan district, representing as I do people who like, and rightly like, to spend their Sundays in the surrounding country, I should be doing wrong to my constituents, leaving out altogether the feelings of the people who keep accommodation houses in the country. I should be doing wrong to my constituents if I submitted to the hermetically closing of hotels on Sunday. Nobody is going to keep hotels at public resorts for the purpose of selling dinners; it is a kind of commercial proposition that will not be done. Furthermore, with regard to the orgies alleged sometimes to occur at these places, if these orgies do occur that is a defect, not of the legislation but of administration, and it can be easily remedied, being an act of administration. I

am not going to support in any way whatever the proposition that will have the effect of practically stopping Sunday excursions. Some people may say it would be better if these people stopped at home on Sunday; that may be so in some cases, but what we have throughout Australia, and what we have throughout the British Empire, thank goodness, is freedom without license, and as long as a man's inclination, and this inclination is a survival of ancestry, takes him out to the country you may depend upon it it is better for that man's physical, and perhaps for his moral welfare, if he follows that instinct. I shall not stop him in that direction. I have little more to say. I wish to make a few remarks as to the provisions of the Bill relating to clubs and it appears to me that, in the first place, the definition of club that may be registered as a club under the Bill seems to be unduly restricted. This definition, which is found in Clause 140, particularly lays down that a club for registration under the Bill can only exist for the more frivolous purposes of life; that is a club that exists for the purpose not of conferring mutual benefits on members, should be excluded from the benefits of the Act and cannot obtain a license as an hotel, and the members must go without, what is at all events one of the allurements of life, obtaining some kind of liquor refreshment. I have already pointed out that one club in the City, and that club exists throughout Australia—I am not a member of the club and I do not hold a brief for it, but I think an injustice is being done to that club if by passing this Bill we terminate its existence in this State, when its existence is recognised by similar legislation in practically every other State in Australia. I think the Government would be wise in accepting an amendment, which may possibly be made to render it possible for the club I have already referred to coming into the Bill. I think with the exceptions I have spoken of that this Bill will form a fairly satisfactory measure. What I mean to say is this: if we restore the Bill practically to the form the Government introduced it

we shall be doing well as a Legislative Council, and doing well for the electors of Western Australia, but I would like to say this at the same time, I consider the creation of elective courts is undoubtedly a step in what I think is the wrong direction. If these elective courts are to be found in the Bill as it comes out of Committee, I shall be reluctantly compelled to vote against the third reading.

On motion by Hon. W. Patriek debate adjourned.

BILLS (2)—FIRST READING.

1. Mount Lawley Reserves.

2. Health.

Received from the Legislative Assembly.

BILL—PHARMACY AND POISONS ACT COMPILATION.

Bill returned to the Legislative Council without amendment.

House adjourned at 8.55 p.m.

Legislative Assembly,

Tuesday, 29th November, 1910.

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

QUESTION—RAILWAY SERVICE, PINJARRA-MARRINUP.

Mr. O'LOGHLEN asked the Minister for Railways: 1, Will the Government make an effort to establish a better train service on the Pinjarra-Marrinup Railway? 2, Is the Minister aware that over a thousand people have recently taken up their residence in this district? 3, Can the Minister state when a daily train service will be introduced?

The MINISTER FOR RAILWAYS replied: 1, Yes, when the traffic is sufficient to warrant it. 2, I believe that a large number have recently gone to the district, but am not aware how many. 3, Inquiries will be made as to the trade and population of the district with a view to the providing of such facilities as the increase may warrant.

QUESTION—RABBIT DEPARTMENT INSPECTOR.

Mr. O'LOGHLEN asked the Minister for Lands: 1, Has an inspector named Mr. Hogg been appointed in the Rabbit-proof Fence Department? 2, What experience or qualifications had he for the post? 3, Had he served in the department previously, and if so, for how long? 4, In the event of no prior service, was there no employee in the department qualified and competent to fill the position?

The MINISTER FOR LANDS replied: 1, Mr. Hogg has been appointed a rabbit inspector, but has nothing to do with the rabbit-proof fence. 2, He has had years of experience with rabbits in the Eastern States. 3, Yes, one month. 4, The Chief Inspector of Rabbits considered him the most suitable man he could obtain for the post.

QUESTION—SCHOOL ACCOMMODATION, COLLIE.

Mr. SCADDAN (for Mr. A. A. Wilson) asked the Minister for Education: 1, Have complaints been made to the Education Department by the Collie State school authorities of the inadequate accommodation supplied to the school