

Legislative Assembly,*Tuesday, 3rd October, 1922.*

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

PETITION—PRIVATE BILL.

Mr. MANN presented a petition praying for leave to introduce a private Bill for an Act to confer powers upon the Perpetual Executors, Trustees and Agency Company (W.A.), Limited.

Petition received and read.

QUESTION—MOTOR ACCIDENTS.

Mr. MARSHALL asked the Minister for Works: 1, What is the total number of accidents recorded with petrol-propelled vehicles in the metropolis for the year ended 31st August, 1922? 2, What is the total number of injured and killed respectively therefrom?

The MINISTER FOR WORKS replied: 1, Seventy-five metropolitan and Fremantle area. 2, Injured 68, killed 7.

QUESTION—ROYAL COMMISSION ON RAILWAYS.

Mr. MARSHALL asked the Minister for Railways: 1, At whose request was the Royal Commission on the railways appointed? 2, Was Mr. G. W. Stead, the Royal Commissioner, an applicant for the position of Commissioner for Railways at the time Colonel Pope received that appointment?

The MINISTER FOR RAILWAYS replied: 1, This was a decision of the Government. 2, Yes.

BILLS (3)—FIRST READING.

- 1, Land Tax and Income Tax.
- 2, Land and Income Tax Assessment Act Amendment.

Introduced by the Premier.

- 3, Dog Act Amendment.

Introduced by the Minister for Works.

BILL—SUPPLY (No. 2), £668,000.**Standing Orders Suspension.**

The PREMIER and TREASURER (Hon. Sir James Mitchell—Northam) [4.38]: I move—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

Question put and passed.

Message.

Message from the Lieut-Governor received and read recommending appropriation in connection with the Bill.

Committee of Supply.

The House having resolved into Committee of Supply, Mr. Stubbs in the Chair,

The PREMIER (Hon. Sir James Mitchell): I move—

That there be granted to His Majesty on account of the service of the year ending the 30th June, 1923, a sum not exceeding £668,000.

Question put and passed.

Resolution reported and the report adopted.

Committee of Ways and Means.

The House having resolved into Committee of Ways and Means, Mr. Stubbs in the Chair,

The PREMIER (Hon. Sir James Mitchell): I move—

That towards making good the Supply granted to His Majesty on account of the service of the year ending the 30th June, 1923, there be granted out of Consolidated Revenue Fund a sum not exceeding £650,000, and from moneys to credit of the Government Property Sales Fund £15,000, and from moneys to credit of the Land Improvement Loan Fund £3,000.

Hon. P. Collier: Is this two months' Supply?

The PREMIER: Yes.

Question put and passed.

Resolution reported and the report adopted.

Bill introduced, etc.

In accordance with the foregoing resolutions, Supply Bill introduced and read a first and second time.

In Committee.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Sums available for purposes voted by the Legislative Assembly:

Mr. A. THOMSON: What is it proposed to do with this sum of £668,000?

The PREMIER: The Estimates were recently introduced, and afford a full explanation of the revenue and expenditure for the current financial year. But for that fact I should have made the usual statement in connection with this Supply Bill, but it seemed hardly necessary to do so in the circumstances.

Mr. A. Thomson: Is this merely to enable the Government to carry on until the Estimates are passed?

The PREMIER: That is all.

Clause put and passed.

Preamble, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Read a third time and transmitted to the Council.

BILL—LICENSING ACT AMENDMENT.

In Committee.

Resumed from the 28th September; Mr. Stubbs in the Chair; the Premier in charge of the Bill.

Clause 41—Duties of Board:

The CHAIRMAN: The member for Perth had moved a new paragraph to stand as (b) as follows:—

As soon as practicable after the 31st December, 1922, and once in every six years thereafter to ascertain the number of publicans' general licenses, hotel licenses, wayside house licenses, and Australian wine and beer licenses in each licensing district, and the approximate number of inhabitants in such district, and having regard to all conditions to fix the number of licenses necessary for public convenience to be retained in such district, and to certify the proportion between the number of inhabitants in such district and the number of licenses necessary to be retained as aforesaid, and the number of inhabitants per license so to be retained shall be deemed the statutory number for such district; and shall reduce the licenses in such district to such statutory number.

Mr. MANN: Since we last dealt with this Bill I have discussed with several members the amendment I moved to this clause, and have redrafted the amendment in a way that I believe has overcome their objections. That being so I ask leave to withdraw my original amendment.

Amendment, by leave, withdrawn.

Mr. MANN: I move an amendment—

That the following be inserted to stand as paragraph (b):—As soon as practicable after the 31st December, 1922, to ascertain the number of publicans' general licenses, hotel licenses, wayside house licenses, and

Australian wine and beer licenses in each licensing district, and the approximate number of inhabitants in such district, and having regard to the convenience and requirements of the public and all other conditions which the court thinks should be considered to fix the number of licenses necessary for public convenience to be retained in such district and to certify the proportion between the number of inhabitants in such district and the number of licenses necessary to be retained as aforesaid, and the number of inhabitants per license so to be retained shall be deemed the statutory number for such district, and when a statutory number is so fixed, the number of licenses in any district shall not be reduced below the statutory number so fixed for such district.

It will be apparent that some provisions should be made in the Bill to direct the board as to the manner in which reductions should be effected. The Bill directs the board to reduce the number of licenses so long as there is money standing to the credit of the compensation fund. I do not think that was intended, and it may lead to the bringing about of a state of prohibition. It was intended that hotels should be reduced to a number in keeping with public requirements and convenience. Take Kalgoorlie, for instance. Say there are 20,000 people and 100 hotels there. The board may decide that one hotel to every 400 persons would constitute a reasonable proportion, and would therefore reduce the number by half, making the statutory number one hotel to every 400 people. In three years time the population may be smaller, but the board would still preserve the statutory proportion of hotels to population.

Mr. Underwood: Why not give the board a free hand?

Mr. MANN: That is not the intention of the Bill. At a place like Toodyay, on the other hand, the board may decide that the proportion should be one hotel to every 150 people.

Mr. Underwood: Who would fix the number?

Mr. MANN: That would be at the discretion of the board. It is understood the board would be composed of commonsense men.

Hon. W. C. Angwin: You did not say that the other night.

Mr. MANN: It is desired to prevent the board from bringing about a state of total prohibition, and to enable them to keep within the statutory number after that has been fixed.

Hon. W. C. Angwin: I hope the amendment will not be agreed to. The paragraph as printed already gives the board full discretionary power. The member for Perth desires that the board should be able to decide what licenses are necessary in any district in the State.

Mr. Mann: That is in the Bill.

Hon. W. C. ANGWIN: The board has to decide on the evidence submitted as to what hotels shall be closed.

Mr. Mann: And this, too, will be decided on the evidence.

Hon. W. C. ANGWIN: There is no provision in the amendment for the taking of evidence. The court and the board are one and the same party. The member for Perth, by what I may term an underhand method, proposes that the court shall fix the number of licenses necessary for a district. The consequence will be that after the fixing of the necessary number for a district the people of the district will be inundated with requests to sign petitions for more hotels. The operation of the proposed new paragraph will be in the direction of increasing hotels, not decreasing them. Getting a license granted by means of a petition is a very different thing from getting a license through the ballot box. People will sign a petition just to get rid of you.

Mr. Mann: The proposed paragraph says nothing about petitions.

Hon. W. C. ANGWIN: I know it does not. The East Fremantle district, with a population of about 5,000, has two hotels. No more hotels are wanted there; the existing hotels supply all requirements. But the court might say, under this amendment, "East Fremantle has 5,000 people, and we think there should be an hotel for every 1,000 persons." That would be an invitation to erect three more hotels in East Fremantle.

Mr. Mann: The paragraph is not intended to be used as suggested by the hon. member. Perhaps the paragraph is badly drafted.

Hon. W. C. ANGWIN: I am not optimistic as to the closing of hotels by compensation. There will not be sufficient money available for the licenses reduction board. On the gold-fields there may be a considerable closing of hotels, but as regards the metropolitan area there will not be sufficient compensation money to close more than half-a-dozen; that is, during the period of this provision, six years. I shall vote against the amendment.

The PREMIER: The proposed paragraph might work either way. However, I consider that the Bill provides for all that is necessary to be done, and the Bill says that what is necessary shall be done by the board. This clause is taken from the Act of Victoria, where it has worked well. The board will not close hotels until there is something in the compensation fund. Parliament meets every year, and if this measure is found to be impracticable Parliament will amend it. The question of the number of hotels in a district is not merely one for the people living in the district, but also for the travelling public. A similar provision to this clause has also worked well in New South Wales. The amendment might operate in a manner which is not apparent on the surface. I hope the clause will pass as it stands.

Mr. PICKERING: I support the amendment. It seems to me, however, that in the

amendment the word "court" is used where "board" should be used. What the clause means is that so long as there are funds for reducing licenses, reduction shall go on.

Hon. W. C. Angwin: But the convenience of the public has to be considered.

Mr. PICKERING: I take it the licenses reduction board will give consideration to every aspect of the question before deciding on reduction. In a place where the business of the hotels is mainly a summer business, the board would be bound to give consideration to the floating population. Under the clause the powers of the board seem to be unlimited. I would prefer that in the matter of reduction the board should receive some instruction from the measure itself. I do not agree that the amendment might lead to increase of licenses. What is called a "licenses reduction board" is not likely to increase licenses. Moreover, new licenses must be obtained by way of petition, and that is not so as regard reduction of licenses.

Hon. T. WALKER: The amendment is not only unnecessary, but very dangerous. The argument of the member for Perth is that the amendment does not affect increases, has no relation to increases, but is merely intended to prevent the board from going too fast. How fast can any board created go ahead in the space of six years, collecting the allocation which the Bill allows for compensation purposes? The work to be done by the board will be exceedingly small. We have not here what the licenses reduction board in Victoria have, the State Treasury to draw upon. The compensation here is to be paid out of the assurance fund—for that is what it really amounts to—of the publicans themselves. The accumulation of that fund will be slow; and if it comes to using that money for compensation in respect of valuable hotels, it will not meet the case at all. So that there is no danger in that respect. I will admit that it is by a misprint the amendment says the "court" has power to do this, and that the duty is intended all through the amendment to be incumbent upon the "board."

Mr. Mann: It does not make any difference.

Hon. T. WALKER: The court and the board are practically one and the same.

The Minister for Mines: Each has different functions to perform, though.

Hon. T. WALKER: I know that; but a body of men meet to-day with certain functions, and the same body meet to-morrow with other functions. After all, it should be the higher body that attacks a question such as has been put by the amendment. It is an enormous problem, a puzzle in a way. The member for Perth indicated in moving the amendment that all districts are not on a par; some districts are often visited by travellers and others are seldom visited.

Mr. Mann: That is all a matter for inquiry.

Hon. T. WALKER: I am aware of that, but the Bill provides for the inquiry, irrespective of the amendment.

Mr. Underwood: And without this direction.

Hon. T. WALKER: Clause 45 deals with the matters to be considered by the board, and alters Section 82 of the existing Act. It sets out that the board in determining which licenses shall cease to be in force, shall consider the convenience of the public and the requirements of the several localities in the district. What could be more explicit than that?

Mr. Mann: In fairness to the publicans, do you not think they should know how many hotels are to be closed?

The Minister for Mines: They know that by the amount to be devoted towards compensation.

Hon. T. WALKER: They know that from the amount of the fund. The board would not act without knowledge, nor would they be guided by ignorance. Decisions will be arrived at only after due inquiry has been made.

Hon. W. C. Angwin: It will be 12 months before the money can accumulate in the fund.

Hon. T. WALKER: Yes, and the board has to inquire into every detail set out in Clause 45 before closing an hotel.

Mr. Mann: Do you think there would be any inducement for publicans to make additions to their hotels unless they know who will be included among them?

Hon. T. WALKER: An hotel will only be included if it comes within the scope of Clause 45. It will only be covered by that if it is not catering for the convenience of the public, does not meet the requirements of the district, the accommodation is not adequate, it is conducted in a loose manner or it is too close to another hotel.

Mr. Underwood: The other hotel is just as near to it.

Mr. Musie: It all depends which way you are walking.

Hon. T. WALKER: What is the value of the amendment? I will draw attention to the danger which has been referred to by the member for North-East Fremantle. Let us take an arbitrary number for the sake of argument. It may be fixed at one hotel for every 400 inhabitants in a locality. It may be found that in a district containing 2,000 or 3,000 inhabitants there is only one hotel. The statutory number of inhabitants has been fixed and there will be an immediate move to get up a petition. Someone with money will desire to see an hotel business started and it is easy to obtain a petition. The argument in favour will be that the statutory number for one hotel is 400 inhabitants and as there are 2,000 inhabitants in the district I mention in my argument, the request may be put forward for another hotel. What argument can the bench find to answer that, seeing that they have fixed the statutory number themselves? The amendment is dangerous and I hope the Committee will not support it.

Mr. McCALLUM: The Premier says that a similar clause has operated all right in Victoria. He forgets, however, that the Victorian Act provides a minimum below which

the board cannot go. There is no such safeguard in the Bill.

The Premier: That is limited by the amount collected.

Mr. McCALLUM: And the board is directed to spend every penny that is collected.

Hon. W. C. Angwin: No, it prohibits the board going beyond the funds collected.

Mr. McCALLUM: The Bill sets out that the board must go to the extent of the moneys to the credit of the compensation fund.

The Minister for Mines: But not beyond it.

Mr. McCALLUM: Great exception can be taken to the clause as it stands, whatever may be said about the amendment. There is no safeguard in the Bill such as is incorporated in the Victorian Act—

Mr. Mann: Where they have the statutory number.

Mr. McCALLUM: I will not advocate the statutory number fixed in Victoria, but we should have some safeguard provided in the Bill. It is unfair to ask those in the trade to subscribe to a fund which will mean their death warrant. It has been suggested that petitions may be presented in favour of increased number of hotels, if the statutory number is fixed.

The Premier: You do not argue that you would have one number for all districts?

Mr. McCALLUM: No. It has to be borne in mind that the same position will occur in any case, because the board will hear evidence in favour of new licenses and the same people will give the decision in fixing the statutory number.

Hon. W. C. Angwin: The statutory number will go out to the public.

Mr. McCALLUM: Will not the same thing apply to the other aspect? The same people will determine either question. The only difference will be that their decision will be received a little earlier, and it must be the same decision because the same set of men will give it. If we are to trust the board at all, we may as well trust them with this aspect. I want some safeguard to show the trade that they are not paying into a fund to wipe themselves out.

The Minister for Mines: That is understood.

Hon. P. Collier: Where is it understood?

The Minister for Mines: The money in the fund must be used for compensation purposes.

Mr. Mann: And go to the closing of hotels.

The Minister for Mines: In six years, as proposed in the Bill.

Mr. McCALLUM: That provision was in the Victorian Act, but it has been re-enacted, and it is going on still.

The Minister for Mines: They have not got prohibition yet.

Mr. McCALLUM: No, because local option has saved them. The licenses reduction board there cannot operate in districts where continuance was carried, but can only operate where the vote was in favour of reduction. Thus the board have been hamstrung and a huge amount, close on a quarter of a million pounds, has been hung up.

The Minister for Mines: Some Treasurer will have a scoop one of these days!

Mr. McCALLUM: That money does not go into the Treasury at all.

Mr. Mann: The amount is £388,000 now.

Mr. McCALLUM: That is an enormous amount. We have not got such a turnover here, but in Victoria it would mean that, without the safeguard, they would bring about prohibition with that money. It is unfair to ask the people to contribute their money into a fund to wipe themselves out.

Hon. W. C. Angwin: It is the people's money.

Mr. McCALLUM: It is the drinking public who pay it. I think a safeguard should be provided in the Bill. The amendment covers other considerations and it is not limited to fixing the statutory number of people. The board have been given a wide discretion to deal with different phases of the question, and it would not be putting too much power in the hands of the people concerned if such authority were delegated to them. We should give some assurance to the trade that their money is not to be used to wipe them out altogether. If the Government cannot accept the amendment, perhaps they can agree to some provision which will get over the difficulty.

Mr. UNDERWOOD: The clause follows on those we have passed. The Committee decided in favour of a licenses reduction board, and as the name implies, the function of that body will be to reduce the number of licenses.

The Premier: Of course, that is the idea.

Mr. UNDERWOOD: Then what is the argument?

The Premier: There is no argument at all. We should put the clause through.

Mr. UNDERWOOD: There are one or two alleged arguments. The member for Perth says we should provide for the statutory number of people in a district being fixed. It should not be forgotten that the member for Perth represents a big populous centre. He could get numbers fixed for his centre which would prevent the reduction board from reducing in that district, whereas hotels in smaller communities would be cut down. The member for Perth is looking after the hotelkeepers of Perth, while I am trying to see that the people beyond Perth are fairly well provided for. Up on the Gascoyne River is the Junction Hotel. I do not think there are more than ten people within the immediate locality, notwithstanding which that hotel serves a good purpose. I again protest against the comparison of this State with Victoria. Some seem to think we should do whatever Victoria has done. What she has done has not been very well done.

Mr. Munsie: Their local option law prevents them from doing it well.

Mr. UNDERWOOD: Which shows that in governing our State we display more intelligence than the Victorians have displayed. The member for Perth would say that Western Australia is Perth. He knows nothing about the country that makes Perth possible.

Anything that will suit the hotelkeepers of Perth suits also the hon member.

The Premier: I do not think you should say that.

Mr. UNDERWOOD: Read the amendment.

Mr. Mann: If you were to read the amendment you would not make that allegation.

Hon. P. Collier: If he has read it he does not understand it.

Mr. UNDERWOOD: The member for Perth wants to fix a statutory number for each district. What chance have the outsiders? In Perth one hotel for 10,000 people; at Nullagine one hotel for 20 people.

Mr. Mann: It is good reasoning. That is just what we are endeavouring to do.

Mr. UNDERWOOD: All these things should be left to the discretion of the licenses reduction board. As soon as we give directions, we hamper the men appointed to carry out the work. The amendment is purely a Perth amendment and I hope it will not be agreed to.

Hon. P. COLLIER: The hon. member has indulged in some lopsided arguments. Probably he has not read the amendment; if he has, he fails to understand it. He says the board, having fixed the statutory number for Perth at 10,000, will go up North and, finding there only 10 persons to a hotel, will rub out the hotel. Without the amendment the board has power to take precisely that suggested action, closing hotels wherever they like, without regard to numbers at all. The hon. member seems to think the unamended clause will protect the hotel at Twenty-Mile Sandy. As a matter of fact without the amendment it is just such hotels that are likely to go out. It is certainly not a Perth amendment, because the statutory number will be fixed for each district, and so the amendment will apply equitably to every part of the State, all being treated alike. I still hold that there should be some instructions to the board. The hon. member says it would be illogical to lay down any lines upon which the board shall proceed.

Mr. Underwood: What is the matter with the Bill?

Hon. P. COLLIER: There is in it no guiding principle as to how the board shall proceed. The board, if it cared to disregard Subclause 1 of Clause 45, could bring about absolute prohibition.

Hon. W. C. Angwin: Not in six years.

Hon. P. COLLIER: Yes, in six years, in one particular district. There is nothing in the Bill to prevent it. We are not so all-wise that we can entirely ignore the principles adopted in Victoria.

The Minister for Mines: If one can get a good idea from Nova Scotia, why not adopt it?

Hon. P. COLLIER: Yes, or even from Twenty-Mile Sandy. I should like to see some safeguard in the Bill.

Mr. UNDERWOOD: The Leader of the Opposition says we should have no discrimination between one part of the State and an-

other. But different parts of the State present different conditions, and so we should have discrimination. Who should be better able to discriminate than the licenses reduction board?

Hon. P. Collier: You do not understand the amendment yet. The amendment gives them power to discriminate in fixing the statutory number. The amendment is discrimination.

Mr. UNDERWOOD: But why go to the trouble of fixing the number at all? If the licenses reduction board find that an hotel is necessary in a given place, let them leave it there. Why lay it down that there shall be a certain number of people to every hotel?

Mr. CHESON: I do not see how it will be possible to fix the statutory number of people in a district. Take for instance Meekatharra, which has a fairly big population. In the same licensing district there are places like Nannine and Wiluna, where there are very few people. However can it be possible therefore to fix the number in such out-of-the-way places. I intend to vote against the amendment; the matter should be left to the board.

The MINISTER FOR MINES: There is really only one point in the amendment and it is contained in the last paragraph. The balance is as the difference between tweedledum and tweedledee. What is entitled to receive consideration is the question whether on the establishment of the fund we are going to compel the board to make reductions, be those reductions warranted or not, until we bring about prohibition. The position is that the Bill provides for a reduction board; and it provides, in order to enable that board to bring about reduction in the number of licenses, that a fund shall be established and that it shall be contributed to by hotelkeepers, and that by means of that fund the board shall effect reductions. We have committed ourselves to two propositions, that the fund shall be established, and the basis upon which payment shall be made out of it. We have told the hotelkeepers already that for a period of six years a certain amount of money will be available for use in the reduction of the number of licenses in the State. It does not matter to-day whether there shall be a population basis or not upon which to do that. There are always possibilities of influence being brought to bear, because where the population is large, that population can exercise influence. We see that influence exercised everywhere, and even in Parliament. It is exercised to a greater extent in the bigger centres of population than in the scattered districts. There is always that danger. I would not be prepared to give unrestricted power to any three gentleman in the State to do as they liked on this or on any other subject. They must be kept within certain bounds, and the bounds we have agreed to are the bounds of the fund to be contributed to by the licensees over a period of six years, and with which fund a reduction in the number of hotels

must be brought about. I believe that that fund will be comparatively so small that the only hotels to go out of existence will be those in goldfields districts, and those hotels will now get compensation where previously they would have got nothing. By the time we make provision for those districts there will be little left in the fund, whether for Perth or Pilbara. What Parliament will do six years hence can best be judged by the decision of the electors when the poll is taken. The hon. member by his amendment is putting in something which may have the effect of preventing reductions from taking place in a particular district. It would be better to leave the clause as it stands. If the hon. member desires that the board shall not be compelled to close hotels to the full extent of the funds which will be available, he should say so.

Hon. W. C. ANGWIN: The member for South Fremantle does not appear to see the difference between a court taking each hotel on its merits and the court or board setting out definitely before starting to work, the fixing of the proportion of the population to justify the existence of a license. What will be the position under the Bill if it goes through as it has been submitted? Clause 18 points out that a petition in the first place has to be lodged if an increase in the number of licenses is required. That petition has to be referred, not to the court in the first place, but to the reduction board for their consideration and recommendation, and then it is sent from the board to the licensing court, which at present is the same body. Suppose they fix the number before they start to work, and declare that there shall be 400 people in each district, and the number happened to be anything between 500 and 1,000? The people who made the application would be aware beforehand what the population was. It would be inconsistent on the part of the board to do anything but recommend the granting of the license because, in the first instance, they would have fixed the statutory number. No person would know the statutory number, because the court would deal with each case on its merits. That is an entirely different proposition from telling the public straight out that there shall be a license to every 400 inhabitants.

The Minister for Mines: The whole point is they cannot spend more than the compensation fund will permit.

Hon. W. C. ANGWIN: The compensation does not worry me. They will get about £100,000 in the five years.

The Minister for Mines: They cannot close hotels beyond what the funds will permit.

Hon. W. C. ANGWIN: The provision would be used more for increasing licenses than for reducing licenses.

Mr. MANN: I stated by interjection a little while ago that the amount in the Victorian compensation fund was £388,000. The amount is £301,000. Hotelkeepers should know the statutory number for the district, in order to be able to decide whether to invest money on improvements. How could a

publican be expected to spend money on improvements if his hotel was likely to be closed in the following year?

Hon. W. C. Angwin: Last week you voted to make that compulsory.

Mr. MANN: But the circumstances are different. If for no other reason than for getting improvements made to licensed premises the paragraph should be added.

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

Ayes	15
Noes	21

Majority against	..	6
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AYES.

Mr. Brown	Mr. Mann
Mr. Collier	Mr. McCallum
Mr. Denton	Mr. Pickering
Mr. Durack	Mr. Plesse
Mr. Gibson	Mr. Simons
Mr. Johnston	Mr. J. Thomson
Mr. Lambert	Mr. Corboy
Mr. Luter	(Teller.)

NOES.

Mr. Angelo	Mr. Munste
Mr. Angwin	Mr. Richardson
Mr. Carter	Mr. Sampson
Mr. Chesson	Mr. Scaddan
Mr. Davies	Mr. J. M. Smith
Mr. George	Mr. A. Thomson
Mr. Heron	Mr. Troy
Mr. Hickmott	Mr. Underwood
Mr. Latham	Mr. Walker
Mr. Marshall	Mr. Mullany
Sir James Mitchell	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clauses 42, 43—agreed to.

Clause 44—Owners and licensees to be summoned to show cause:

Mr. CORBOY: Subclause 4 provides that it shall suffice if the summons, or a copy of it, is served by any of the means prescribed for the service of documents by Section 31 of the Interpretation Act. This section provides for service by post, and where that is adopted in connection with this measure, it should be by means of registered letter. I move an amendment—

That the following be added to Subclause 4:—"Provided that if such notice is served by post, the same shall be served by registered letter."

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

Clause 45—Matters to be considered by board:

Mr. UNDERWOOD: I suggest that all the words after "district," at the end of Subclause 1, be struck out. If men, instead of putting their money into hotel property, invested it in war loans or other funds, we would be living as the abor-

igines live, namely, under a bough shed or in a humpy. We should not penalise a man who puts his money into building hotels. The board, having considered the convenience of the public and the requirements of the several localities must, under Subclause 2, have regard to the character of and the accommodation afforded by any licensed premises.

The Premier: That is all right.

Mr. UNDERWOOD: That is covered by Subclause 1. Should the board consider anything other than the convenience of the public and the requirements of the localities?

The Minister for Mines: Certainly they should, subject to that.

Mr. UNDERWOOD: Perhaps they should also consider the character of, and accommodation afforded by, any licensed premises. Then the board are to consider the manner in which the business has been and is being conducted, and the distance between such premises and the licensed premises nearest thereto. Would not the licensed premises near it be as near as the premises nearest thereto?

Sitting suspended from 6.15 to 7.30 p.m.

Mr. UNDERWOOD: Paragraphs (b) and (c) and Subclause 3 should be struck out. We must give some consideration to the owners of licensed premises and it is with that object I want to see these portions of the clause struck out. If during the three years prior to the date of the hearing the lessee of licensed premises committed an offence, the police should have put him out. We should not penalise the owner because the police did not do so. We are very careful about uplifting the garrotter and the burglar, but when it comes to the heinous offence of supplying a thirsty soul with a pot of beer on Sunday morning, we all have a kick at the offender. The penalties are too severe, particularly in the case of the owner, who has possibly committed no offence whatever. We should, therefore, instruct the licenses reduction board to take into consideration, firstly, the public convenience, and then the character of and the accommodation afforded by any licensed premises. I move an amendment—

That paragraphs (b) and (c) and Subclause 3 be struck out.

The PREMIER: The board must have regard to the manner in which an hotel is being run; also to the distance between premises and the licensed premises nearest thereto. The owner is certainly being considered. If Subclause 3 is struck out, the Committee will be striking out that which applies to the licensee.

Mr. Underwood: It applies to the owner.

The PREMIER: I hope the clause will not be amended. Every word of it should find a place in the Bill.

Capt. CARTER: The entire clause is necessary, and I hope it will be allowed to remain. It is my intention later to move an amendment providing that the lessor shall have some opportunity of protecting himself.

Mr. UNDERWOOD: Paragraph (c) is absurd in its wording. As to the period of three years mentioned in Subclause 3, the owner of licensed premises might have got rid of an offending licensee two years previously, and yet the offences of that past licensee would operate to prevent the granting of the license. The effect might be to cut out a first-class hotel and give a license to some hovel.

The Premier: No; you are quite wrong.

Mr. UNDERWOOD: I hope the Committee will, at all events, strike out Subclause 3.

Mr. PICKERING: In view of the defeat of the amendment moved by the member for Perth on the preceding clause—which amendment was much more satisfactory, in my opinion, than the one we are now considering—I am obliged, for the lack of something better to support this cause. There must be something to guide the licensees reduction board in their work. The convenience of the public is a reasonable matter for consideration, and the character of the accommodation afforded by licensed premises and the manner in which they are conducted are also points of great importance. If the distance between two licensed houses is very short, the fact may operate against the license of one of them. A distance clause is necessary. I am inclined to agree with the member for Pilbara as to Subclause 3, which might unduly prejudice a house after the passing of this measure.

The Premier: All hotels are supposed to obey the law now.

Mr. PICKERING: But we are entering upon a new phase of licensing legislation. Some such words as "subsequent to the passing of this Act" might be added to Subclause 3.

Amendment put and negatived.

Capt. CARTER: I move an amendment—

That the following be added to Subclause 3:—"Provided that if the lessor has re-entered by reason of any such conviction, this subsection shall not apply."

The owner of licensed premises who has in his building a licensee guilty of offences should have some onus or responsibility placed on him to watch the conduct of the hotel and to see that the law is not broken in any way. Leases of hotel property could include a clause that the owner shall have the right to re-enter in the case of an offence by the licensee.

Mr. UNDERWOOD: The words of the amendment are not worth printing. Take the case of a man owning licensed premises who is disinclined or unable to take charge of them. Not every man can take charge of an hotel.

Capt. Carter: But this amendment gives him the opportunity of doing it and so protecting his property.

Mr. UNDERWOOD: Then it means giving some proprietors a chance, but not all proprietors.

Capt. Carter: If you cannot help 100 per cent., do not help 95 per cent.†

Mr. UNDERWOOD: This amendment would not help 30 per cent.

Mr. Mann: But under it a proprietor can put out a bad tenant and get a good one.

Mr. UNDERWOOD: The amendment does not say that. If one tenant is put out by the proprietor, and another is put in, is that re-entry?

Mr. Mann: Yes.

Mr. UNDERWOOD: In that case, strike out the subclause.

Mr. PICKERING: The insertion of the proviso would mean that a licensee to whom exception was taken would have to go, and that the owner of the hotel, for his own protection, would have either to take charge of it himself or else get someone else to take the license. I support the amendment.

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

Clauses 46 to 55—agreed to

Clause 56—The poll:

Mr. MANN: I move an amendment—

That the words "twenty-four," in line 2, be struck out, with a view to inserting "twenty-eight."

This measure is being enacted in the hope of effecting improvements in the conduct of the liquor trade. Before the board can turn round, we are to have a poll that may, or may not, have the effect of closing the hotels. If the poll be taken at a later date so that the board may have an opportunity to work effectively, a different result may be experienced. When the board commence to operate, they may instruct the owner of hotel property to spend £5,000 or £10,000 on alterations to his premises.

Hon. W. C. Angwin: And, according to your vote, if he does not do it before 1927, he loses his license.

Mr. MANN: If he does not do it before 1924, he may lose his license.

Hon. W. C. Angwin: No, he may not.

Mr. MANN: This is a new Bill and has nothing whatever to do with what was done 10 years ago. The Bill brings the trade under a new order of things, and it is not fair to require a man to spend £5,000 or £10,000 and confront him with the possibility of losing his license within a very short time.

The Premier: That is the law to-day.

Mr. MANN: We are now appointing a board to control the trade, and before we give the board an opportunity to effect any improvements, we are to take a poll, which may result in prohibition being carried. The board are not to be given an opportunity of doing effective work. If the work of the board is not effective, let us have prohibition, but the board should have an opportunity to show whether or not they can control the trade. For that reason I submit my amendment, with a view to moving subsequently that the poll shall be taken in 1928.

Hon. W. C. ANGWIN: I hope the Committee will not agree to the amendment.

The Premier: I, too, hope they won't.

Hon. W. C. ANGWIN: The Bill provides for certain improvements which are necessary to bring the existing hotels up to the required standard. I doubt if the improvements required could be carried out in all the hotels for £100,000.

Mr. Pickering: Therefore you should give them more security.

Hon. W. C. ANGWIN: I endeavoured to have those provisions struck out of the Bill, but as they have been agreed to, it means that if these improvements are not effected before 1927 the licenses may be forfeited. Then the member for Perth argues that, having expended all that money to bring the hotels up to the required standard, the vote to decide whether we shall have prohibition or not shall be taken in 1928. I think it would be better to take that vote before all that money was expended.

Members: Hear, hear!

Hon. W. C. ANGWIN: Hotels must be brought up to standard by the end of 1927, and if the amendment moved by the member for Perth be agreed to, it will mean that in 1928, or a year later, the vote on prohibition will be taken. I hope some of the clauses we have passed will be reviewed, because unnecessary expenditure is involved.

Mr. PICKERING: I support the amendment. It is better that the general public should have the advantage of the additional comfort, for which provision is made in the Bill, for a period of six years, than that the work indicated should be postponed until after the contemplated vote has been taken. The Bill sets up totally new conditions, giving the trade an opportunity to improve. I hope as a result of this measure there will be a different outlook on the part of the general public in regard to hotelkeepers. That being so, it is unnecessary that we should anticipate their vote by taking it is 1924, instead of 1928.

Mr. DURACK: The amendment is reasonable. If the trade suffers from anything to-day, it is that the publicans do not really know where they are. If we desire that up-to-date and well-conducted hotels shall be provided, we must give these people an opportunity to recoup themselves; therefore, the amendment is particularly essential. The member for North-East Fremantle has drawn attention to the fact that the alterations required under the Bill to bring the premises up to the standard specified will involve considerable expense and these people should have some guarantee that, if their hotels are properly conducted, their licenses will not be taken from them.

Hon. T. WALKER: I cannot understand the attitude of the member for Perth and those who have supported him. In 1911 we passed a measure requiring a local option vote to be taken every three years, and in very small districts. The local option vote was to be taken without compensation. Parliament's decision practically resulted in local

option being left in abeyance until 1921. Thus, 10 years' notice was given to the trade of the possibility of all hotels being closed by the vote of the people. That has all gone to the four winds; that pledge to the people has disappeared. I do not say that we cannot break our word to the people if it is deemed advisable that that should be done by Parliament. In any case, instead of taking a vote every three years the proposal now is to take the vote every five years. That is a great extension.

The Minister for Works: The member for Perth wants to take it every seven years.

Hon. T. WALKER: Quite so. The Bill seeks to defer the local option vote to 1924, and the member for Perth wants to defer it until 1928. What ground has been advanced in support of his contentions? It is true that the measure places great responsibilities upon those who engage in this trade. They must properly provide for the sleeping, eating, and general comfort of the public. It is a trade that is always under the threat of dissolution. The sword of Nemesis always hangs over this trade.

Mr. Mann: That should not be.

Hon. T. WALKER: Why should it not be?

Mr. Mann: Why not control it so that it need not be so?

Hon. T. WALKER: The member for Perth must recognise that this trade is an evil, and over every evil Nemesis must hover. We must have it under throat, otherwise there would be no restraint upon the trade. It is an evil and we do regulate it. The Bill itself is a warning to those who go into the trade that they do so at their own risk. They have known that there is a liability regarding the closing of hotels in 1921 without compensation. Ten years' notice has been given to them, and yet the trade has gone on improving hotel premises and building hotels at its own risk. I, for one, cannot be a party to giving the trade greater security. It must be recognised that a great concession has already been made to the publicans. Under the Bill a local option vote cannot be taken until 1924, and if any hotels are delicensed, a compensation fund has been created for them. The publicans are sitting in cushioned chairs in comparison with the rocky seats they had before the Bill was introduced. Why ask for further concessions?

Mr. Pickering interjected.

Hon. T. WALKER: Does the member for Sussex honestly believe that the liquor trade is good for the people?

Mr. Pickering: It does not do me any harm.

Hon. T. WALKER: Not one publican out of five believes in his heart that the trade is good for mankind. Yet there are those who want to make this traffic permanent if possible. In the clause we are now discussing we are on the very vital essence of that feature of the measure. In view of the wholesale yielding to the publican, I sincerely trust we shall not make the term longer than is necessary. If the trade is

good it will vindicate itself; if it is bad it ought to go. Can we not trust the people? We trust them in other things, but will not do so in this. I hope the amendment will be defeated.

The PREMIER: I trust the clause will not be amended. I agree with the member for North-East Fremantle (Hon. W. C. Angwin), that before having to spend money, the publicans ought to know just what is in store for them. When the 1911 Bill was brought down, it was proposed that the hotels should be closed immediately, subject to cash compensation. The House altered that, making provision for 10 years' time compensation in lieu of cash, and providing for a triennial local option poll. The Bill contemplates a licenses reduction board, plus a State-wide vote on prohibition and a poll every five years. In 1924 the people are to be asked what they think of this legislation which we are now framing. The Bill is a great improvement on the old one. We hear of what America is doing, and of the great advantages achieved by the New Zealand legislation. I am not quite clear whether those advantages are real. By 1924 we ought to know definitely whether America is benefiting by prohibition. I think the vote ought to be taken in 1924, and I hope the Committee will not agree to the amendment.

Mr. McCALLUM: I hope the Committee will not be confused by the statement that the existing Act provides no compensation, and the inference that if prohibition be carried there will be compensation under the Bill.

The Premier: No, there will be no compensation.

Mr. McCALLUM: It is only when the board closes hotels that compensation is to be paid. I remind the Premier that in 1924 we shall have two elections, Assembly and Council, in addition to the proposed local option poll.

Mr. MacCallum Smith: Have the poll on election day.

Mr. McCALLUM: No, we require to keep it as far away from election day as possible.

The Minister for Works: Make it 1923.

Mr. McCALLUM: It would be better to make it 1925. It is argued that the board will do a lot towards placing the trade on a better footing. That board will operate from the beginning of next year, but not until the end of 1923 will they have sufficient funds to enable them to close an hotel. Then it is proposed to take a vote in 1924, only a month or two after the board can close their first hotel. The board will not have a chance to prove their worth before the poll is taken. I suggest to the Premier that he agree to taking the poll in 1925, so as to prevent a clash of the poll with the Parliamentary elections, and also with a view to giving the board another 12 months of activity.

The MINISTER FOR WORKS: I hope there will be no amendment to the clause. There has been an impudent attempt to de-

feat the decision of 1911, when 10 years' time compensation was agreed to. Now it is proposed to give the trade till 1924, and the member for Perth asks that it be given until 1928, with an intervening period of seven years before the next succeeding poll. I do not believe in prohibition, but since the question of compensation was so thoroughly thrashed out in 1911 it is not right that the trade should seek to amend the law, irrespective of principle. If the same tactics are resorted to in the next Parliament, there will be very little chance to deal with the trade. The trade is of service to the State, but there are many directions in which it might well be improved. It is nothing short of rank hypocrisy to claim extension of the period, as has been done. The trade have had 10 years' notice, and now they are to have three more years, while the hon. member wants a still further extension. There is great room for improvement in the trade. While there are in country districts certain decent hotels, there are many others where the accommodation is simply disgraceful.

Mr. Mann: Nobody is defending that.

The MINISTER FOR WORKS: No, but if the trade were to attend to these manifest defects, they would have less occasion to adopt an active defensive policy.

Mr. MacCallum Smith: You must have struck a bad patch.

The MINISTER FOR WORKS: So has everybody else who has travelled much about the country.

Hon. P. Collier: Where, in Murray-Welling-ton?

The MINISTER FOR WORKS: Yes, even there. If the amendment be carried, the trade will play on our weakness and hope to get an amending Bill through the next Parliament. The trade ought to be ashamed to try to get out of the 10 years' time compensation contract, the advantages of which they have already enjoyed. Let them put their house in order, when we shall be desirous of protecting them instead of wishing to destroy them.

Hon. W. C. ANGWIN: If the statement be correct, that it is the trade who are seeking this extension to 1928—

Hon. M. F. Troy: Whom do you think it is? The Premier: This House.

Hon. W. C. ANGWIN: I do not blame the trade for it. The first people to attempt an amendment of the 1911 Act were the temperance section. They induced my colleague to introduce a Bill, the object of which was the taking of a local option vote in 1918. I had something to do with the 10-year time compensation provision. The Act has been complied with. In 1921 a vote was taken under it.

Mr. Pickering: And given effect to.

Hon. W. C. ANGWIN: Yes. The suggestion made by the member for South Fre-

mantle is a very reasonable one. The Minister should not run away with the idea that this alteration is something extraordinary. I told the temperance people that their action in trying to get an alteration of the law before the 10 years had expired would be bound to re-act on them, and I have received nothing but abuse from them ever since.

Hon. M. F. TROY: I hope the amendment will not be agreed to. The mover of the amendment should accept the suggestion of the member for South Fremantle. I agree with the Minister for Works that in 1911 a definite compact was entered into by which the trade received 10 years' time compensation. Now they want to extend the time in the hope that a later Parliament will push the time still further ahead. Public opinion during the last 10 years has taken a decided change. An increasing demand has been made for this provision and Parliament must recognise the change. It would not be a good thing to have the vote taken during the year of an election, because the fight might rage around something of this character instead of around important political subjects.

Mrs. COWAN: I hope the amendment will not be carried and that the suggestion of the member for South Fremantle will not be accepted. We were promised a chance of increasing and decreasing hotels every three years, but now we are asked to forego that and accept the opportunity every five years, beginning in 1924. Surely the public deserve as much consideration with regard to these new conditions as do the publicans. Why is the publican alone considered? We are asked to have three polls in 15 years instead of three in nine years, and now the member for Perth (Mr. Mann) asks us to defer the next poll until 1928 and then take a poll every seven years after that. This would give us three polls in 21 years.

Mr. Mann: I have not moved that.

Mrs. COWAN: I do not think the publicans will object to the necessary control being exercised. They know it will help to keep their places in better order. Therefore, the more often a poll is taken, the better for the community and the publicans, though the latter do not realise it. We should at least fix the poll for 1924 and every five years thereafter, though I would prefer to make it every three years. The argument of the member for South Fremantle does not appeal to me. What is the difference between taking the poll in a year of two elections and in the following year when there is no election? The cost of it and the excitement over it would be no less; candidates for Parliament would be asked their views, and there would be as much commotion as if the poll were taken in between. Last year the elections were held in March and the local option poll was taken in the following May. What difference did it make? Very little. It is very much better to have the polls as often as possible. It would be unfair to fix the next one for later than 1924.

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

Ayes	..	..	..	..	21
Noes	..	..	..	..	13

Majority for .. 8

AYES.

Mr. Angelo	Mr. Latham
Mr. Angwin	Mr. Mann
Mr. Chesson	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Collier	Mr. Pickering
Mr. Corboy	Mr. Plesse
Mr. Denton	Mr. Simons
Mr. Durack	Mr. J. Thomson
Mr. Gibson	Mr. Troy
Mr. Heron	Mr. Munsie
Mr. Johnston	(Teller.)

NOES.

Mr. Carter	Mr. Scaddan
Mrs. Cowan	Mr. J. M. Smith
Mr. Davies	Mr. A. Thomson
Mr. George	Mr. Underwood
Sir James Mitchell	Mr. Walker
Mr. Richardson	Mr. Mullany
Mr. Sampson	(Teller.)

Amendment thus passed.

Mr. MANN: I move an amendment—

That the words "twenty-eight" be inserted in lieu of the words struck out.

Amendment put and negatived.

Hon. M. F. TROY: I move an amendment—

That the words "twenty-five" be inserted in lieu of the words struck out.

Amendment put and passed.

Mr. JOHNSTON: I move an amendment—

That in line 2 "fifth" be struck out with a view to inserting "seventh."

This is the amendment which appears on the Notice Paper in the name of the member for Perth who, apparently, does not intend to move it.

Hon. T. WALKER: I will support the amendment, but with a view to inserting the word "third." The member for Williams-Narrogin is stealing the colours of the member for Perth.

Point of Order.

Mr. MacCallum Smith: On a point of order, I have a prior amendment on the Notice Paper and gave way to the member for Perth.

The Chairman: You are too late.

Mr. MacCallum Smith: I rose to speak but you told me to sit down. The member for Perth said he had an amendment to move which came before mine.

The Chairman: I am sorry.

Mr. Mann: I did rise and say I had on the Notice Paper an amendment which came before that of the member for North Perth.

The Chairman: The member for Perth told me he had an amendment which came before

that of the member for North Perth. We have now passed the year "1925" and the hon. member is too late.

The Premier: I will recommit the clause, and the member for North Perth can then move his amendment.

Committee resumed.

Hon. T. WALKER: I want to insert the word "three" instead of "five." The clause as it stands gives an enormous concession, which is not justified. The people have a right to speak on a matter of this kind, which is of great importance, once during the life of each Parliament.

The Minister for Mines: There must be some continuity of policy.

Hon. T. WALKER: Surely three years is sufficient.

The Minister for Mines: This is a question of State-wide prohibition.

Hon. T. WALKER: The member for North Perth has a proposal to divide the State into six districts. At any rate, three years is more rational than five or seven.

The PREMIER: If these words are struck out I will vote for three years rather than seven. I would prefer that the clause should remain as printed.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 57—agreed to.

Clause 58—Majority for carrying proposal:

Mr. RICHARDSON: I move an amendment—

That the words "three-fifths at least in number" be struck out, and "a majority" inserted in lieu.

If we are going to stand on a democratic basis we must place a democratic proposal before the people. The only way we can do that is to allow this question to be settled on a simple majority.

Mr. Latham: Would you do that in connection with the Constitution?

Mr. RICHARDSON: Yes. I am not afraid of the people. Members of Parliament are not returned on the three-fifths majority vote. I fail to see why that principle should be applied to this question, when it has not been applied to any other question so far as this State is concerned. Members must be prepared to show whether they are democratic in this matter or otherwise.

Mr. GIBSON: I am opposed to the amendment, although I am just as democratic as the member for Subiaco. The principle set out in the clause will mean that a permanent result will be achieved, whichever way the vote goes. It would, therefore, be advisable to stand by the clause as it is worded.

Mr. LATHAM: I hope the amendment will be rejected. This trade is licensed by the State, and it is required to lift it up. What kind of a trade shall we have if it is abolished in one year, and five years later re-

stored to life again? If prohibition is carried by a three-fifths majority it will be necessary to have a three-fifths majority to restore it. That seems a perfectly fair proposition.

Hon. T. WALKER: Members appear to regard the liquor trade as doomed.

Mr. Latham: I am not concerned about the trade.

Hon. T. WALKER: The hon. member is defending it. Apparently we are governed in this matter, not by the well-being of society but by fear and by the dread of the power of the publican when election day comes round.

The Minister for Mines: That is not fair.

Hon. T. WALKER: It is the dominating influence. It does not affect me, although the liquor trade is strong in my electorate. Is there any other sphere of life in which we are so distrustful of our fellow men as to demand a three-fifths majority? A three-fifths majority was not demanded on the conscription issue. Was there any objection raised to a simple majority decision in that issue of life or death?

The Minister for Mines: A referendum has no authority to carry anything. It is merely an expression of opinion.

Hon. T. WALKER: Why this falling down before the Moloch of drink and worshipping him? Have we the courage of our convictions?

Mr. Latham: Is the drink traffic injurious?

Hon. T. WALKER: Yes.

Mr. Latham: Then why not abolish it here and now? However, I do not say that it is injurious.

Hon. T. WALKER: I ask the hon. member to help me to abolish it.

Mr. Mann: The people spoke on the subject at the last referendum.

Hon. T. WALKER: Yes, and they spoke pretty strongly. When they get a little more education, they will speak still more strongly. The fear that prohibition will be voted one year and toleration of liquor the next, is not substantiated by the experience of the United States. Some of the States of the Union have had prohibition since 1881, and have affirmed the principle again and again.

Mr. Latham: I want to try to improve the liquor traffic.

Hon. T. WALKER: One cannot improve it. He who seeks to improve it is like the man who said, "I want to be virtuous in moderation."

Mr. Mann: Did not the legislature of the United States require a three-fifths majority for prohibition?

Hon. T. WALKER: For the alteration of the Federal Constitution, yes; but in the individual States prohibition has been carried by simple majority time and again. I ask hon. members to be consistent on this question, and adopt the simple majority here.

Mr. Underwood: But this is a question of interfering with the liberty of the person.

Hon. T. WALKER: The drink traffic interferes with the liberty of the general public all the time. It is an injury to all of us. It injures the wealth and the health and the strength of the nation itself, and therefore the majority of the nation has the right to pronounce a decision on it. I hope the amendment will be carried. Let us show no fear, or reverence, or whatever term should be used, for a trade of this character.

Mrs. COWAN: I support the amendment, because I think it unfair to require more than a majority vote. As in the American Union the individual States were allowed to carry prohibition by a bare majority, a three-fifths majority not being demanded until it was a question of the whole Republic carrying prohibition, so here may we ask for a bare majority in respect of the State, leaving the question to be decided by a three-fifths majority when it is a matter of prohibition throughout the Commonwealth. The bare majority is democratic.

Mr. UNDERWOOD: The first thing to be decided is whether a vote on this question should, rightly, be taken at all. The only right we have to interfere with the liberty of one subject is when we have proof that he is interfering with the liberty of another subject or with that of the community. That settles the talk about democracy.

Mr. Cowan: But drink is an evil.

Mr. UNDERWOOD: That has not been proved; and, that not having been proved, there is no right to take a vote at all. Neither is there any need to talk about democracy in connection with tyrannising over one's fellow citizens. A law of this description must have the solid backing of a big majority of the people; otherwise it will not be worth a snap of the fingers. Therefore I support the three-fifths majority. If prohibition is imposed by a bare majority, we shall be doing all sorts of things.

Hon. T. WALKER: The point is constantly made that we want to be sure that whatever may be decided will be continued, and that there will not be a see-saw. Let me quote some American figures on this aspect. Arizona won prohibition by a majority of 3,142. It retained prohibition two years later by a majority of some 12,000. Colorado won prohibition by a majority of 12,572, and retained it two years later by 85,972. Missouri won prohibition by 68,642, and retained it two years later by 206,936. Washington won prohibition by 18,631, and retained it by 215,035. Oregon won prohibition by 36,480, and retained it by 54,626. Ohio won prohibition by 25,759, and one year later retained it by 41,849. And so the increase goes on.

The Minister for Mines: Judging from what we read, they have a different interpretation of prohibition in America from that which we have here.

Hon. T. WALKER: There is no distinction. We are all quoting the United States, but that is not the only country in the world. British Dominions have tried what is known

as the dry policy. Ontario has tried it. Much was made of the case of Quebec by the member for Perth. Although there might appear to be somewhat of a failure regarding prohibition pure and simple, the fact remains they have destroyed the saloons and the sale of liquor other than through the Government. They have gone one step towards prohibition; the next step will be prohibition. It is peculiar, that it is Ontario, the British portion of Canada, that has gone in for prohibition, and the French portion that has gone in for a modification of the liquor traffic and very drastic and severe regulation of it, much more drastic than is contemplated by the Bill. The world is progressing. There is no fear of coming back to the liquor traffic, once the people have tried prohibition. The improvement in general health, in the savings, and in the trade of the community, as well as the diversion of money spent upon drink into better channels of circulation benefits everyone, from the poorest dwellers in the humblest cottages to the tradesmen and merchants. The country becomes healthier and wealthier and this is attested by the experience of other portions of the world where prohibition has been tried. Therefore there is nothing to dread regarding a reversion. There is something to be dreaded in deserting a principle that rules democracy. If a bare majority must rule in other things affecting our lives, it should rule here.

Mr. UNDERWOOD: I do not wish to delay the House further than to say that I have a copy of the figures which have been quoted by the member for Kanowna. They were sent around by the Church Council. I cannot speak about America or Canada. When the circular says, however, that New Zealand has had the same experience and that the electors there do not change their votes, I know that is incorrect.

Hon. T. Walker: It is correct.

Mr. UNDERWOOD: It is not. Experience in New Zealand showed that the vote was reduced materially. I am only able to audit the figures regarding New Zealand.

Mr. MacCallum Smith: We are prepared to take a chance here.

Mr. UNDERWOOD: If the figures regarding New Zealand are wrong, I can assume that the rest are wrong. The figures are not worth quoting.

Mr. RICHARDSON: It appears to me that the Committee are apt to get away from the object of the amendment. In the past, members of Parliament realised that this question was of such importance that they were not prepared to give a decision as to whether the State should remain wet or go dry. It was considered such an important question should be referred to the people themselves.

Mr. MacCallum Smith: Parliament was not game.

Mr. RICHARDSON: I do not know about that. In any case, Parliament considered the question was of such importance that it should be referred to the people themselves. The Bill contemplates such an action. In

what way are we to refer it to the people? If this is a democratic measure, are we to tie them down to a three-fifths majority? Is there any other question which hon. members, who uphold the principle of the three-fifths majority, would be prepared to refer to the electors of the State on a similar basis? No one would dream of it. For that reason the issue should be kept absolutely clear. We are not dealing with the question of a wet or a dry State; we are asking the people to decide for themselves. I want them to have a fair deal.

The MINISTER FOR MINES: There are some aspects of the question which should not be lost sight of. It is not merely a question of a three-fifths majority, but of a majority of electors entitled to speak on a national question. If we are to have a poll to decide the question of State-wide prohibition, we should have a substantial decision. Should there be a bare majority, irrespective of the vote recorded on a question of such magnitude?

Mr. Pickering: The Commission made a recommendation on that point.

Mr. MacCallum Smith: Everyone has his vote.

The MINISTER FOR MINES: It is not quite so simple as the member for North Perth seems to think. It is very simple for the people in North Perth to go to the polling booth, but it is different for the people in the more remote parts of the State.

Member: It cuts both ways.

The MINISTER FOR MINES: It does not. The last local option poll showed that, in an electorate such as Leederville-Subiaco, where there are only one or two hotels, comparatively speaking, they were able to muster large numbers at the polls. In the more remote parts of the State, there was not the same enthusiasm shown by representatives of both sides to get the electors to the polling booths, which might be miles away from their homes. It was different there from the more congested centres of population where it was easy to get the people to the polling booths. To get large votes in the big centres of population, and to call it a State decision in the aggregate, was wrong, because it was not a State decision. The member for Subiaco is not logical in his attitude. We can pass a law and this House is supposed to be representative of the majority of the electors of the country, but our laws can be set aside by another Chamber where one-tenth of the total strength represented is less than 6,000 persons.

Hon. W. C. Angwin: We want to change that position as well.

The MINISTER FOR MINES: The same position, perhaps to a greater extent, exists in this Chamber. The member for Subiaco represents a constituency containing about 8,000 persons. He can only speak and vote as a unit in this Chamber, although he represents 8,000 people; he can speak with no more authority on this particular question than other members, some of who do not represent 800 people.

Hon. P. Collier: Some do not represent 400 people.

The MINISTER FOR MINES: There is nothing in the argument of the member for Subiaco on that score. We have adopted a different attitude regarding the trade in the past. We said that following upon a local option poll after a number of years, hotels could be delicensed without compensation. We now change that and provide for compensation and a poll of the people to decide whether all licenses should be abolished.

Mr. Munsie: Hotels can be closed under the local option poll now.

The MINISTER FOR MINES: That is so, but under the Bill we ask for a substantial decision on the question. If it is said that only a simple majority should be required, I do not think it should be such a decision as was recorded when a local option poll was last taken, and when less than 30,000 people, out of a total of 170,000 electors, went to the poll. It must be remembered that if the simple majority is to rule, the decision may apply in the opposite direction on future occasions. The people might say that, as they had prohibition, there was no necessity to go to the poll, and thus, in a small poll, a sufficient number in favour of the liquor trade could reverse the decision. Such a question should be decided by a substantial majority, and not by a few people. The member for Subiaco cannot claim that the whole thing hinges on democracy. He has tried to make members feel that if they oppose the amendment they are not democratic.

Mr. Richardson: Quite so.

Mr. Munsie: I do not see how you can vote against it and be democratic.

The MINISTER FOR MINES: I could show the member for Subiaco that his actions have shown that he is not democratic, but I would not be justified in doing that, because he acts according to what he regards as the best interests of his constituency. The time may arise, however, when the interests of his constituency conflict with those of the State. How will he vote then?

Mr. Richardson: On the right side.

The MINISTER FOR MINES: That is not an announcement as to how he will vote. Thus it will be seen we all have different ideas as to what constitutes democracy. This is not entirely a matter of democracy. It may be that a three-fifths majority is an excessive one, and that it should be changed. The member for Kanowna was courageous enough to say that he would abolish the liquor traffic.

Hon. T. Walker: They did it during the war.

The MINISTER FOR MINES: To a certain extent that was so—much to the same extent as they are going dry in America. It is a question of whether we think it of sufficient importance to ask that there shall be a substantial expression of opinion.

Hon. T. Walker: Would you agree to a simple majority on compulsory voting?

The MINISTER FOR MINES: If you could get 51 per cent. of the electors to de-

cide the issue, I should be prepared to accept the decision.

Mr. Munsie: On a 100 per cent. poll!

The MINISTER FOR MINES: No, on a substantial poll. We ought not to decide so important a question unless we are definite in our decision. That is all I ask—that the decision shall be a definite one.

Mr. MUNSIE: If a question is of sufficient importance for us to leave it to the people, we should be satisfied with a simple majority.

Mr. Latham: So long as every elector votes.

Mr. MUNSIE: Would the hon. member be here now if he had had to wait until every elector of York voted at his election? Why should we worry about those who do not turn up to the poll? However, there is bound to be a fairly substantial poll on the liquor question.

Mr. Mann: It was not very large last time.

The Minister for Mines: Less than 50 per cent. went to the poll.

Mr. Latham: We should provide for compulsory voting.

Mr. MUNSIE: I should be content with that, whether for local option or for Assembly elections.

Mr. Mann: With a minimum poll?

Mr. MUNSIE: No, we do not require that. It is unfair to ask for a three-fifths majority, or for anything more than a simple majority, just because it happens to be a liquor question. I admit that the man who spends his money has to be considered; but he has good enough protection in the simple majority and the five year period between polls.

Hon. T. WALKER: I wish to draw the attention of the Minister for Mines to a marked inconsistency between his speech to-night and one he made in 1913. In that year, with the approval of the then Premier, now Minister for Mines, I had the honour of introducing a Licensing Bill providing local option, with a majority. Let me read what the then Premier, now Minister for Mines, said on that occasion—

We are going to submit that question to the people. What is the use of giving people an opportunity to express an opinion if we have previously decided the matter before the people can express that opinion.

That is what the hon. member—

Meaning the late Hon. Frank Wilson—

—wishes to do, to tell the people that we will accept their opinion on certain terms. That is not local option. I desire to give the people an opportunity to say definitely what they require. When they have decided that by a majority, it will be put into operation irrespective of the wishes or whims of members of this Chamber.

The Minister for Mines: Was that on the same question as we are now discussing?

Hon. T. WALKER: Absolutely, the local option majority.

Mr. Mann: That was local option; this is prohibition.

Hon. T. WALKER: A distinction without a difference! What is the meaning of "option" but choice? I admit this is a larger area of choice, but it is choice still. Under Clause 4 of the Bill of 1913 four questions were to be put to the people, as follows:— (a) That the number of licenses existing in the district continue; (b) That the number of licenses existing in the district be reduced; (c) That the number of licenses existing in the district be increased; (d) That no licenses be granted or renewed in the district. That schedule was to be submitted to the people, and the carrying of the issue by a majority was to be final. On that occasion the present Minister for Mines approved of the decision by a majority, without any stipulations such as those he has urged to-night.

The Minister for Works: Was that embodied in the Bill?

Hon. T. WALKER: That was in the Bill introduced by me and read a first time on the 7th October, 1913. I had then the support of the present Minister for Mines.

Mr. Mann: Good men change their minds.

Hon. T. WALKER: So do bad men. I ask the Committee to accept the views sincerely expressed in 1913 by the present Minister for Mines, and to eschew the lapse that has taken place in him since then.

The MINISTER FOR MINES: The position is different to the extent that we are now providing for a State-wide prohibition poll. From our experience of local option polls, we know that in big centres it is easy to take the voters to the poll, whereas in outback districts there is considerable difficulty in getting even a small vote. Consequently, the result of the poll may not be a fair reflex of the opinion of the electors as a whole. In district local option it is entirely different. There you have confined areas, and the voters have equal opportunities to go to the poll. That is the difference between local option and State option. Why should a big centre of population which might easily obtain the vote, decide a question affecting the people remote from a settled community and unable to express their opinion? The member for Hannans knows that attention is paid to those whose votes can be obtained quickly, easily and cheaply.

Mr. Munsie: I pay attention to all.

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

Ayes	..	..	15
Noes	..	..	19
Majority against			4

AYES.

Mr. Angwin	Mr. Richardson
Mr. Chesson	Mr. Simons
Mr. Collier	Mr. J. M. Smith
Mr. Corboy	Mr. A. Thomson
Mrs. Cowan	Mr. Troy
Mr. Heron	Mr. Walker
Mr. Marshall	Mr. Munsie
Mr. McCallum	(Teller.)

NOES.

Mr. Angelo
Mr. Carter
Mr. Davies
Mr. Denton
Mr. Durack
Mr. George
Mr. Gibson
Mr. Johnston
Mr. Latham
Mr. Mann

Sir James Mitchell
Mr. Pickering
Mr. Piesse
Mr. Sampson
Mr. Scaddan
Mr. J. H. Smith
Mr. J. Thomson
Mr. Underwood
Mr. Mullany
(Teller.)

PAIR.

Aye: Mr. Lambert | No: Mr. Hickmott
Amendment thus negatived.

[Mr. Angelo took the Chair.]

Mr. MUNSIE: Will the Premier explain the reason for the proviso which reads—

Provided that a proposal shall not be carried unless thirty per centum or more of the number of the Assembly electors throughout the State vote for the proposal.

Rarely at a general election do we get a 60 per cent. poll over the whole of the State, and yet a 61 per cent. vote will be required to give effect to this proviso.

The Minister for Mines: That is not intended.

Mr. Underwood: You might have only a 40 per cent. vote.

Mr. MUNSIE: In that case, there would have to be three to one in favour of the proposal.

The PREMIER: We want to make it imperative that a reasonable number of electors vote, and the proviso stipulates that at least 30 per cent. of the electors shall vote for the proposal.

Mr. Davies: That means in favour of the proposal.

The PREMIER: Yes.

Mr. Munsie: What about those against it? They are not counted.

The PREMIER: Otherwise the vote would not be carried. It is a reasonable safeguard.

Mr. Munsie: What percentage must go to the poll?

The PREMIER: Three-fifths of the electors voting must vote prohibition.

Mr. Munsie: I think it is a double-barrelled proposition.

Mr. RICHARDSON: The Premier says he desires a fairly large vote.

The Premier: A substantial vote.

Mr. RICHARDSON: Then he should provide for compulsory voting without any minimum or maximum. I see no reason for the proviso and shall oppose it. If people go to the poll and vote, they should not be penalised because others remain away. Those who remain away should be penalised and the only way to get at them is by introducing compulsory voting.

Mr. Underwood: Why should they be compelled to vote?

Mr. DAVIES: The proviso means that at least 50 per cent. of the people of the State must go to the poll.

Mr. Johnston: If 30 per cent. went it would be sufficient.

The Premier: Provided all of them voted for the proposal.

Mr. DAVIES: If 50 per cent. went to the poll, 30 per cent. would have to be in favour of the proposal to carry it. According to the evidence given before the Commission and the statement of the Minister for Mines, a bare 50 per cent. of the people voted at the last local option poll.

The Minister for Mines: Much less.

Mr. DAVIES: Seeing that we have carried the three-fifths majority, that should be sufficient safeguard. If the poll were not taken on the day of the general election, we might get only a 40 per cent. vote. It would be a fair compromise to delete the proviso. I move an amendment—

That the proviso be struck out.

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

Clause 59—Effect of prohibition:

Mr. MacCallum SMITH: I move an amendment—

That after "description" in line 2 of Subclause 2, the words "with the exception of billiard table licenses" be inserted.

Hon. P. Collier: They are not included.

Mr. MacCallum SMITH: They are. The clause speaks of "all licenses of every description." The Bill provides for billiard table licenses, but I take it the temperance party do not desire that billiard saloons shall be brought under this clause.

Mr. Munsie: No.

The PREMIER: The amendment is quite unnecessary.

Hon. T. Walker: There are other licenses too.

The PREMIER: Prohibition only refers to the sale of intoxicating liquor.

Hon. W. C. Angwin: It would be better to strike out the words "of every description" and insert "for the sale of intoxicating liquor."

The PREMIER: I would accept that.

Mr. MacCallum SMITH: I have no objection, and ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. MacCallum SMITH: I move an amendment—

That the words "of every description" be struck out and "for the sale of intoxicating liquor" be inserted in lieu.

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

Clauses 60 to 66—agreed to.

Clauses 67—Poll not to be taken on day fixed for Parliamentary election:

Mr. McCALLUM: I move an amendment—

That the words "or Commonwealth Parliament" be added.

This question should be altogether free from elections. I want to dodge the taking of a poll on that occasion.

Hon. T. Walker: I fail to see any necessity for the clause.

Mr. McCALLUM: There are good reasons why it should be put there.

Mr. UNDERWOOD: We should not take a vote on this question when the people are voting for the election of their representatives to Parliament. After we had decided the date for the taking of the poll the Commonwealth Government might decide to take the poll on the same day.

The Premier: We cannot help that.

Mr. UNDERWOOD: But the two things might clash.

Hon. P. Collier: The date could be changed, because that is fixed by proclamation.

Hon. T. WALKER: I should like to see the whole clause struck out. Why should not this question be decided on election day?

Mr. Underwood: Because it is not a sober question.

Hon. T. WALKER: Some people do make it a drunken question. The fear is that there would be a big poll if members had to face their electors on the same day. It is with the hope of not getting a good poll that this clause is embodied in the Bill.

The Minister for Mines: The election may be dominated by one party or the other. If the people vote in favour of prohibition, from that date on there will be prohibition.

Hon. T. WALKER: A vote taken at a time when a new Parliament is coming into being would be the more effective. When a Government is before the people it could come into office on this question with a charter from the people. On the other hand if the poll is taken at another time the Government may say they are not concerned in a poll that was taken subsequent to their assumption of office.

Mr. MacCallum SMITH: I hope the clause will not remain in the Bill. The best way of getting an effective vote is to take it on the day of the general election.

The Premier: Why?

Mr. MacCallum SMITH: The majority of the people will turn up to vote, but very few people will attend the poll on other occasions.

Hon. P. Collier: That is the strongest argument against it.

Mr. MacCallum SMITH: It is a question the people must decide.

Mr. McCallum: The candidate does not get a chance to state any policy.

Mr. MacCallum SMITH: That might be a very good thing for the candidate. To take this poll on the day of the general election would save the country a good deal of expense, besides ensuring a clean roll.

Mr. Munsie: If you carried simple majority with compulsory voting, I would not care whether the poll was taken on general election day or not.

Mr. MacCallum SMITH: As the position is now, the people will not turn up and the thing is a farce.

Hon. P. Collier: Then they are not entitled to prohibition.

The PREMIER: I hope the Committee will not carry the amendment. Having had this measure before us for three or four weeks, we know what can happen in connection with a liquor Bill. I am certain there are two parties who would make this the one issue on a polling day. Those two parties are persistent in their warfare on the question of wet or dry. A poll on this question taken on election day would mean that a great many electors would think of wet or dry, and nothing else. If the people are so little concerned as to stay away from the poll, then the party most concerned will win the day: and the party most concerned is the temporary party. In a general election there are involved many questions of vital importance to the State, and therefore this particular question should not be decided on the general election day.

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

Clauses 68, 69, 70—agreed to.

Clause 71—Licensed premises not to be open before or after certain hours:

Mr. McCALLUM: The proviso to Subsection 2 of proposed Section 97 represents one of the recommendations of the Commission, but the power to extend the hours is fixed for the whole licensing district. I do not think the Commission desired that a whole district should necessarily have its hours extended, but that the extension might apply to only part of a district. This question cropped up mainly in connection with the Boulder block, where, whether it is within or outside the law, hotels are and have for many years been opened to meet the convenience of miners coming off night shift.

Mr. Mann: At South Fremantle the same concession is wanted for the smelters.

Mr. McCALLUM: Yes; and that would mean an extension of hours throughout the Fremantle district, which is not required. The same remarks apply to the Eastern Goldfields. I move an amendment—

That in the proviso to Subsection 2 of proposed Section 97, after the word "district" there be inserted "or part of a district."

The Premier: One cannot object to that. Amendment put and passed.

[Mr. Stubbs resumed the Chair.]

Mr. UNDERWOOD: I move an amendment—

That in Subsection 5 of the proposed Section 97, after "Murchison" there be inserted "Gascoyne, Kimberley, Pilbara, Roebourne."

These are all goldmining districts, and should be placed on the same footing as what the

measure terms the Eastern Goldfields District.

The PREMIER: It cannot be contended that those districts are gold-mining districts in the same sense as the districts mentioned in the proposed subsection. If the hon. member could show that those northern goldfields are being worked in the same way as the goldfields further south, the position as regards his amendment would be different.

Mr. UNDERWOOD: I do assert that.

The PREMIER: I mean, worked in the same way as, say, the Kalgoorlie goldfield.

Mr. UNDERWOOD: Not one of the four districts I have mentioned but has more gold-miners than, say, Kanowna.

The Premier: But they do not work night and day.

Mr. UNDERWOOD: Yes, some of them do.

The Premier: There is not a night shift worked up there.

Mr. UNDERWOOD: The Premier is wrong. I trust the Committee will give the four northern electorates the same conditions as southern constituencies have.

Mr. Johnston: Have you got those conditions now?

Mr. UNDERWOOD: Yes. The hours at present are from six to eleven.

Mr. ANGELO: I support the amendment. At present we in the North are under the same conditions as the Eastern Goldfields, and I do not think the Government have received from the North a single complaint regarding the hours of trading. There are special conditions in the North. For instance, when the weather is hot, nearly all the travelling is done in the early morning and late afternoon, with the result that travellers arrive at the hotels long after 9 p.m. Again, the arrival of steamers is irregular, and frequently occurs long after nine in the evening. I sent a copy of the Bill to the Carnarvon Chamber of Commerce with a request for their opinion, and from the president of the chamber I received the following telegram, sent after consultation with the people there:—

Not only publicans, but business people and public generally, view with concern proposal to close hotels in this district at nine o'clock. Consider, with conditions of living here, adoption of this proposal will prejudice legitimate while stimulating illegal trading. Do not forget only two votes were taken here. Carried one for increase, the other continuance, showing that big majority do not desire any further restrictions imposed on local liquor traffic.

We have goldfields in our district. If the amendment be not carried, the people there will be adversely affected. We have an hotel on one of the fields. Our people should be placed under the same conditions as the miners on other goldfields. The conditions in the North are different from those in the South. That was recognised by last Parlia-

ment, when they agreed to the present conditions. These have been found to work properly and I ask that they should be allowed to continue.

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

Clause 72—agreed to.

Clause 73—Register of lodgers:

Mr. MANN: This is a very stringent clause and it will have a far-reaching effect. Subclause 5 provides that the onus of proof shall be thrown upon the person found on licensed premises after hours, to show that he is there for a lawful purpose. I move an amendment—

That the following new subclause be added to stand as Subclause (7): "Notwithstanding anything contained in this section to the contrary, a licensee shall be entitled during the hours when his premises are closed for the sale of liquor to keep the same open for and to conduct thereon an eating-house, and to enjoy the privileges and be subject to the liabilities of an eating-house licensee: Provided that this subsection shall not apply to any bar room on his licensed premises or modify or affect the provisions of Section 99 of this Act."

The reason for the amendment is that under the Bill, hotelkeepers will pay 200 per cent. more taxation than hitherto and they must look for additional revenue. They desire the same privileges as are possessed by tea rooms.

Hon. P. Collier: We are making it obligatory upon them to provide meals.

Mr. MANN: Yes, at certain times, but after 9 p.m., if a person is found on the premises, he is regarded as being there for unlawful purposes.

Mr. MacCallum Smith: Like a burglar.

The Minister for Works: Although he may be there on business.

Mr. MANN: To-day, bars are closed and the front doors locked at 9 p.m. At such a time, hotels are more like prisons than places for public convenience. If the amendment be carried, the premises will remain open and there can be no question of the liquor traffic going on, because the police officers will be able to supervise the business. Some hotelkeepers have suggested to me that they may close one of their bars and turn them into tea rooms straight away. The Premier may laugh, but there is as much profit in tea as in spirits.

Mr. Underwood: There is more profit in tea.

Mr. MANN: Why should the publican, who has to pay high taxation and who is subject to heavy liabilities, be prevented from running tea rooms?

The Premier: No one compels the publican to continue his license.

Mr. MANN: But he has his money invested and we are extracting heavy taxation from him. Why should he not have the same

privileges as persons who do not pay such heavy taxation?

The Minister for Works: I went to one of the best hotels in York and we could not get a meal because it was after 7 o'clock.

Hon. P. Collier: The hotelkeeper must have known who you were.

Mr. McCallum: He knew there would be no profit in it.

Mr. MANN: I am convinced that if the amendment be given effect to, it will tend towards sobriety. Many persons do not want whisky and will be pleased of the opportunity to get a cup of tea.

The Minister for Works: You can go to a restaurant and get your cup of tea.

Mr. Heron: You cannot always travel through places where there are restaurants.

Mr. MANN: We should make provision in the direction I have indicated, and I hope the amendment will be agreed to.

The PREMIER: I hope the Committee will not accept the amendment. To-day it is impossible to get meals in some of the hotels in Perth. Those hotels should be delicensed. After the Bill becomes an Act, I hope that the first man who is refused a meal in an hotel will report the hotelkeeper straight away. I have known of these people refusing to take in women and children; they have refused to do their duty. Now the member for Perth tells us they want to run tea rooms. If the amendment be agreed to, there will be no supervision over hotels.

Mr. Mann: That is ridiculous.

The PREMIER: It is true that the tea room may not be a bar. The bottles may be on the shelves but not on the counter. The premises may be used for other purposes than for the sale of intoxicating liquors. The fact remains that if the amendment be agreed to, there will be no control over hotels because everyone will have a right to be on the premises at all hours of the day or night. There will be no restriction at all.

Mr. Mann: Why should it be necessary?

The PREMIER: Because it is necessary to control the traffic. No one knows better than the member for Perth that it will be impossible to control the traffic if the amendment be agreed to.

The MINISTER FOR WORKS: We ought to include in the amendment a provision for compulsion in the supplying of food. On one occasion, when I was travelling between Spencer's Brook and York, the car broke down. We telephoned to Edwards's hotel at York, but although we got there at ten minutes past seven, we could not have even a biscuit and a piece of cheese.

Mr. MacCallum Smith: What condition were you in?

The MINISTER FOR WORKS: Absolutely sober.

Mr. Latham: I think you are wrong.

The MINISTER FOR WORKS: A publican ought to be compelled to supply food. If there be any warrant for a public house, it

is its provision of accommodation for travellers.

Hon. W. C. ANGWIN: The hon. member wants to extend to licensees the privileges of an eating house license. He did not tell the Committee that such a license authorises the sale of liquor with meals. Why is the hon. member not honest enough to say straight out that he wants to give the licensee the privilege of supplying liquor during hours when the bar is closed? Instead of that, he tried to lead the Committee astray by talking about licensees supplying tea. I have no objection to licensees supplying meals during hours when the bars are closed, but I think the hon. member should have made it clear that he desired to give licensees the right to sell liquor with meals after the bars have closed.

Mr. Mann: The hon. member knows that liquor cannot be supplied after the bars are closed.

The Minister for Works: Yes, it can.

Mr. Mann: Only to habitual boarders.

Hon. W. C. ANGWIN: If I went to a hotel on Sunday for dinner and wanted a bottle of wine with the meal, the hon. member's amendment would permit of my having it, for it sets up the conditions of an eating house license; conditions which are to be found in Section 38 of the existing Act. How could the police hope to enforce the law if the amendment were carried? I would rather see the hours for the sale of liquor extended on a direct vote than by any such side-wind as this. I move an amendment on the amendment—

That in lines 6 and 7 the words "and to enjoy the privileges and be subject to the liabilities of an eating house license" be struck out.

Mr. Mann: I will accept that.

The MINISTER FOR WORKS: I have an earlier amendment.

Hon. W. C. Angwin: I will withdraw mine for the time being.

Amendment, by leave, withdrawn.

The MINISTER FOR WORKS: I move an amendment on the amendment—

That after "entitled" in line 3, the words "to and be compelled" be inserted.

If there be any warrant at all for the existence of public houses, it is that they supply the traveller with food. If he liked to be supplied with liquor—at the proper time, he could have it. He could do without liquor but not without tucker.

Mr. Johnston: That means from 9 p.m. to 9 a.m.

The MINISTER FOR WORKS: It means that if a man goes there, he should be able to get a feed. If a licensee is not prepared to feed a man, he should not have a license. I call it impudence on the part of a licensee to refuse to give a man a feed.

Mr. JOHNSTON: I am in complete sympathy with the desire of the Minister that a man should be able to get a meal at any

reasonable hour. The law to-day provides that a licensee must provide a meal at any reasonable time when requested to do so.

The Minister for Works: They do not do it.

Mr. JOHNSTON: The man who refused the Minister at 10 minutes past seven when the motor car broke down should have been prosecuted and heavily fined. It was a reasonable request. If, however, a man was on the premises from 4 p.m. till 9 p.m. and asked for a meal at, say, 9.30 p.m., it would not be a reasonable request.

The Minister for Works: We could get liquor but not tucker.

Mr. JOHNSTON: The man who refused it should have been heavily fined.

The Minister for Works: It was the landlord himself.

Mr. JOHNSTON: The Minister should study the effect of the amendment. It would compel a licensee to keep his premises open at all hours to supply meals. I looked upon the Minister as a reformer—

The Premier: I looked upon you as a reformer once.

The Minister for Works: Fix the hours at 7 p.m. to midnight if you like.

Mr. JOHNSTON: The Minister should put his amendment in the form in which he wants it.

The MINISTER FOR WORKS: If a licensee is entitled to keep his premises open, surely people travelling around the country should have the right to get their bellies filled when they are hungry. I and my party had been without food for hours.

Hon. P. Collier: You are an awful man for your stomach.

The MINISTER FOR WORKS: I am prepared to add the words "between the hours of 7 p.m. and midnight."

Mr. McCALLUM: Clause 70 provides that the licensing court may prescribe hours during which meals shall be obtainable and tariffs for the meals to be supplied to customers. Clause 105 deals with failure to keep a well appointed eating house with requisite appliances for daily preparing and serving meals to guests on licensed premises.

The Minister for Works: I know of that, but we are considering the amendment of the member for Perth.

The Premier: There will be no control if the amendment is carried.

Mr. McCALLUM: There is power for the bench to compel the licensee to provide meals.

The MINISTER FOR WORKS: I am positive that the apparently simple amendment of the member for Perth has been well thought out and contains a loop-hole which we do not see at present.

Mr. Mann: Of course, there must be something wrong.

The PREMIER: I hope the amendment will not be accepted. It would mean that every country hotel would have to keep a staff on all through the night. Only one or two of the hotels in Perth could expect to benefit from the patronage of theatre-goers. No hotel keeper wants to sell tea and coffee

after hours. There is no justification at all for the amendment. If licensees had heard of the amendment of the member for Perth I am sure they would have been here to protest against it. They do not want it. I suggest the amendment should be withdrawn.

Mr. PICKERING: This phase of the question was considered by the Commission. We thought it only reasonable that people who were staying at an hotel should, when returning from the theatre, be able to obtain light refreshments there without being obliged to go to a restaurant. One would think that hotel keepers were always trying to break the law.

Amendment on amendment put and negatived.

Hon. W. C. ANGWIN: I move an amendment on the amendment—

That the words "and to enjoy the privileges and be subject to the liabilities of an eating house licensee" be struck out.

Amendment on amendment put and passed.

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

Ayes	..	..	..	..	19
Noes	..	..	..	..	9

Majority for . 10

AYES.

Mr. Angelo	Mr. McCallum
Mr. Angwin	Mr. Pickering
Mr. Carter	Mr. Plesse
Mr. Chesson	Mr. Simons
Mr. Collier	Mr. J. H. Smith
Mr. Durack	Mr. J. M. Smith
Mr. Heron	Mr. J. Thomson
Mr. Johnston	Mr. Troy
Mr. Mann	Mr. Corboy
Mr. Marshall	

(Teller.)

NOES.

Mrs. Cowan	Mr. Sampson
Mr. George	Mr. Scaddan
Mr. Gibson	Mr. Underwood
Mr. Latham	Mr. Mullany
Sir James Mitchell	

(Teller.)

Amendment as amended thus passed.

Progress reported.

House adjourned at 11.10 p.m.