which is enjoyed by the companies operating on the timber belts.

Mr. Monger: That is a point with which I do not agree.

Mr. O'LOGHLEN: I am not asking the hon. member to agree, but I am asking intelligent members of the Chamber to do so. I want to emphasise again the need for doing this, because there are twenty or twenty-two sawmills situated in the South-West, employing between 5,000 and 6,000 men. They have their own stores and practically there is no competition. I may be reminded that there is an agreement in existence whereby the companies are enabled to charge ten per cent. above Perth prices, but that agreement is more honoured in the breach than the observance. It is very difficult to keep them to an agreement owing to the fact that a number of articles are constantly fluctuating in price, and the residents out in these districts are placed in the unfortunate position of having to pay through the nose, and pay very heavily too, for the commodities they require. The Government and Parliament can come to their assistance now by supporting this measure, so that no matter where they purchase, there may be no restraint of trade. These people should be able to carry their goods at Government rates, and there should be free intercourse for the people by allowing everyone, no matter who it might be, to ride on the trains provided the prescribed fee is paid. I think I can say there is not the slightest evidence of unfairness in the whole Bill. The reason I did not introduce it before and the reason why I have limited my remarks is owing to the late hour and to the great difficulty experienced by private members in getting their measures through. I think the Government will have sympathy with this proposal, and I hope that members on the other side of the House will give it their blessing, and if they do the great bulk of the people directly interested in and affected by this Bill will bless this Parliament for giving them this small measure of relief. With these few remarks at this late hour I commend the Bill to the favourable consideration of the House, and move—

That the Bill be now read a second time.

On motion by Mr. Monger, debate adjourned.

House adjourned at 10.48 p.m.

Legislative Council,

Thursday, 17th October, 1912.

The PRESIDENT took the Chair at 3 p.m., and read prapers.

LEAVE OF ABSENCE.

On motion by Hon. R. J. LYNN, leave of absence for the remainder of the session was granted to the Hon. F. Connor on the ground of urgent private business.

SITTING HOUR, ALTERATION.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

That during the remainder of the session or until otherwise ordered the House shall meet for the despatch of business on Tuesdays and Wednesdays at 3 o'clock, p.m.

He said: The motion was submitted only after long and serious consideration. The necessity for action in this direction was due to the congested state of the Notice Paper and the slow progress measures were making through the House. The Proportional Representation Bill was read a first time on the 4th September, a month

and 13 days ago. The Industrial Arbitration Bill, which was read a first time on the 10th September, had been one month and seven days before the Chamber. There was an excuse for the High School Act Amendment Bill because it was before a select committee, but this measure and the Pearling Bill were both read a first time on the 10th September, and had been one month and seven days before the Chamber. The State Hotels Bill, which had been read a first time on the 17th September, had been just a month before the Chamber; and the Inebriates Bill, which was read a first time on the 19th September, had been a month less two days before the Chamber. Several motions should have been disposed of by now. For instance, the motion tabled by Mr. Colebatch for the adoption of the report of the select committee in connection with the Wickepin-Merredin railway.

Hon. J. F. Cullen: And the motion dealing with the University site.

The COLONIAL SECRETARY: If the motion now before the House should be adopted we could deal with the hon. member's motion on Tuesday. There were also the Fremantle Harbour Trust Amendment Bill, the Shearers' Accommodation Bill, and the Rights in Water and Irrigation Bill, all controversial measures. Measures had been subjected to more debate in the Council this session than had been the case in any session he knew of, though, realising that the Government had an overwhelming majority in another Chamber, he could not complain, because it was only reasonable that Bills coming to the Council should receive even more consideration than in ordinary circumstances. But in this connection he had a return which showed that during 1910-11, about the heaviest session previously, when there was a large number of Railway Bills introduced, also important legislation including the Redistribution of Seats Bill, there were only 36 sittings covering the whole of the session from the 28th July, 1910, to the 16th February, 1911, as against 34 sittings held this session up to the previous Thursday; and the Council reports in *Hansard* covered 1,583 columns this session as against 1,425 columns during 1910-11. This session there was only one adjournment over a week, whereas during 1910-11 there was an adjournment for a month followed after intervals of one or two days by adjournments for two weeks, and there were four weeks at Christmas. It would thus be seen there was a large amount of discussion on the Bills before the Council. The other night there had been an attempt to enforce the Standing Order which said that no new business should be taken after 10 p.m., and in order to get over the provision the Standing Order had to be suspended. But it was not advisable to repeat that sort of thing and he had decided to adopt the course of moving for an earlier sitting. It might not be necessary to continue sitting earlier for more than two or three weeks. When the Notice Paper was considerably relieved he would be prepared to go back to the old hours. The metropolitan members were the only members likely to complain. They would probably urge, as they had urged before, that it would mean neglecting their businesses but the country members had to abandon their businesses altogether for at least four days in the week, and they were constantly making sacrifices, so that the city members should be prepared when occasion demanded, to give way.

Hon. F. DAVIS (Metropolitan-Suburban) seconded the motion.

Hon. D. G. GAWLER (Metropolitan-Suburban): While sympathising with the leader of the House in wishing to get the business through, as a metropolitan member he would ask was it not advisable to allow the present hours of sitting to continue for some time at any rate. It would be a considerable time before the Budget was disposed of in the Assembly, and we could reasonably hope there would be a fair amount of time allowed to the Council to dispose of the large amount of business now on the Notice Paper. Many of the Bills on the Notice Paper would not take very long to discuss. He was loath to give up the time asked by the leader of the House. If we met at three o'clock it might just as well be two o'clock, because no business could be done in offices during the afternoon before three o'clock. While

he could sympathise with country members, they were not quite in the same position as the metropolitan members. They were not devoting their mornings to business and exercising themselves and their brains in business and offices as the metropolitan members were, and it was not so great a tax on them to attend the House in addition to doing business in the morning. Later on, if we found the Notice Paper congested, and it was necessary to meet earlier, he would do his best to assist the leader of the House.

Hon. Sir E. H. WITTENOOM (North): Being, as regards his constituency, about as good a country member as there was, he could say that the suggestion of the leader of the House would not suit country members. It would be better to extend the hours of sitting at night. He was repared to sit an hour later. The leader of the House had rather broken faith with members in regard to the understanding that if the House met at three o'clock on Thursdays it could adjourn at 5.30 in the evening to enable members to get away to the country by trains.

The Colonial Secretary: That was not my motion; it was Mr. Cornell's.

Hon. Sir E. H. WITTENOOM: The understanding was that if we met at three o'clock members could get away at 5.30 and catch their trains, but we had been sitting until 10.30 on Thursdays, and members could not get away although they had given up their time to meet at three o'clock. The bargain had not been carried out. Although he was a country member there were many who had businesses, and there were many metropolitan members who had businesses to look after. It would be said that members were paid to attend the House and deal with the business of Parliament, but if that was the case, and if men had to give up their businesses, the electors would not secure the services of the best men; and if they got the services of the best men those men could not come to the House early in the afternoon.

Hon. J. W. KIRWAN (South): Mr. Gawler claimed to have sympathy for the country members. He (Hon. J. W. Kirwan) had sympathy with city members, but nevertheless had greater sympathy for the country members. This would mean only an additional three hours a week.

Hon. M. L. Moss: Very important hours.

Hon. J. W. KIRWAN: That was granted, but he would ask them to take into account the position of some of the country members, and busy as some of the city members were, there were several of those from the country who were no less busy, and whose time was no less valuable than that of the city representatives. The country members had to lose several days in each week, and the city members might be considerate towards them. It had been said that it did not make much difference to the country members because they had to be in town in any case. The position was that the average country member arrived in town on Tuesday, and returned on Thursday, but until 4 o'clock on Tuesday and Wednesday the country members, or the majority of them, were practically doing nothing.

Hon. J. F. Cullen: Not so.

Hon. J. W. KIRWAN: There were some who found it difficult to properly fill in the time. They came to the city for the special purpose of attending to the work of Parliament, and they were hanging round the town trying to fill in the time until 4 o'clock arrived. Sir Edward Wittenoom had spoken as a country member, but he was not a country member in the sense in which he (Mr. Kirwan) referred to country members. What he meant by country member was one who lived in his own constituency. Every member would agree that it was desirable in the furtherance of proper representation that where possible a member should live in the district which he represented. We had known many instances of members who had been elected for country districts living in the metropolis and having got altogether out of touch with the feelings, wants, and requirements of their particular district.

Hon. Sir E. H. Wittenoom: I have not.

Hon. J. W. KIRWAN: Sir Edward Wittenoom was not referred to, nor were the remarks intended to refer to any member of the present Parliament.

Hon. J. E. Dodd (Honorary Minister): Sir Edward Wittenoom said he was a city member when he spoke on the Tramways Bill.

Hon. Sir E. H. Wittenoom: I said if I were a country member.

Hon. J. W. KIRWAN: We could leave Sir Edward Wittenoom to reconcile the two statements. The question was very important. Whenever elections for country districts were taking place men who were well fitted in every way to be members of the House refused to become candidates because of the extreme difficulty in attending to their work in Perth, and attending to their businesses in the country. It was desirable that every inducement should be given to the country members who lived in their districts and who, at great sacrifice, came to Perth to attend the sittings of the House, and the more this prevailed the better chance there would be of getting a true estimate of what the wants and requirements of country districts were. He would like to see this motion apply continually from session to session, and, if possible, in order to suit the convenience of country members, he would like to see the House sit for only two days a week, or sit three or four days a week and have longer adjournments. It was in the interests of true representation that every facility should be given to those members living in the districts for which they were returned, and who desired to continue to do so and attend the sittings of Parliament as well.

Hon. M. L. MOSS (West): At all times he was anxious to be in his place in the House from the opening until the sitting closed, and in that respect he was not any different from a fair number of members who were punctual in their attendance and remained throughout the sitting. It was necessary for every member to do that if he desired to keep a grip upon the business which was before the Chamber. When the business necessitated it, he did not mind subjecting himself to considerable inconvenience, even at the expense of putting aside his own private business. He, however, objected to being inconvenienced when there was no necessity for it.

Hon. J. Cornell: The Minister says it is necessary.

Hon. M. L. MOSS: Standing Order 48 provided that the House should sit at 4.30 in the afternoon, and that had been the rule ever since the introduction of Responsible Government. Until that Standing Order was altered members had the right to object to sitting earlier. It could not be said that in opposing the motion members were attempting to take the business out of the hands of the Minister. The proposal was an unnecesary interference. There was no congestion of business to justify the alteration of the time. The Estimates had not yet been presented in another place, and by the time that House had considered them in detail the Legislative Council would have ample time in which to deal with all the measures that had been sent to it. If it became necessary to conclude the work before Christmas, he would, at a later stage, vote for the proposal to sit earlier, but he objected to any alteration of arrangements at the present time. It was true, as Mr. Kirwan said, that members who travelled long distances had some time on their hands which they could profitably employ, but there were other members to be considered, and he was speaking personally because it would affect him if he had to attend the House before 4.30. Nothwithstanding the inconvenience it might subject him to he would put up with that if it was necessary to attend earlier in order to carry on the work of the House. But there was no necessity at the present time to meet earlier in view of the fact that the consideration of the Estimates in the Assembly would take many weeks.

Hon. R. D. ARDAGH (North-East): One would think that this matter was going to continue for a considerable time. The leader of the House had stated that

it would be necessary to sit at the earlier hour for only a few weeks, and when we looked at the long list of measures on the Notice Paper, and judging by the long, windy, and weary-willie speeches we were getting from hon. members, he came to the conclusion that the work of the session would not be completed by this time next year. There might be many other important matters to come forward, and he hoped, therefore, that hon. members, especially the city members, would see their way to support the motion.

Hon. J. F. CULLEN (South-East): On a matter of this sort the leader would always do well to consult a few fellow members before submitting the motion to the House.

The Colonial Secretary: It is not necessary.

Hon. J. F. CULLEN: But it would be expedient. It would not be lowering the hon. gentleman's dignity, but it would smooth the wheels of the machinery. Having done so the country members—

The Colonial Secretary: I am not considering the country members at all.

Hon. J. F. CULLEN: Both country and city members would have said, "We are ready to help you to our utmost." There was, however, really no need to apply any pressure for at least another three weeks. There were a lot of items on the business paper, but most of them were half done, and some of them three-fourths done. The House had got into its stride on them and had practically got them ready for expeditious treatment. He would advise the Minister to allow the matter to stand over for three or four weeks.

Hon. R. D. McKENZIE (North-East): Mr. Ardagh was evidently not aware of the wonderful capacity of this House for churning measures through at the end of the session. All the time he had been in this Chamber there had been a rush of business towards the end of each session, and it was little short of disgraceful to see the way in which the measures had been dealt with. It was to obviate the necessity of anything of that sort that he was going to support the Minister. He was sorry that the city members who had spoken should be so inconsiderate of the convenience of country members, and he agreed with the hon. member who said that there was a great advantage when a country member was able to reside in his own electorate. In any case he would have supported the leader of the House because the business was getting a little congested, and it would be wise to keep the Notice Paper as clean as possible.

Hon. C. A. PIESSE (South-East): Like other hon. members who had spoken he could not support the Colonial Secretary. Just now it was simply impossible for country members to do justice to the House and attend the agricultural shows in their respective provinces. A country show might not seem to be of great importance to a city man, but it was the one event of the year in a country town. During the next two or three weeks these shows would be numerous, and some hon. members would not be able to be in their places in the House. He himself would have to be absent on more than one occasion. The Minister would be well advised to let the matter stand over until at least the 1st November, when the show season would be practically at an end.

Hon. A. G. JENKINS (Metropolitan): At the risk of being considered selfish he would oppose the motion, because in his opinion there was no necessity for it. The motion could more appropriately be moved three weeks or a month hence, when perhaps it would have become necessary. No attempt was being made to delay Government business. Six Orders of the Day on the Notice Paper had been originated by private members. The Government had only six Bills before the House. The Minister could overcome the difficulty, if difficulty there was, by sitting later in the evening. The Estimates had yet to be discussed in another place, and during the time occupied by that discussion the Notice Paper in this House would be practically cleared off. The Notice Paper was not in a congested state, and we

could easily get through the work while the Estimates were being discussed in another place.

Hon. W. KINGSMILL (Metropolitan): As an officer of the House his hours were made for him by the House, and therefore he did not intend to speak or vote on either one side or the other of this question. It would ill become an officer of the House to do so.

Hon. H. P. COLEBATCH (East): While having no feeling at all in respect to the motion, he thought the remarks made by Sir Edward Wittenoom in regard to the Thursday sitting were entirely unjustified. There had been no actual compact entered into in that respect; it was merely understood that if the business was light the adjournment would take place at tea-time on Thursday. On only one subsequent occasion had we sat after the tea hour, and that was following on a day's respite, on the occasion of the Royal Show.

Hon. E. M. CLARKE (South-West): It was the custom for country members to endeavour to get away on the Thursday night, but, like other country members, he was quite prepared to sit on the Thursday night when any important business was coming on. There was no occasion just now for the motion. Later on, if the business became congested, he would be quite ready to fall in with the wishes of the Minister. There was no fear as to ability to get through the business, because if necessary hon. members would shorten their speeches and avoid any waste of time at all.

The COLONIAL SECRETARY (in reply): The motion had not been tabled without due consideration. In respect to the necessity for the motion, he knew a great deal more than did other hon. members as to the legislation the Government proposed to introduce, and which would come down between now and Christmas. There were six Bills before the House, and they had been before the House for the past month. Surely that was sufficient congestion. At the present rate of progress the Industrial Arbitration Bill would take at least another six weeks. In the Pearling Bill were many clauses of an extremely controversial nature. Then there were the Irrigation Bill, the Workers' Compensation Bill, the Traffic Bill, and the Shearers' Accommodation Bill to demand attention. All these would be sure to give rise to considerable discussion. As for sitting an extra hour at night, we had been sitting till half past ten, and to make it half past eleven would be to preclude the Fremantle members from getting home before one o'clock in the morning. Sir Edward Wittenoom had been mistaken in saying that he (the Colonial Secretary) had broken faith with members. As Mr. Colebatch had pointed out, there had been no compact whatever. The motion for the early meeting hour on Thursdays had been tabled by Mr. Cornell. On its being carried he (the Colonial Secretary) had approached all country members, and given them an assurance that no Bill would reach finality after they had left to catch their trains on Thursdays. That compact had been faithfully carried out. Sir Edward Wittenoom was under a misapprehension.

Hon. Sir E. H. Wittenoom: In the circumstances I shall withdraw what I said. I did not fully understand.

The COLONIAL SECRETARY: It had been remarked that the motion was not in the interests of the country members. As a matter of fact he had not studied either country or city members in regard to the matter. Realising that it was necessary to sit earlier for two or three weeks, he had asked hon. members to assist him in order that we might make some progress. Mr. Moss had raised the point that the Standing Orders were binding on the Minister and the House. It was the first time that point had been raised. It seemed perfectly ridiculous, for the Standing Orders were altered in this connection almost every session. It was for the hon. members to decide whether they were going to assist his efforts to carry on the business as promptly as possible. If the motion was not carried he could plainly see that if the Government desired the whole of the legislation to receive consideration it

would be necessary to sit on after Christmas.

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

Ayes	11
Noes	13
Majority against ..	2

AYES.

Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. H. P. Colebatch	Hon. C. McKenzie
Hon. J. Cornell	Hon. B. C. O'Brien
Hon. F. Davis	Hon. W. Patrick
Hon. J. E. Dodd	Hon. R. D. McKenzie (*Teller*).
Hon. J. M. Drew	

NOES.

Hon. E. M. Clarke	Hon. M. L. Moss
Hon. J. D. Connolly	Hon C. A. Piesse
Hon. J. F. Cullen	Hon. C. Sommers
Hon. D. G. Gawler	Hon. T. H. Wilding
Hon. A. G. Jenkins	Hon. Sir E. H. Wittenoom
Hon. R. J. Lynn	Hon. A. Sanderson (*Teller*).
Hon. E. McLarty	

Question thus negatived.

BILL—STATE HOTELS.

Second Reading — Bill Rejected.

Debate resumed from the previous day.

Hon. R. D. McKENZIE (North-East): I desire to say a few words on this measure, because it contains such an important principle and is sure to go to a division. That division is likely to be very close and I wish to make my position quite clear. During the session 1910-11 a consolidating Licensing Act was placed on the statute-book. That measure made provision for taking a local option poll and giving the electors an opportunity of saying whether licenses should be increased or decreased, and also whether they were in favour of State ownership of hotels. It has also been stated in this House, and I believe it is a fact, that the Government intend to bring down an amending measure before the close of the session. During last session a Bill was passed to authorise the Government to open an hotel at Dwellingup, and that hotel is now in operation. I understand that the local option ballot taken after the Licensing Act was placed on the statute-book resulted in the people in the district where the Dwellingup State hotel is situated deciding in favour of State ownership, but against any increase in the number of licenses. so that it was necessary to have a special Act to enable the establishment of that hotel there.

Hon. J. F. Cullen: No, the Licensing Act covered it.

The Colonial Secretary: The hon. member is wrong.

Hon. R. D. McKENZIE: In any case the opening of a hotel at Dwellingup was justified, and I had much pleasure in supporting the Bill. In this measure, however, the Government are asking for a general power to establish hotels in any licensing district in the State, where a ballot has been taken since the 1911 Act was brought into force and where the majority of electors voted in favour of State ownership, irrespective of whether they voted for an increase or decrease of licenses. In reading over this measure, it seems to me that the Government have some specific towns in view where they intend to start State hotels, and if this is the case and they desire to establish these hotels in certain specified towns, why are we not taken into their confidence?

The Colonial Secretary: I explained the position in moving the second reading.

Hon. R. D. McKENZIE: I am glad to hear that the Colonial Secretary did mention those towns, because it makes the position far more clear than it otherwise would be. There may be justification for the building of State-owned hotels in various towns, and if the House is taken into the confidence of the Government, then I think that the Bill might be amended to provide that these hotels should be built in the places indicated by the Government; but they should not have a general power to place these hotels in any portion of the State at their own will. In any case, I think that as we are promised an amending licensing measure this session it would be wiser to wait and have this matter dealt with in that measure. We would then have something comprehensive before us on which to decide. I have always to a moderate ex-

tent been in favour of the State ownership of hotels. I believe that in many districts where one or perhaps two hotels are necessary it would be wise for the State to step in and take those hotels under their control. There are many places where it is desirable to have State hotels. For instance, coaching stations, wayside inns, small mining camps, and sawmill settlements—such places as these where communities spring up and there are quite a number of people for a few months or a few years, are essentially places where State hotels would be a distinct advantage, but I am not prepared to give the Government the general powers they ask for in this Bill. For that reason I intend to vote for the amendment.

Hon. C. McKENZIE (South-East): I wish to make my position clear on this matter. During my election campaign this was one of the main points I was bound down to. No doubt State hotels are all right in some places, but I cannot see why the Government should go in for this sort of thing at the present time. There are many places where, if State hotels are built in opposition to private hotels, a lot of trouble will be caused. It is my intention to vote for the amendment.

The COLONIAL SECRETARY (in reply): There is no disguising the fact that this Bill has met with a formidable amount of opposition in this House, but in most instances the why and wherefore of the opposition has not been clearly expressed. Mr. Kingsmill stated that State hotels were not a success, and I fully expected that the hon. gentleman would have given some reason for the course he has decided to take in regard to this Bill. He generally does give sound reasons for any course of action he takes, but on this occasion he simply contented himself with relating an anecdote referring to the mythical manager of some State hotel, in connection with which the impeccability of the King played a prominent part. This anecdote was extremely amusing, but I think members will agree with me that it was scarcely convincing. Mr. Moss is opposed to nationalisation in every form, and, of course, it is impossible to reason with any hon. member who takes up an attitude like that. The next thing we will hear from him is that he is opposed to any new railways being constructed by the Government in this State. The hon. member furnished a lot of arguments, but they all told in favour of nationalisation. If what the hon. gentleman alleged against private hotels is true, or if only one-fourth of it is true, the case for State hotels is made all the stronger. The hon. member stated that Sunday trading is taking place, and that at Fremantle on a certain Sunday he saw a man in a hopeless state of intoxication; he followed that man into the hotel and warned the barmaid against supplying him with drink. That is one of the arguments the hon. member brought against the establishment of State hotels. I venture to say that the continuance of such abuses would not be possible under State control. The manager would be reported, there would be an investigation, and if it was proved that he had been guilty of such conduct he would be summarily dismissed. Mr. Moss says that if the police did their duty they would put a stop to these practices. That is an unwarranted reflection on the police. If we were to see that the licensees carried on without any infringement of the law, we would require an army of police constables. Does the hon. member realise how many hotels there are in Fremantle, and how many constables? There is probably only one policeman to every eight hotels, and yet the hon. member expects the police to keep guard over the whole of the hotels in the port. I believe that Mr. Moss did see a man in a hopeless state of intoxication walking into a hotel, but where had he been previously? Probably to half a dozen or a dozen other hotels, and getting liquor at each one. So long as he was sober and was a bona fide traveller he was perfectly entitled to go into a hotel and get a drink. Before Mr. Moss saw him he may have been into several other hotels and the liquor had just begun to operate on him, but because the hon. member saw this person entering a hotel on Sunday he made a general reflection on the police department.

Hon. D. G. Gawler: Do you think enough prosecutions for supplying drunken men take place?

The COLONIAL SECRETARY: I shall give information on that point presently. As the law stands, anyone travelling from Perth to Claremont or Fremantle can enter an hotel and be served with liquor. There are numbers of hotelkeepers who will not supply drink on Sunday under any circumstances. They close their hotels as they are not prepared to take the risk. Others keep open to supply *bona fide* travellers. Some hotelkeepers in Perth keep open to supply travellers from Fremantle. I have gone to Fremantle and seen men entering hotels on Sunday and they have been men who have come from Perth or Claremont in the train. That is not against the law. There is lawful Sunday trading and there is unlawful Sunday trading. According to the reports of the police the liquor traffic within five miles of Perth shows a gratifying improvement, but drinking has largely increased outside. At Nedlands and Cottesloe hundreds of men visit the hotels on Sundays for the purpose of getting drunk, and reinforcements of police have to be sent from the City to these places in order that they might ascertain whether there is any unlawful Sunday trading, and whether these people who enter the hotels are bona fide travellers. The residents of Claremont and Cottesloe have complained about and reported this state of affairs, and they blame the administration of the Act for it. But it is not due to any fault in the administration of the Act; if there is anything wrong it is the law, which is not sufficiently drastic. These visitors to Claremont and Cottesloe return to Perth full of liquor and residents of the City come to the conclusion that they probably have secured the drink in some hotel in Perth, whereas members will realise, if they give the matter a moment's consideration that this is not the case, because these men have obtained the liquor from outside the five-mile limit.

Hon. E. McLarty: This Bill will not alter that.

The COLONIAL SECRETARY: I am replying to Mr. Moss. It has no bearing on the Bill under discussion and everything Mr. Moss said goes to support State control of hotels, as against private enterprise. I claim I have a right to reply to Mr. Moss. I called for a report from the Acting Commissioner of Police on the conduct of affairs in Fremantle and Sunday trading and that officer reported—

> In accordance with your instructions this date (14th October, 1912) I have to submit the following report re houses licensed under the Licensing Act, 1911, their general conduct, etcetera:—Licensed houses at Fremantle, publican's general licenses 30, wine and beer licenses 2, Australian wine licenses 19. I am omitting spirit merchants' licenses and other licenses of that kind. Altogether there are 85 licensed premises in Fremantle and 51 require the surveillance of the police. Inspector McKenna in his report to the Acting Commissioner states—
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> The general conduct of the licensed houses at Fremantle is, on the whole, good. To the superficial observer it would no doubt appear that a deal of Sunday drinking is indulged in, but I am convinced by personal observation and reports from the men under any command that the bulk of Sunday drinking is legitimate, *i.e.*, by persons who have travelled from stations beyond Claremont. There are instances that have frequently come under my notice where constables detailed for hotel duty on Sundays have found no less than twenty persons present on licensed premises on a Sunday, who have all produced railway tickets from places beyond Claremont to prove their bona fides. One house at Fremantle in particular caters for the Sunday trade, and there is no doubt that the trade carried on in this particular house is mostly legitimate. During the year ended 30th September, 1912, 11 charges have been preferred against licensees for Sunday trading; six of these charges were dismissed by the magistrate, the remaining five having been convicted and fines aggregating £40 were inflicted. During the same period 63

charges were instituted against persons for being found on licensed premises during prohibited hours, eight of these were dismissed, the magistrates being satisfied that they were on the premises lawfully, the remaining 55 were convicted, fines aggregating £35 having been inflicted. Following is the number and disposition of police at Fremantle:—At Fremantle there are 26 foot constables, nine water police, including one water police sergeant, three mounted constables, two sergeants and two corporals. Plympton—three foot constables. North Fremantle—One corporal and two constables. Beaconsfield (S. Fremantle)—Three foot constables. On an average three men are constantly absent on long service, annual or sick leave. Six men are utilised as reserve constables for duty at the station in Marine-terrace and the lock-up in Henderson-street, one plain clothes constable and one as district office clerk, leaving a balance of 18 men (inclusive of those sick and on leave) for both day and night duties. At the present moment I am seven men short, six of these are on sick and annual leave and one relieving at Dwellingup.

In the face of that Mr. Moss expects these 18 men, who have to attend to day and night duty, to be able to watch 51 hotels that require surveillance. I think it is most unreasonable and unfair. There have been 23 convictions for breaches of the Licensing Act in the suburbs of Perth since the beginning of the year. I move about the suburbs on Sunday and sometimes go to Fremantle, but I have not witnessed any such scenes as those mentioned by Mr. Moss, and I do not think that unlawful Sunday trading is carried on to any extent. If the previous Administration had their way, there would be absolutely no check on unlawful trading by hotels. They introduced a measure making provision that no police constable could enter an hotel without the permission of his superior officer. If he suspected Sunday trading, or a breach of the Licensing Act, before he could take any action he had to go to his sergeant and ask his permission and if I am not mistaken he had to get permission in writing. Who took action against that proposal? It was the present Premier who moved an amendment giving the constable power to enter an hotel when he pleased in the interests of the public peace. That amendment was resisted by the previous Administration and Mr. Scaddan was defeated by one vote, but he had the Bill recommitted and succeeded in securing the passage of the amendment. Mr. Connolly stated he was opposed to the measure. That occasioned me no surprise. I cannot recollect one instance of any important Bill introduced by the present Government which has received the support of the hon. gentleman, and I cannot call to mind—I may have a very defective memory—one single instance in which he has supported us in a division either this year or last year. The fact that he intends to oppose the Bill causes me not the least degree of astonishment. Mr. Connolly said his Government introduced a Bill recognising local option; but at the same time that particular Bill disregarded the principle, for although a district may have declared against an increase of licenses, may have declared against any new licenses, still it would be possible for anyone to apply for and secure a license within 15 miles of an existing hotel.

Hon. J. F. Cullen: No, beyond 15 miles.

The COLONIAL SECRETARY: That is right, beyond 15 miles. Now I will read the particular section in order that members may follow me.

Hon. J. F. Cullen: But the Minister does not object to the section.

The COLONIAL SECRETARY: No. I will state what I object to presently. Section 45 states—

> (1.) No license to which Part V. of this Act applies shall be granted in any district for any premises not licensed at the commencement of this Act, until a resolution has been duly carried under that Part that the number of licenses in the district may be increased: Except when Resolution D has been carried and is in force in the district, the Licensing Court may in its discretion grant a license for premises in any locality in

which no licensed premises are situated within a radius of fifteen miles from the premises to which the application relates. (2.) Notwithstanding that a resolution is carried that the number of licenses in a district may be increased, and a petition is presented pursuant to paragraph (b) of section seventy-nine, every application for a license made pursuant to such resolution shall be granted or refused in the absolute discretion of the court.

Hon. Sir E. H. Wittenoom: The Minister does not propose to grant any of these licenses unless they are absolutely necessary, does he?

The COLONIAL SECRETARY: No, they must be absolutely necessary. Although a district may have voted against any new licenses being granted, still if the applicant for the license showed that the site was 15 miles from an existing license, the application would be granted. Mr. Connolly did not say that in the case of a State hotel the Government have no power to apply for a license. They could apply but no bench would consider such an application; they are not on the same level as a private individual.

Hon. D. G. Gawler: Is not there a provision in the Act?

The COLONIAL SECRETARY: There is no provision to enable the Government to take advantage of Section 45. We have gone into this matter thoroughly, and if there were sufficient power there would be no necessity for this Bill. We find we cannot take advantage of that 15 miles radius. Part VI. of the Licensing Act, 1911, deals with State hotels, and the powers connected with State hotels are contained in that portion of the law. Section 87 states—

> If at any poll of the electors taken under Part V. of this Act Resolution B is carried in any district, and on the question "Do you vote that all new publicans' general licenses in the district shall be held by the State?" a majority of the votes given is in the affirmative, the Minister may, with the approval of the Governor, but subject to the provisions of this Act—(a) establish State hotels in the district; and (b) carry on, by his authorised agent in any such State hotel, the trade and business of a person holding a publican's general license.

What is absolutely necessary before the Government can successfully apply for a license is this: they must first have a vote in favour of State management, and in addition they must have a vote in favour of an increase of licenses. There is only one district in Western Australia where such a condition of affairs occurred and that is in the Gascoyne district. In that district the people voted for an increase of licenses and also for State management, but in no other part of Western Australia. Consequently in no other part of Western Australia except the Gascoyne district would the Government be in a position under the present Licensing Act to establish a State hotel. They cannot in any way take advantage of the 15 miles radius. That is the position the Government find themselves in after investigating the matter and referring it to the Crown Law Department for decision.

Hon. J. F. Cullen: I have my doubts. Could not the Government deal with it in the general Bill?

The COLONIAL SECRETARY: I will come to that later on. Mr. Connolly expressed the opinion that no license should be granted for Rottnest because it is a public park, and he added that he would consider the women and children who would visit Rottnest. If Rottnest is a public park the Caves are equally a public park; they are run very much on the same lines, and what consideration has Mr. Connolly shown for the women at the Caves?

Hon. J. D. Connolly: Did I establish a license there?

The COLONIAL SECRETARY: No, but an hotel is there. It was not a State hotel in the hon. member's time but an hotel leased by the Government.

Hon. J. D. Connolly: There are hundreds of farmers living around the Caves.

The COLONIAL SECRETARY: What about the women and children who travel in the trains in Western Australia? Travelling in the trains we find that there are drink shops every 13 miles along the railway line. The hon. member in his

administration did not show the slightest consideration for women and children in regard to permitting these drink shops.

Hon. J. D. Connolly: There is no parallel between them and Rottnest.

Hon. M. L. Moss: What has that to do with the Government running groggeries?

The COLONIAL SECRETARY: More than the spectacle of a drunken man walking into an hotel at Fremantle on a Sunday. If that is an argument at all it is in favour of State control. Such a thing would not be possible if the hotels were nationalised. An hostel with other improvements has been erected at Rottnest at a cost of £4,000. That hostel must have all modern conveniences and comforts if it is to be a success. If there is a State hotel started at Rottnest there will be moderate drinking, and it will be the business of the manager to see that no person under the influence of drink is supplied with liquor in any shape or form. If there is no State hotel the same condition of things as now obtains will continue. What has been the condition of things in the past? Business men and others have gone over there and taken over cases of whiskey and drink of all kinds. They have got beastly intoxicated. I do not say everyone, but a fair proportion of those who go over there consume too much drink, and some come back in delirium tremens. That has occurred.

Hon. J. D. Connolly: That is a beautiful admission as to your administration.

The COLONIAL SECRETARY: I have been told by the friends of the parties who have been over there that this has occurred. Will the hon. member explain how he can prevent drink getting over to Rottnest? Is it possible to make such a prohibition? It is in order to remedy that condition of affairs that we propose, if this Bill is passed, to establish a State hotel. Then there will be no necessity for men to take drink to the island, and it will be possible for them to obtain drink there in moderation. Mr. Connolly said there was more sly grog selling going on at Gwalia than in any other place he knew of. That might have been the case 12 months ago when there were no less than 14 sly grog shops at Gwalia, but it is not the condition of things to-day. I do not say that the whole of the sly grog shops have been eradicated, but we have been giving them a very bad time indeed and have waged merciless war against them so that the numbers have appreciably decreased.

Hon. J. D. Connolly: I would not go nap on that.

The COLONIAL SECRETARY: Mr. Connolly also said that the nationalisation of the liquor traffic should be placed before the people. The hon. member must have a very bad memory, because this question was placed before the people at the local option poll on the 26th April, 1911. In reply to the question, "Do you vote that all new publicans' general licenses be held by the State?" 27,007 voted "Yes," and 14,378 voted "No." That was nearly a two to one majority in favour of publicans' general licenses being held by the State. In reply to the question, "Are you in favour of State management throughout the district?" out of 42 districts 32 voted "Yes," and there were 26,631 voters who voted "Yes" right throughout the State of Western Australia against 14,944 who voted "no." In this case also it was nearly a two to one majority in favour of State hotels. Of course there were 10 districts that were against State control; but taking the whole of the people who voted, there was nearly a majortiy of two to one in favour of State control. Those figures cannot be got over.

Hon. J. F. Cullen: Did not the same people vote against hotels of any kind?

The COLONIAL SECRETARY: Yes; they voted against an increase of licenses, but at the same time the Act enables an increase of licenses to take place. Even if we could only come in on the same lines as private individuals there would not be much to complain of, but that is not the position. I do not think several members who have spoken understood that. It was a point I missed when introducing the Bill. Mr. Colebatch said

he was opposed to the manner of establishing State hotels as proposed in the Bill. He said the onus should not be imposed on the people of getting up a petition against. So far as the Government are concerned, that is a mere matter of detail, and if the Bill is amended to make it in conformity with the present Licensing Act in this respect, I do not think the Government would have any objection. The hon. member also asks "How will it be ascertained whether there is a majority against"—because the Minister will be plaintiff and judge. Of course that is an undesirable position; and although it is not provided in the Bill, the Minister is to leave the decision to the Chief Electoral Officer. If any amendment to that effect is moved it will be accepted by the Government. Mr. Colebatch also said that drunken men were served with liquor at private hotels, that the hotelkeepers were never prosecuted, and that it was not regarded as an offence. That statement is not in accordance with facts. I do not know whether it is the position of affairs in the hon. member's province, but it certainly is not the case elsewhere. The police are strictly enforcing the law, and there have been several prosecutions right throughout Western Australia. In the city and suburbs there have been seven different hotelkeepers fined since last August. It is not a large number I admit, but it is very difficult to catch hotelkeepers in the act of supplying drunken men with liquor, because when the police come about they are very careful.

Hon. H. P. Colebatch: I was referring to country districts.

Hon. D. G. Gawler: Is there not a provision in the Act that they shall not allow drunken men on the premises.

The COLONIAL SECRETARY: Yes, and there have been prosecutions in that regard. I have a long list of prosecutions here. Mr. Jenkins regards the Bill as establishing a dangerous precedent, enabling the Government to start State hotels everywhere. Just as if the Government were insane enough to do it. The hon. member must credit the Ministers with having common sense, and a desire to run the country in a way that will be creditable to themselves, and they will not adopt a course which will make them unpopular. The desire of Governments is to conduct the affairs of the country so as to increase their popularity with the electors, and I think this is a matter which might be well left to them. I have heard members saying that the Government will put up an hotel next to Mr. O'Brien and an hotel at West Perth, and an hotel somewhere else, but the intention is only to start these hotels in new settlements where they are absolutely necessary, and in order to prevent private individuals getting in. At Wongan Hills they are threatened with private enterprise. Some private individual—I do not know his name—threatens to get a license. It has been warded off by some means, because it is the desire of residents there that a State hotel should be opened. The Government merely propose to step in when there is danger of new settlements getting into the hands of private individuals from an hotel point of view. Mr. Jenkins said that the Government should have no greater privilege than the private individual. There may be something in that, but even if we get the same privilege as the private individual we might be satisfied. As I have already explained, we do not come in on the same footing as the private individual. We see these licenses granted, and it is impossible for the State to come in. I will give an instance. I shall not mention any names. I met a lawyer a few weeks ago, and he said that he appeared before a licensing court on behalf of a client. Before he went into the court he wanted to know the cost of the premises this person had erected who was applying for the publican's general license, and he was told that the cost of the premises was £2,000. The license was applied for and granted—it was in a new centre—and when the successful applicant came outside the court the lawyer asked him what he would take for the hotel, and the licensee said he would take £3,000. The lawyer asked him to give him a fortnight. At the end of the fortnight he

was able to offer £3,000, but the party would not take it, and said he wanted £5,000. So the lawyer gets a month's option for £5,000, but failed to successfully effect the deal for £5,000. In the meantime the party had an offer of £4,000 for the hotel which previously was valued at something like £2,000. That means that the successful applicant had a gift of £2,000 from the State.

Hon. M. L. Moss: It might mean also that the person stupid enough to put up his money might get into the Bankruptcy Court.

The COLONIAL SECRETARY: It has been contended that this matter should be dealt with by an amendment to the Licensing Act, but it is very doubtful whether the Licensing Act can be amended this session. It will be a comprehensive measure, and I do not think there is much likelihood of its being introduced and dealt with this year, but the Government propose first to introduce a Local Option Bill making provision for elective benches. Had some such provision as that been in existence I do not think there would be much objection on the part of the Government to go before those benches with applications for licenses.

Hon. H. P. Colebatch: Why not make a brief amendment to the existing Act confining the 15-mile limit to State hotels only. Many members would support that.

Hon. M. L. Moss: I will support it.

Hon. J. F. Cullen: Would the Government be less willing to go before nominee boards?

The COLONIAL SECRETARY: I do not think so, but I do not see why the Government should be asked to do so. In the first place the nominee board is the creation of the Government, and if the nominee board was not in sympathy with the views of the Government in regard to nationalisation nothing would be easier than for the Government to appoint a new board. So it is quite useless raising that point.

Hon. M. L. Moss: That is what you would do with the Arbitration Court. You would make them bend to your will.

The COLONIAL SECRETARY: Mr. Cullen says that Section 87 of the Licensing Act gives all the necessary power.

Hon. J. F. Cullen: All the safe power.

The COLONIAL SECRETARY: It does not. Mr. Cullen asks who is to get up the petition against the establishment of a State hotel. There are enthusiastic temperance people in every community who will get the signatures of all possible sympathisers. To my mind it does not matter who is burdened with the task of getting up petitions. If it rested with the Government the residents in favour of a State hotel would get up a petition. It seems to me it does not matter on whom the onus is put to organise these petitions. Mr. Cullen by innuendo charged the Government with contemplated corruption, nothing else than that—a desire to find billets for supporters as managers of pubs. He had not courage enough to say it straight out. He was willing to wound but half afraid to strike. However, that was the hon. member's meaning. He referred to the appointment of the manager of the Dwellingup State hotel having been taken out of the hands of the Public Service Commissioner. It was never intended that the Public Service Commissioner should make the appointment. It was decided by the Government that the appointment of officers in connection with all these trading concerns should not rest with the Public Service Commissioner, but should rest with the Government, and with the various Ministers, so that the services of those officers can be dispensed with as speedily as possible if they do not give satisfaction. The Premier called for applications, and there was a host of applications. It was impossible for the Premier to go over all the files and deal with every application and numerous testimonials and references, so he asked the Public Service Commissioner to go over them and reduce them to something like a reasonable number. The Public Service Commissioner went through the whole of the papers and reduced them to 14, and then handed the papers over

to the Premier, and in handing them over added he could not make a recommendation without a personal knowledge of the candidates. The Government made an investigation and they came to the conclusion that Mr. O'Connor was the most suitable of the candidates. He was supposed to be a Labour supporter, but I do not think that that is any disqualification. I know of some instances where the previous Government removed gentlemen who were not sympathisers with their party from positions which they held. I know that they removed two gentlemen from the Licensing benches of Cue and Kalgoorlie because they were hostile to the Government politically. But the Government gave no reasons for the removals.

Hon. J. D. Connolly: Did you say removed them?

The COLONIAL SECRETARY: I probaby made a mistake.

Hon. J. D. Connolly: I think so.

The COLONIAL SECRETARY: The Government did not re-appoint them.

Hon. J. D. Connolly: That is a different matter.

The COLONIAL SECRETARY: I might state that when applications were called for the position of manager of the State hotel at Rottnest last November a large number were sent in and I got the Public Service Commissioner to reduce them to what he considered a fair number, so that I might go into the matter. The Public Service Commissioner submitted five names. Mr. O'Connor was an applicant but he was not among the five and we did not give his application the slightest consideration. Mr. Jacoby was selected for the position and he was not the first on the list. We went into the matter and found that Mr. Jacoby was an excellent caterer and that if the cook were taken ill Mr. Jacoby could take off his coat and do the work. I do not know that anyone will say that Mr. Jacoby or any of his relations are supporters of the Government. The Government could easily have appointed Mr. O'Connor, but the conclusion was arrived at that Mr. Jacoby was better than Mr. O'Connor. I should like to say that the results of the operations at the Dwellingup State hotel have been very satisfactory and that for the past six months a profit of £1,100 has been shown, and Mr. Emery, the general manager of State hotels, certifies that the hotel is well conducted. If hon. members have anything to say on this matter therefore they should do so under cover of a specific motion or report to the Premier who is in charge of State hotels. Mr. Cullen has been simply repeating the talk of political scandal mongers and if he investigated the matter a little deeper or asked for the files, I do not think he would have made the misstatement he did yesterday. I contend there has been no case made out against this Bill. There has been trenchant criticism of hotels conducted by private enterprise, and if the arguments used are entitled to consideration they are against private enterprise and in favour of nationalisation. The chief point I wish hon. members to consider is that the people have pronounced in favour of nationalisation by almost two to one and that the Government are in the position under the existing Act of establishing hotels where private individuals may do so with the consent and approval of the bench. I do not think it is necessary to say any more except that I hope hon. members will seriously consider the position and reject the amendment moved by the Hon. Mr. Cullen.

Amendment (six months) put and a division taken with the following result:—

Ayes	13
Noes	8
Majority for	5

Ayes.

Hon. J. D. Connolly	Hon. W. Patrick
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. D. G. Gawler	Hon. A. Sanderson
Hon. A. G. Jenkins	Hon. C. Sommers
Hon. W. Kingsmill	Hon. T. H. Wilding
Hon. E. McLarty	Hon. C. McKenzie
Hon. M. L. Moss	*(Teller).*

Noes.

Hon. R. G. Ardagh	Hon. B. C. O'Brien
Hon. J. Cornell	Hon. Sir E. H. Wittenoom
Hon. J. E. Dodd	Hon. F. Davis
Hon. J. M. Drew	*(Teller).*
Hon. Sir J. W. Hackett	

Amendment thus passed; the Bill rejected.

BILL—AGRICULTURAL LANDS PURCHASE ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: I would point out that this is a periodical visitor to both Houses of Parliament. The more frequently it appears the more evidence is furnished of the expansion of our agricultural resources. The original Act was passed in 1896 and since then no fewer than 23 estates have been purchased, subdivided and made availaole for selection. The settlement resulting would not have been possible but for the existence of legislation enabling private estates to be acquired by the Government. In 1896 the total authorisation was £200,000 and at the present time it stands at £400,000. This Bill proposes to increase it to £600,000. Up to date £276,877 has been expended, leaving a balance of £123,193, and an increase in the authorisation is now necessary. The Government proposes to purchase land for irrigation wherever it is offered at a reasonable price, and they also intend to buy the Yandanooka estate which comprises 61,589 acres of freehold, 2,200 acres of conditional purchase, 6,298 acres of grazing land and 70,222 acres of pastoral leases, a total of 140,309 acres. Of course the pastoral lease is Crown land, but a large amount of money has been spent in improvements. The purchase price is £140,000.

Hon. W. Patrick: Really about 71,000 acres of freehold.

The COLONIAL SECRETARY: Practically 80,000 acres. We are not going to pay cash for the property. We propose to issue bonds having a currency of 20 years and bearing interest at 4 per cent.

Hon. J. D. Connolly: Is the property on the Wongan Hills–Mullewa railway?

The COLONIAL SECRETARY: It is on the Midland line south of Mingenew. It means that at the time the bonds become payable the redemption fund will have swollen to such an extent as to make it sufficient to meet the liability. This is the course we propose to adopt in connection with all re-purchases. Cases may arise where it may not be costly to secure valuable estates on these lines, and so far as practicable the Government intend to make their re-purchases on what are practically 20 years bills. I beg to move—

That the Bill be now read a second time.

Hon. Sir E. H. WITTENOOM (North): I have much pleasure in supporting this Bill, but I think that some condition should be made that whenever the Government purchase any estate of over £100,000 the purchase should be submitted for the approval of Parliament. The late Government purchased an estate which I think was one of the most unsatisfactory purchases I have ever heard of, and I am certain that had it been submitted to Parliament it would never have gone through.

Hon. J. D. Connolly: What estate was that?

Hon. Sir E. H. WITTENOOM: I am not prepared to say.

Hon. J. D. Connolly: You make an assertion; why do you not give the name?

Hon. Sir E. H. WITTENOOM: Well, it was the estate that belonged to Mr. Butcher. That was one of the worst purchases ever made by any Government.

Hon. Sir J. W. Hackett: It was not £100,000.

Hon. J. D. Connolly: It was about £55,000, I think.

Hon. Sir E. H. WITTENOOM: In any case the price was far too much.

Hon. J. D. Connolly: It was purchased on the advice of the Lands Purchase Board.

The PRESIDENT: There is far too much interruption.

Hon. Sir E. H. WITTENOOM: There is no doubt that the late Government made a great mistake in connection with this purchase, and they all know it now. The purchase mentioned by the Colonial Secretary, however,

is a fairly good one. The Yandanooka estate is one of the finest agricultural areas in Western Australia, and I do not think the Government are paying too much money for it. I was under the impression they were paying £160,000, but I am now informed that the price is £140,000. This splendid estate contains some of the finest land in Western Australia, and the only doubt about it is as to the rainfall. If the rainfall is good, there is no better estate anywhere. I have much pleasure in supporting the Bill, with the restriction that I think that any purchases of estates for over £100,000 should be submitted to Parliament before the deals are absolutely clinched.

Hon. J. D. CONNOLLY (North-East) moved—

That the debate be adjourned.

The Colonial Secretary: The option expires in a few days.

Hon. J. D. Connolly: I want to reply to Sir Edward Wittenoom.

The Colonial Secretary: Do it now, or on the third reading.

Hon. J. D. Connolly: No, I want time to get the information.

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

Ayes	.. .. ..	12
Noes	.. .. ..	9
Majority for	.. ..	3

AYES.

Hon. J. D. Connolly	Hon. M. L. Moss
Hon. J. F. Cullen	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. A. Piesse
Hon. A. G. Jenkins	Hon. T. H. Wilding
Hon. W. Kingsmill	Hon. H. P. Colebatch
Hon. R. J. Lynn	*(Teller).*
Hon. C. McKenzie	

NOES.

Hon. R. G. Ardagh	Hon. Sir J. W. Hackett
Hon. J. Cornell	Hon. E. McLarty
Hon. F. Davis	Hon. Sir E. H. Wittenoom
Hon. J. E. Dodd	Hon. B. C. O'Brien
Hon. J. M. Drew	*(Teller).*

Motion thus passed; the debate adjourned.

BILL—PUBLIC SERVICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 10th October.

Hon. M. L. MOSS (West): I moved the adjournment of this debate more with the object of looking into the measure, and I must confess that after having had that opportunity I am not much enlightened as to what it means. It is obvious that it is intended to bring under the Public Service Act, and give to them the benefits of that statute, a large number of persons who are temporarily employed by the Government. I speak subject to correction, but I do not think the Minister gave us any information as to the number of persons who would be brought permanently under that statute if this Bill is passed. If there are a considerable number of such persons it may place extensive obligations on the State in future, but I presume the Government have considered the question in all its aspects and are satisfied with the financial obligations that will be cast upon the State as a result of bringing all these persons under the Public Service Act, and recommend in the public interest that we should approve of this Bill. The information we have is of a very meagre description, but from what I can gather from a perusal of the Bill, whilst there is nothing which justifies me in very strongly recommending it to hon. members, I do not see any necessity for opposing it.

Hon. R. J. LYNN (West) moved—

That the debate be adjourned.

Motion put and negatived.

The COLONIAL SECRETARY (in reply): This Bill is not for the purpose of drafting the whole of the temporary employees into permanent positions, but there are men who have been 10 or 12 years in the public service, and who, being over 50 years of age, are not eligible to stand for permanent appointments. This Bill will make them qualified.

Hon. M. L. Moss: How many are affected?

The COLONIAL SECRETARY: I do not know. There were something

like 800 in the service when we took office. This is the point: if they are good men and are already in the service why should they be removed simply because they are 50 years of age?

Hon. R. J. Lynn: Are they to be passed in without any qualification?

The COLONIAL SECRETARY: They must be qualified, otherwise they will not be permanently appointed. They must go through all necessary examinations, but the age limit will not be a bar if they have been previously in the service of the State.

Hon. Sir E. H. Wittenoom: Why do you remove good men when they are 60 years of age?

The COLONIAL SECRETARY: I would not be disposed to remove men at 60 if they are good men.

Hon. Sir E. H. Wittenoom: But you do.

The COLONIAL SECRETARY: That is a matter of opinion.

Question put and passed.

Bill read a second time.

Committee Stage.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

That the House resolve into a Committee of the whole to consider the Bill.

Hon. J. CORNELL (South): I second the motion.

Hon. J. D. CONNOLLY (North-East): I protest against this. The adjournment of the debate was moved, but the Minister had not the courtesy to agree to it, and now he wishes to take the Bill straight into Committee.

The Colonial Secretary: It has been weeks before the House.

Hon. J. D. CONNOLLY: It was only read a first time in the Assembly on the 18th September; that is not four weeks altogether. I have not the dates available, but I do not think it has been before this House more than a few days. We are amending a very important Act by a very small Bill, and members are denied the right to look into it. I find, by reference to the Notice Paper, that the second reading was moved on the 10th October, Thursday last. I hope the House will not agree to take the Committee stage to-day and I move an amendment—

That the Committee stage be made an order of the Day for Tuesday next.

The PRESIDENT: You can vote against the motion.

Hon. J. D. CONNOLLY: If we vote against the motion the Bill will be rejected.

Hon. M. L. MOSS (West): I second the amendment.

The COLONIAL SECRETARY (Hon. J. M. Drew): I must protest against this sort of thing. This afternoon I endeavoured to secure an alteration in the hours of sitting in order to ensure that some progress would be made with the business. I was defeated on that. Again an attempt was made to secure the adjournment of the debate on a Bill about which there has never been any question in the 12 years I have been in the House—that was the Bill to increase the authorisation under the Lands Purchase Act. Now, in connection with a small measure which was explained over a week ago, and which was introduced fully a fortnight ago, the hon. member wants the adjournment of the Committee stage. He should be the last to object to any leader of the House taking a small Bill like this into Committee. I have a vivid recollection of trying to secure the adjournment of the debate on the Redistribution of Seats Bill. The hon. member refused me the adjournment, and the House was with him in the desire that the debate should be proceeded with straight away; yet, that was a Bill to alter the electoral boundaries of the State. I have had ample experience this afternoon as to the sincerity of certain hon. members, when they said that they intended to do all they possibly could to push ahead the business in this Chamber, and yet they try to adjourn a paltry Bill of this character, although the measure has been before the House for a fortnight.

Hon. W. Kingsmill: Since the 1st October.

The COLONIAL SECRETARY: That is over a fortnight, and the second

reading was moved on the 10th. Anyone can plainly see what the Bill is, without any introduction.

Hon. Sir E. H. WITTENOOM (North): I feel perfectly certain the Bill is in the right direction, and therefore the Minister's convictions will be carried, and I do not think there will be much objection to it, but I think the Minister would be wise to accept the suggestion for an adjournment. Although he has at heart, I feel sure, the desire to carry on the business of the House, it is wise at times to be diplomatic and meet the wishes of members, and I suggest that he accept the adjournment.

Hon. J. CORNELL (South): It is a coincidence that when Mr. Lynn sought to get an adjournment of the second reading debate the House decided against him, but he had the courtesy to take the sense of the House on the voices. Now Mr. Connolly wants to do a similar thing by another method, and I protest against what I term a waste of time. We had it earlier in the day that members were going to proceed with the business of the House. This Bill has been before the House since the 1st October, and yet hon. members say they have not had time to consider it. Do they expect the Minister to give them time as it pleases them?

Hon. Sir E. H. Wittenoom: Who said he did not have time to consider it?

Hon. J. CORNELL: Mr. Connolly said so.

Hon. Sir E. H. Wittenoom: I do not think so.

Hon. J. CORNELL: What does he want time for if it is not to consider the Bill? It is retarding the Minister instead of assisting him. Hon. members would be wise to take up the position I take up on certain measures, if they know nothing about them to say nothing.

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

Ayes	.. .. ..	9
Noes	.. .. ..	9
A tie	.. ..	0

Ayes	
Hon. H. P. Colebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. T. H. Wilding
Hon. J. F. Cullen	Hon. Sir E. H. Wittenoom
Hon. A. G. Jenkins	Hon. W. Patrick
Hon. R. J. Lynn	*(Teller).*

Noes.	
Hon. R. G. Ardagh	Hon. E. McLarty
Hon. J. E. Dodd	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. C. A. Piesse
Hon. Sir J. W. Hackett	Hon. J. Cornell
Hon. W. Kingsmill	*(Teller).*

The PRESIDENT: I give my casting vote for the ayes, so that there will be further consideration.

Amendment thus passed, the consideration of the Bill in Committee fixed for the next sitting.

BILL—INDUSTRIAL ARBITRATION.

In Committee.

Resumed from the previous day; Hon. W. Kingsmill in the chair, Hon. J. E. Dodd (Honorary Minister) in charge of the Bill.

Postponed Clause 7—Resolution and rules to be passed before application made for registration:

The CHAIRMAN: The question is that the clause as amended stand part of the Bill.

Hon. J. E. DODD (Honorary Minister): In view of the report which appeared in the *West Australian*, he had received the following letter from the Chief Justice, Sir S. H. Parker:—

> Chief Justice's Chambers, Perth, Hon. J. E. Dodd, M.L.C., Sir—In the report of the debate on the Arbitration Bill in the Legislative Council published in this morning's *West Australian*, I observe that you said "It was to be regretted that the choice of President should be so restricted;" "Mr. Justice Burnside and Mr. Justice Rooth were at present the only two judges who could be appointed to that office;" "One of the other judges had refused to act in that capacity." Had you ascertained the true facts, I do not think you would have made this statement. Any one of the four judges may be appointed to the office. Not one of them has ever refused to act as

president. I have occupied the position on three different occasions for considerable periods, the last period being from January to December of last year, and I am still available, although experience has taught me that occupation of the office materially interfered with the performance of the judicial and other duties more properly appertaining to the office of Chief Justice. Mr. Justice McMillan was assured by the Agent General, when he accepted the appointment as a judge of the Supreme Court, that he would not be called upon to act as president of the Arbitration Court. Successive Governments have respected the promise so given, and he has never been offered the position. I may add that, from the date the Arbitration and Conciliation Act came into operation until the present time, a judge has always been found ready and willing to preside in the Arbitration Court. In expressing your regret that the choice of president was limited to the two judges you named, the natural inference is that you deem neither fitted or qualified to preside in the Arbitration Court. I feel sure that you did not intend to convey this inference. Mr. Justice Burnside has so long ably and impartially performed the duties of the office that it is unnecessary for me to say anything in his defence; while Mr. Justice Rooth's presidency was a marked success. When an appointment of a president has to be made, the usual course is for the Attorney General to consult the Chief Justice and to ask him to recommend one of the judges for the position. The Chief Justice then confers with his fellow judges and recommends one of them, and the judge so recommended is appointed. If there were a dozen judges, I should not think of recommending anyone except Mr. Justice Burnside for the presidency so long as he is willing to accept the office. We do not allow suitors in the Supreme Court to select their judges, and all respect for and confidence in the Arbitration Court will be lost if either employers or workers are allowed to have a voice in the appointment of a president. I trust you will make this letter as public as your speech. I have the honour to be, Sir, Your obedient servant, (Sgd.) S. H. Parker, Chief Justice.

This was the reply—

Perth, 17th October, 1912: Sir S. H. Parker, Chief Justice, Your Honour, In reply to your favour of yesterday's date I beg to quote the exact words used by myself, the condensed report of which is the subject matter of your letter (*Hansard* copy):—

> Hon. J. E. Dodd: To my mind it is immaterial whether the clause be struck out or retained. It is an inconceivable thing to me that we should be limited in our choice, in such a State as this is, to two men, and then to say that neither of these men can be removed, or making it almost impossible to remove him. We only provide for his removal (in this Bill) by a resolution passed with the two Houses sitting together; that is Parliament, and surely Parliament could rule. It is inconceivable that we should not have some safeguard. At the present time we have in Mr. Justice Rooth and Mr. Justice Burnside the only two men who can be appointed as president of the court. One of the other judges, I think, had an agreement before he came out that he would not take on this work.

I am not yet convinced that the limitation of choice is not a matter of regret, and my statement that one of the judges had an agreement prior to coming here absolving him from Arbitration Court work is substantially correct as indicated by yourself. If my other remark "that in Judges Rooth and Burnside we had the only two men eligible for appointment as President of the Court" lends itself to any reflection upon those gentlemen, I sincerely regret giving utterance to the same. The eligibility of yourself was not considered for the same reason mentioned

in your letter, namely that a Chief Justice has other duties which almost preclude an occupant of the position acting permanently as President of the Court. The clause under discussion was the removal of the president. I now beg to direct your attention to my remarks on the clause dealing with the appointment of a president, which will, I think, be convincing proof of my desire to think and act impartially on the subject. They were as follows:—(*Hansard* copy).

> Hon. J. E. Dodd: It was to be hoped the amendment would not be carried, although he felt sure that it would be, having regard to the second reading debate, and also to the debate which had taken place on this question last year. He could see no reason why we should confine ourselves to a selection from among the judges. Personally he had nothing whatever to complain of as a whole with the decisions given in the Arbitration Court. Those decisions would have been given in a similar manner by whoever else might have filled the post of president—including mistakes, if any, which had been made. There was no reason why we should limit ourselves to the judges for this appointment. A judge was still a man and was still subject to the environment which had encompassed him before he became a judge. Moreover, a judge filling the post of president of the Arbitration Court would have to load his mind with all industrial matters, in addition to his previously acquired store of legal knowledge. We should not ask any man to overload his mind in this way. Mr. Moxon who, as employers' representative had had considerable experience of the Arbitration Court, was responsible for the suggestion that a professor of economy should be secured for the post of president, contending that such a president would give more satisfaction than was to be expected of a judge of the Supreme Court. He (the Honorary Minister) agreed with Mr. Moxon in that suggestion. By limiting ourselves to the selection of a Supreme Court judge for the post of president of the Arbitration Court, we would be conferring preference to unionists upon the legal profession.

Your closing remarks, Sir, are not relevant to the points at issue, and I must respectfully protest against the inference that the object of the party with whom I am associated in drafting a clause providing for the appointment of a layman, if necessary, as President of the Arbitration Court is analagous to suitors in the Supreme Court selecting their own judges. To allow such a statement to pass without comment would be admitting that the Legislative Assembly who passed the clause were unfitted to perform the high duties entrusted to them by the people, and that the members of the Legislative Council, who supported the proposal, were likewise unfitted. I shall respect your wish and take the first opportunity of making your letter as public as the speech referred to. I am, Sir, Yours respectfully, (Signed) J. E. Dodd, Honorary Minister.

Ever since coming into the Chamber he had studiously avoided having recourse to innuendoes, always believing that what could not be obtained by reasonable argument would not be obtained by subterfuge. He desired to read the clause which had given rise to his remarks, in order that it might appear in the Press. The clause was as follows:—

> If either House of Parliament passes a resolution that, in the opinion of the House, any member or deputy member of the Court should be removed from office, the Governor shall convene a joint sitting of the members of the Legislative Council and the Legislative Assembly, and on an address from an absolute majority of the total number of the members of the Legislative Council and the Legislative Assembly, sitting and voting together, praying for the

removal of such member or deputy member of the Court, on the ground of proved misbehaviour or incapacity, the Governor may remove the member or deputy member from office.

He had been endeavouring to point out that the removal of the president by the means provided in the clause was a better method than the existing law. In doing that he did not think he had overstepped the boundaries of fair criticism, nor exceeded his right to criticise any measure according to his views.

Hon. D. G. GAWLER moved an amendment—

That the following be added to stand as Subclause 6 :—"No part of the funds of any union contributed after the commencement of this Act shall be applied or used directly or indirectly for political purposes, unless they have been specially contributed for those purposes. Funds intended to be used for political purposes shall be kept separate and distinct from the other funds of the union, and no member shall be required or directly or indirectly obliged to contribute to any funds intended to be used or in any way applied for political purposes."

At the previous sitting he had voted against the amendment moved by Mr. Moss, believing that the method outlined in his own proposed amendment was the better one. He desired to enable all workers to obtain the benefits of industrial unionism, and at the same time he wished to safeguard them from being bound to any particular brand of politics. The objection urged to the amendment would be that it was impossible of being carried out, for the reason that a member of a union would be afraid to refuse to contribute to the political fund. But why should not a man be permitted to refuse to contribute to such a fund, and allowed to restrict his subscriptions to the industrial fund of the union ? The Honorary Minister was responsible for the statement that in at least one union in the State this principle obtained. A Trades Union Bill introduced in the House of Commons by Mr Churchill in May, 1911, had contained the provision comprised in the amendment. We had thrashed out the whole subject on the preceding evening and there was no need for him to labour the point to-day. At the previous sitting a majority of hon. members could not see their way to preventing unions altogether from using their funds for political purposes, and the amendment, he thought, offered a reasonable compromise.

Hon. J. D. Connolly: Is it right or wrong that they should use their funds for political purposes ?

Hon. D. G. GAWLER: It might be said, perhaps, that it was both right and wrong. The only satisfactory solution of the problem lay in the separation of the two funds, political and industrial. He did not see how the industrial and the political funds could continue much longer together. Ultimately they would have to be separated. In view of the declared objects of the Bill and of the earnestness with which its supporters viewed the question of the political use of the unions' funds, he was willing to waive his objections, provided he could insert the safeguard comprised in the amendment.

Hon. H. P. COLEBATCH: The position was difficult for him because he had consented to pair with Mr. Kirwan, and he thought that member would be opposed to the amendment while he himself also opposed it. The safest course would be to express his opinion and refrain fron voting. It was futile to cast upon members of unions who did not wish their money to be used for these purposes the responsibility of indicating their wish. Either it was right or wrong to use funds for political purposes. Mr. Gawler gave the impression the other day that he was not familiar with the methods of trades unions when he said that only members of trades unions were members of the political Labour party. These were distinct organisations, and dozens of men belonged to the political Labour party who were not members of trades unions and who could not belong to them because there was no trade covering the occupation in which they worked, and who, moreover, would rather leave the

Labour party than take up any form of work whatever. The clause considered on the previous day was in some respects related to this, but Mr. Gawler had insisted on striking out the application to this State, thus preventing unions from using their funds for political purposes at all. If the amendment was passed, that clause would not be worth the paper it was printed on. The Bill gave power to restrict the purposes to which union funds should be devoted and it was improper to suggest that we should be able to restrict the methods in which a political body chose to use its funds. Consequently, if trades unions were allowed to apply their funds for political purposes, nothing would be easier than for the Australia Labour Federation to make a levy on trades unions for political purposes, which money, once in the control of the federation, could be used for fomenting or carrying on a strike. Once funds were allowed to be used for political purposes, the control of them was lost and they could be used for any purposes.

Hon. D. G. Gawler: Those are not non-unionists' funds.

Hon. H. P. COLEBATCH: The hon. member insisted on an amendment so that the funds of unionists should not be used to assist a strike and yet, by handing funds to a political organisation, the same result could be achieved. If trades unions were allowed to contribute any portion of their funds for political purposes, those funds would pass to the political organisation which would not be registered under this law, and over which we could have no control, and the could be used exactly as the organisation wished. As regarded political organisations, every man was free to join or keep out, and it was right that the majority should decide how their funds should be applied; but as regarded trades unions registered under an Act, it was a matter of compulsion that a man should belong to a union if he wished to take advantage of the Act.

Hon. J. CORNELL: Mr. Gawler's attitude appeared to be "yes-no." Mr. Moss had taken the right course on the previous day in trying to prevent a union from devoting funds to political action. When a man joined a union he understood that one of the objects was political action and he joined with his eyes open. A man need not join a union to get the benefit of this measure. The membership of unions was voluntary and a non-unionist got as much benefit from an award as a unionist. It seemed illogical to say that a union could provide for political action and yet that members who joined with their eyes open could not decide how they should dispose of their funds.

Hon. D. G. Gawler: You have not grasped the purport of the amendment.

Hon. J. CORNELL: If the hon. member had apportioned the funds for management, sickness and accident, and political action, it might be all right. If Mr. Moss's amendment had been agreed to unions would have been debarred from including political action in their rules. As the Committee had decided in favour of the inclusion of political action, that could only be done by contributing money, and it was ridiculous at this stage to endeavour to prevent it.

Hon. M. L. MOSS: The amendment would not have his support because on the previous day he had given a straight vote on a straight question. The amendment was neither one thing nor the other. If it was passed it would be a dead letter because no man who in his mind dissented from subscribing to a political fund separate from other funds would dare refuse to subscribe openly. The amendment was simply playing with the question. Not five per cent. of the men in any union would have the courage to decline to subscribe to the political funds. Having been defeated on the previous day, he would not try by back door methods to achieve the same result.

Hon. J. D. CONNOLLY: The amendment would have his opposition for the reasons given by Mr. Moss and Mr. Colebatch. The use of trades union funds for political purposes was in his opinion wrong, but the Committee had disagreed and he could see no object in passing the amendment. It would be worse

than a dead letter as it would create great trouble in the unions. It would be a cause of bad feeling in a union if a levy was made for the Political Labour Party when all the members of the union were not labour politicians; in the interests of these men, he intended to vote against the amendment.

Hon. J. E. DODD: Last evening the Committee decided in favour of unions using their funds for political purposes Most members seemed to lose sight of the fact that unions had their rules and laws in the same manner as we had the Standing Orders of the House, where a majority of the members carried a motion. As far as the majority of unions were concerned, most of them met every fortnight, and notice of motion had to be given and the motion was debated, and unions could decide that no moneys should be used for political purposes. These unions could also withdraw from the head bodies. If there was any special grant of money, they could decide by direct vote on the matter. It was not a hard-and-fast rule of the union that must be adhered to, but it was a rule that could be altered whenever the members decided, and the Bill asked that members should be allowed to decide. It had been stated, in the course of the debate, that the average unionist would be somewhat timorous in refusing to pay a political levy; that was a very poor look-out for the moral stamina of the average Australian. He (the Honorary Minister) thought he was a very different individual altogether; if the average Australian made up his mind not to pay anything, he would not pay. The argument was altogether beside the question.

Hon. D. G. GAWLER: As the sense of the Committee was against him, he did not intend to proceed with the amendment Mr. Connolly had said that he (Mr. Gawler) had taken up a sort of "yes-no" attitude on this matter. The attitude he had endeavoured to take up was that although he had voted against his conviction previously, with the idea of endeavouring to help the trades unions, he now had to congratulate Mr. Cornell in his choice of friends, who rejected his (Mr. Gawler's) endeavour to do the unionists a good turn but accepted those who charged the unionists with being narrow-minded and afraid to refuse to pay a political levy. He asked leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause as amended agreed to.

Postponed Clause 8—Made of application.

Hon. D. G. GAWLER moved an amendment—

That at the end of paragraph (a) the words "with their correct address" be added.

This was for the purpose of enabling all necessary information to be given to the registrar, in view of what would be suggested later on. There was an amendment on the Notice Paper providing that a list should be furnished periodically of the members of unions, and it was necessary that the correct information should be obtained in regard to these lists.

Hon. J. E. DODD: The amendment might increase the technical objections there were to arbitration at the present time. The correct address of members of unions would be the address of the place where members were living. In Kalgoorlie and Boulder—and he mentioned these districts because he was better acquainted with them—the members of the unions there were continually floating about; there was no greater floating population, he supposed, in Western Australia than on the goldfields. It was almost impossible to keep the correct living addresses of the members. The mode usually adopted was to give the place at which the members of the union were employed, say at the different mines, and these addresses were so kept on the books.

Hon. D. G. Gawler: That would be their correct addresses.

Hon. J. E. DODD: If in a case before the court someone raised the point that the address was not the correct address, there was all the trouble of technicalities raised again.

Hon. D. G. Gawler: I will say "with their addresses" if you like.

Hon. J. E. DODD: That might overcome the difficulty.

Hon. D. G. GAWLER: With the permission of the Committee, he would alter his amendment so that the words to be inserted would be "with their addresses."

Hon. J. CORNELL: This provision was the same as that in the existing Act. The regulations provided that the addresses, so far as was known, should be sent to the registrar; that was as far as one could go.

Amendment, as altered, put and passed; the clause as amended agreed to.

Postponed Clause 9—Registration of Society:

On motions by Hon. J. E. DODD Subclause 2 was amended by inserting after "industry" in line 5 the words "or industries," also in line 8 by inserting "or any one or more of the same industries."

Clause as amended agreed to.

Postponed Clause 10—Incorporation of Society:

On motion by Hon. J. E. DODD, the following was added to Subclause 1:—"Provided that subject to this Act a union may at any time, with the consent of the court, change its name."

Hon. D. G. GAWLER moved an amendment—

That the following be added to stand as Subclause 3:—"On 30th June and 31st December in each year, every society registered as an industrial union shall lodge with the registrar a list showing all members, officers, and trustees (if any) of the society as on such respective days, with their addresses."

It was necessary in every proceeding to prove that a man was a member of a union; members of unions were continually changing their addresses, and some evidence should be available to anyone wishing to prosecute or take proceedings to know who were members of a union. There was nothing unreasonable in his suggestion, and he hoped the Minister would agree to it.

Hon. J. E. DODD (Honorary Minister): The object which Mr. Gawler wanted to attain was already provided for in Clause 22; the only difference was that the hon. member's amendment provided for half-yearly returns.

Hon. D. G. GAWLER: As that was so he would withdraw his amendment.

Amendment by leave withdrawn.

Clause as amended put and passed.

Postponed Clause 11—Effect of Registration:

Hon. D. G. GAWLER moved an amendment—

That the following proviso be added:—"Provided that nothing herein contained shall render a shareholder of an incorporated company liable for any further amount hereunder than that for which he is liable as a shareholder of such Company."

This was not the only clause dealing with the matter; there were several others. It was one of the principles of the Bill to make every individual shareholder liable up to £10 over and above the value of his share in a company, and that shareholder might be either a resident of Western Australia or of the United Kingdom. That was done to put the shareholder supposedly on a level with the member of a union, but the position was different. In the case of a member of a union, the latter would not pay any money into the concern, whereas the shareholder might have invested perhaps a large amount of money in the company. The provision also seemed to be retrospective and it might be and possibly would be that a man taking up shares outside Western Australia could know nothing of the provisions of the Bill, and he would imagine he was only liable for the face value of the shares, and then he might be liable to prosecution for another £10 over and above, and to answer any action brought against the company for breach of the provisions of the measure.

Hon. J. CORNELL: It was his intention to oppose the amendment. In regard to union funds a member of the union was liable up to £10, and they could go there and sell him up to get that £10 and preclude him from certain benefits. The measure should apply equally to shareholders in any company which was registered.

Hon. F. DAVIS: The Act clearly laid down how a member of a union could be dealt with, but if the shareholders were not to be responsible, what alternative would Mr. Gawler suggest?

Hon. D. G. GAWLER: He was going on the injustice of making the individual shareholder in a company liable. He drew a distinction between a shareholder who might have put a large amount of money into a company and a member of a union. Their positions were vastly different. The member of a union only made a contribution, but not to the same extent as the shareholder.

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

Ayes	9
Noes	7
Majority for	2

AYES.

Hon. J. D. Connolly	Hon. C. Sommers
Hon. D. G. Gawler	Hon. T. H. Wilding
Hon. E. McLarty	Hon. Sir E. H. Wittenoom
Hon. M. L. Moss	Hon. R. J. Lynn
Hon. W. Patrick	(*Teller*).

NOES.

Hon. R. G. Ardagh	Hon. Sir J. W. Hackett
Hon. J. Cornell	Hon. B. C. O'Brien
Hon. J. E. Dodd	Hon. F. Davis
Hon. J. M. Drew	(*Teller*).

Amendment thus passed.

Clause as amended put and passed.

Progress reported.

House adjourned at 6.15 p.m.

PAIR.

Hon. J. W. Kirwan	Hon. H. P. Colebatch

Legislative Assembly,

Thursday, 17th October, 1912.

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

QUESTION—SALT INDUSTRY, ESPERANCE.

Mr. LANDER (for Mr. Green) asked the Minister for Lands: 1, Is he aware that a salt company in South Australia is also interested in the lease of the Pink Lake in the Esperance district? 2, How many men are at present being employed by the lessee of Pink Lake in the Esperance district? 3, Has Mr. McGlew, the lessee of Pink Lake, applied for a grazing lease, in which White Lake will be included? 4, Is he aware that White Lake contains valuable deposits of salt, and that its aequirement will then give the lessee practically a monopoly of the deposits in the district that are commercially valuable? 5, If the foregoing is correct, will he refuse the application for the lease of White Lake, if the same is not already granted?

The MINISTER FOR LANDS replied: 1, Yes. The Standard Salt Co., Ltd. 2, *Nil*; though about forty men were employed in August last. 3, No; but Messrs. McGlew & Morgan (two directors of the Standard Salt Co., Ltd.) have applied for the land, excluding White Lake, which is reserved for water. The application is not yet approved. 4, Yes. 5, Application has been made for a special lease for working salt deposits on White Lake by E. J. McCarthy, manager of Standard Salt Co., Ltd. A report is being obtained from a surveyor. If it is decided to lease it, applications will be invited by *Gazette* notice. Pro-