

Legislative Assembly,

Wednesday, 1st November, 1916.

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

PAPERS PRESENTED.

By Hon. J. D. Connolly (Honorary Minister) : 1, State Labour Bureau, report for year ended 30th June, 1916. 2, Health Act, model by-laws, adoption by Goomalling, Meckering, and Kojonup Local Boards of Health. 3, By-laws adopted by Claremont Road Board and Fremantle Municipal Council. 4, Fremantle Harbour Trust, amendment of regulations. 5, State Labour Bureau for the year ended 30th June, 1916.

By the Minister for Agriculture : 1, Plan showing area of the Swan River having application to a lease for dredging purposes in connection with oyster shells. 2, Return showing increase in fruit growing industry since the establishment of the Government Refrigerating Works (ordered on motion by Mr. Griffiths).

By the Premier : 1, Public Service List. 2, Public Service Commissioner, report for year ended 30th June, 1916.

QUESTION—NATIONAL SERVICE.

Mr. FOLEY (without notice) asked the Premier: Have the Government given consideration to the question of the State Public Service and compulsory service, and, if so, have they decided to grant general exemption to all State servants in Western Australia?

The PREMIER replied: The Government have considered the matter, and have decided that they will not apply for a general exemption. Any special cases must be decided upon their merits absolutely.

Members: Hear hear.

QUESTION—FINANCIAL STATEMENT.

Mr. SCADDAN (without notice) asked the Premier: Will he inform the House when he is likely to introduce the Estimates for the current year.

Hon. J. D. Connolly (Honorary Minister): You are in a hurry this time.

Mr. SCADDAN: It is November.

The PREMIER replied: I am not now in a position to inform the House as to when the Estimates will be ready. The task is a difficult one—a fact which hon. members must appreciate—while, for the last three weeks, I have been busily engaged upon the referendum. I have not, therefore, had much time to give to the Estimates. They are, however, engaging my serious attention at the present time, and I am trying to unravel the finances of the State.

Mr. Scaddan: You are making some progress.

The PREMIER: I am trying to effect some satisfactory solution, and ascertain what the revenue will be for the financial year.

Mr. Scaddan: You undertake to introduce the Estimates before this session closes.

The PREMIER: I will not close the session down before I introduce them.

QUESTION—PILES REMOVED FROM PRIVATE LAND.

Mr. ANGWIN asked the Minister for Works: 1, Has a settlement been made with Mr. W. N. Hedges for piles alleged to be taken from land owned by him by men employed by the Sawmills Department? 2, If so, what was the total amount paid? 3, What departments paid, and amount paid by each? 4, Was the Government liable for payment?

The MINISTER FOR WORKS replied: 1, No. 2 and 3, Answered by No. 1. 4, The

matter is *sub judice*. The honourable member can see the papers at the Public Works Department at any time, and his assistance in settling this knotty question will be appreciated.

QUESTION—RAILWAY GOLDFIELDS EXPRESS.

Mr. HUDSON asked the Minister for Railways: 1, Is it the intention of the department to discontinue the Saturday express, Perth-Kalgoorlie, and Sunday express, Kalgoorlie-Perth? 2, If so, when.

The MINISTER FOR RAILWAYS replied: 1, The Commissioner has no present intention of altering the running of the express trains on Saturday or Sunday. 2 Answered by No. 1.

QUESTION—RAILWAY EXCURSIONS TO WHEAT BELT AND KALGOORLIE.

Mr. SMITH asked the Minister for Railways: 1, In view of his expressed desire that city folk should have an opportunity of seeing the splendid crops in the wheat belt, will he make an effort to rouse the Railway Department, and get them to organise extra cheap excursions for that purpose? 2, Will he also give city people similar opportunities of seeing our great mines at Kalgoorlie?

The MINISTER FOR RAILWAYS replied: 1, The ordinary fares to the producing centres are not large, and in addition the summer week-end excursion tickets will be issued from the 1st December. 2, The ordinary fare between Perth and the Goldfields is moderate considering the distance travelled. Excursion tickets are issued as in (1), in addition to which a specially low fare is provided at Christmas. Should sufficient inducement offer, the department will run trains at special rates, but the financial position is such that risk of loss must be avoided.

QUESTION—AGRICULTURAL DEPARTMENT, REPORT FOR 1915.

Mr. SMITH asked the Minister for Agriculture: 1, When will copies of the report

of the Department of Agriculture for year ending 30th June, 1915, be available. 2, What is the cause of the unusual delay in issuing this report?

The MINISTER FOR AGRICULTURE replied: 1, It was decided not to issue any report for the year ending 30th June, 1915, in order to save the cost of publication, but detailed information, which would have been in the ordinary course published in the report, is available at the Agricultural Department. 2, Answered by No. 1.

QUESTION—EWE LAMBS SLAUGHTERED.

Mr. S. STUBBS asked the Minister for Agriculture: 1, Is he aware that large numbers of ewe lambs are weekly sold for slaughter throughout the State? 2, In view of the urgent need for increasing the supply of sheep for the purposes of mixed farming in our agricultural areas, does he intend to introduce measures to prevent the practice?

The MINISTER FOR AGRICULTURE replied: 1, Yes. 2, The majority of lambs sold are specially produced for sale as meat, and would not, in most instances, be suitable for breeding purposes. Whilst realising the need of conserving all our breeding sheep, it is considered that measures to prevent the sale of all ewe lambs for slaughter might, at the present time, hamper farmers and others in their operations, and seriously interfere with the food supplies. When ewe lambs are offered for sale in the open markets, persons desirous of procuring such for breeding purposes are given the opportunity of doing so.

BILLS (2)—THIRD READING.

1, Franchise.

2, Permanent Reserve (No. 1).

Transmitted to the Legislative Council.

BILLS (2)—FIRST READING.

1, Kingia Grass Tree Concession.

2, Special Lease Enabling.

MOTION—TRUST FUNDS ADMINISTRATION, SELECT COMMITTEE TO INQUIRE.

Mr. SMITH (North Perth) [4.50]: I move—

That a select committee be appointed to inquire into the administration of trust funds, real estate, and personal property controlled or managed by any officer of the Supreme Court and Curator of Intestate Estates, including estates which may have been wound up during the past 10 years.

The motion, I am sure, will meet with the approval of hon. members. At the present time these funds are handled entirely at the discretion of individual officers. Some of them, I understand, are not subject to the control or investigation of the Auditor General. That in itself is a very undesirable state of affairs, and I think that when large sums of money come under the control of the State the least we can do is to guarantee the owners of that money or property that their affairs will be properly handled. I think when I place some of the facts before the House hon. members will not hesitate to grant me the inquiry which I am asking shall take place. I have been induced to submit this motion on account of various matters which have been brought under my personal notice. First of all, members will remember the extraordinary bankruptcy proceedings which took place some little time ago, when Mr. Clifton, the chief clerk of the Supreme Court, figured as the principal individual in those proceedings. It may be remembered also that a certain individual named Alcock, who has since seen fit to take his departure to fresh fields and pastures new, figured very conspicuously in the same proceedings. Mr. Clifton had to admit that he had been engaged in the carrying out of some rather extraordinary financial undertakings dealing with private trust funds, whereby those funds have been practically wiped out, and, I may say incidentally, Mr. Clifton himself has been financially ruined by his association with Mr. Alcock.

Mr. Walker: That was a private matter.

Mr. SMITH: Yes, but they were trust moneys belonging to the friends and relatives of Mr. Clifton, who had placed their

affairs in his hands, and which he managed. I am sorry to say he managed them in such a way that those funds practically disappeared, and the persons to whom the money was left in trust have been ruined. If Mr. Clifton was so careless in regard to his own private affairs, we are justified at this stage in looking into the affairs of the State administered by that officer, more especially when we remember that Alcock, who has disappeared, was specially favoured by Mr. Clifton in the matter of handling State trust funds. Last year I asked the then Attorney General for a return of the moneys which had been handled by the Supreme Court, and I asked for the names of the solicitors who had the handling of those moneys and the amounts. The papers were laid on the Table of the House, and it will be remembered that no less a sum than £12,000 of trust funds passed through Alcock's hands, or in some way or other Alcock was connected with the investment of that amount of money, whereas only one other solicitor had the handling of about £300. That shows that, in addition to Mr. Clifton dealing with those private funds, Alcock was also dealing with State funds through the same gentleman. I think, therefore, we are justified in asking that an inquiry should be held into the administration of the funds at present controlled and administered by the Supreme Court.

Mr. Thomas: Are members of Parliament the right people to inquire into a matter of that kind?

Mr. SMITH: It is the duty of members of Parliament, as custodians of moneys left for widows and orphans and left by people who rely on the State to see that those moneys are properly administered, if there is the slightest suspicion that the moneys have been improperly handled, to make an investigation.

Mr. Thomas: I quite agree that there should be an investigation, but I do not know that we are the right people to carry it out.

Mr. SMITH: An investigation will soon show whether we are the right people, and when the select committee submits a report, we shall know then what steps to take.

Mr. Scaddan: So far then you only want to distribute the money amongst all the solicitors in town?

Mr. Thomas: You want to inquire into the methods of a doubtful individual.

Mr. SMITH: I desire to inquire into the administration of the moneys controlled or managed by any officer of the Supreme Court, and the Curator of Intestates Estates, including estates which may have been wound up during the past ten years. I am not alleging that there is anything wrong with the funds controlled by Mr. Clifton. I sincerely hope that everything will be found to be in apple-pie order. But when suspicions are aroused it is our duty to look into matters and see for ourselves how things stand. I may mention one case where £1,200 was left to a widow and family. This sum of money was invested by the Supreme Court and the interest from that money had to be paid to the widow for the education of her children. The money was duly lent by the authorities of the Supreme Court on a farm property, but only the sum of £46 5s. has been paid in interest, and two years ago there was outstanding no less a sum than £126 for interest. The mortgagee then went bankrupt and, instead of the place being sold up, his wife was allowed to remain on the farm and she agreed to pay £5 a month for doing so. But whether she did so or not I cannot say. There we have a case where a large sum of money was left by a citizen for investment by the State so that the widow and orphans should have something to live on, instead of which it has been frittered away by bad investment, and the unfortunate widow and orphans will get nothing.

Mr. Gardiner: Did they not attempt to foreclose?

Mr. SMITH: No. I understand the security was valueless. It would not realise anything like the amount of the mortgage. It is not very clear how these funds are administered. Firstly, I understand the estates of all persons deemed to be of unsound mind are vested in the Master of the Court. Then, all funds held in chancery, for example, moneys of infants or funds held where the executor has refused to take the responsibility of paying over to beneficiaries under a deed of trust or a will, or where the sum payable is in dispute, are also vested in the Master of the Court. There recently came under my personal notice an extraordinary instance of the manner in which business is

conducted by the Supreme Court, an instance which represented a very bad advertisement for Western Australia. Some years ago a gentleman died in this State, leaving a fairly large estate, I understand, in money and real property. The deceased having no relatives in Western Australia, his estate was taken over by the Supreme Court officials. Some time later a brother in England wrote asking what had become of the property and how the estate had panned out. He received no satisfactory reply. There was lengthy correspondence between the brother and the Supreme Court officials. To my mind, that correspondence was really "sparring for wind" on the part of the officials. Apparently, the brother in England gave up all hope of ever receiving anything out of the estate. Eventually, however, he wrote to me on the subject, and I sent a member of my staff to interview an official of the Supreme Court. That official let him into the secret. He said, "The truth is that the gentleman who was looking after this estate has levanted with the funds and destroyed the file." I contend that is a serious state of affairs.

Mr. Scaddan: Did a member of your staff get that information from an official in the Supreme Court?

Mr. SMITH: Yes.

Mr. Scaddan: He did not get it through the Minister?

Mr. SMITH: Not through the Minister. At any rate, he got the information.

The Attorney General: How long ago was that?

Mr. SMITH: About two years ago. The incident was reported in the Press.

Mr. Walker: The official reported the matter to someone who gave the information to you. He should not do that sort of thing without first consulting his superior officer.

Mr. SMITH: I am not asking for an inquiry into the conduct of the officer who gave the information.

Mr. W. D. Johnson: An inquiry might be necessary, though.

Mr. Walker: I think the conduct of the officer ought to be inquired into.

Mr. SMITH: The hon. member can, later, move for such an inquiry. I have also heard of another extraordinary phase of the system. For a number of years past the jewellery, such

as gold watches, diamond rings, and other articles of personal adornment, forming part of estates administered by the Supreme Court, has not been, as one would in the ordinary course of events expect, sold and turned into cash, but has largely been allowed to accumulate in the vaults of the Supreme Court. Not long ago the accumulation of years was disposed of. I understand the sale was not advertised in a very public way, and people generally knew nothing about it. However, some of those enterprising persons who deal in second-hand jewellery heard about the sale, and attended it. Apparently, they put their heads together and did not bid against each other. The result was that the stuff was knocked down for a mere song to one individual, and then was conveyed to a room in Murray-street and sold amongst these dealers.

Mr. Thomas: Who was the auctioneer?

Mr. SMITH: I do not know. The police gave me this information. That is a sample of how property coming into the hands of the Supreme Court is disposed of.

Mr. Hardwick: How long ago was this?

Mr. SMITH: Quite recently. It is reported, and I want to know whether it is true. I am informed by a responsible police official that it is true. Such being the case, I think the matter ought to be inquired into.

Mr. Foley: Was not the sale advertised in the daily Press at all?

Mr. Collier: No. Only in the *Government Gazette*—a good, safe place.

Mr. SMITH: It is some time since I gave notice of this motion, but for various reasons it has not come before the House until to-day. Since I gave this notice, the Auditor General's report has been presented to Parliament, and it contains various references to the accounts of the Curator of Intestate Estates. I think hon. members would do well to give serious consideration to the Auditor General's remarks, which exactly bear out what I have stated. On page 79 he says—

Accounts have been examined to the 30th June, 1916. The examination indicated the necessity for greater care and more expedition in dealing with estates. Shortages in jewellery were discovered, due, it is stated, to the employment of a

dishonest person. The care and custody of jewellery have not always been satisfactory.

These remarks exactly bear out what I have stated.

Mr. Scaddan: Do they not bear out, too, that the Auditor General has the right to scrutinise the accounts and to audit them?

Mr. SMITH: I maintain that these statements of the Auditor General, in view of the seriousness of the case, are not sufficient, and that he should have gone further.

Mr. Walker: There was a thief got into the department, a temporary man, a thief who cleared out.

Mr. SMITH: Parliament ought to be informed what the shortages amount to. It is no information to say that shortages of jewellery were discovered. Do the shortages amount to 6d., or to thousands of pounds? We ought to be told.

Mr. Scaddan: The Auditor General is there for the purpose of telling you.

Mr. SMITH: But he has not done so.

Mr. Scaddan: That is the point. You want a select committee to inquire why the Auditor General has not done so.

Mr. SMITH: The Auditor General does not control all the estates.

Mr. Gardiner: He has made a charge there, surely.

Mr. SMITH: The Auditor General has made a charge, but that is not sufficient for members. We want to know the extent of the shortages, and who the dishonest person was, and why he was not prosecuted. There has been too much of that sort of thing in the Public Service.

Mr. Scaddan: It is a pretty serious charge against the Auditor General, to say he allowed a dishonest person to get away.

Mr. SMITH: The Auditor General says further—

The debit balances in various estates amounted to £346 16s. 3d.

Why should there be debit balances in estates?

Mr. Walker: Some estates cost more to administer than there are funds in them.

Mr. SMITH: There can be no debit balances unless estates are badly administered.

Mr. Walker: When there are no assets?

Mr. SMITH: Then there are no estates.

Mr. Walker: Well, small assets.

Mr. Scaddan: The dead man has to be buried, and that has to be paid for out of his estate.

Mr. SMITH: There should be no debit balances if estates are properly administered.

Mr. Scaddan: Yes; there may be.

Mr. SMITH: We ought to be told how the debit balances arise, so that we may have an opportunity of remedying any defects in the present system. The Auditor General says—

It follows that such estates have been financed out of other trust moneys.

I take it the Auditor General means that if Bill Jones's estate pans out say £10 short, the custom has been to take that amount out of Jack Smith's estate. That is not business. Why should Jack Smith's estate have to suffer because Bill Jones's estate is insufficient? The next paragraph reads—

It was found that certain moneys had been held over a period of six years instead of being paid to the Treasurer in accordance with the Act.

That is another point for inquiry.

Mr. Gardiner: Are these unclaimed moneys?

Mr. Scaddan: Yes.

Mr. SMITH: We are not told. The Auditor General simply says "certain moneys."

Mr. Walker: It is a mere matter of a quarrel as to how the money shall be kept—whether it shall be kept for the next of kin or handed over to the Treasurer.

Mr. SMITH: The hon. member interjecting has not read the paragraph.

Mr. Walker: I was listening to your reading of it. Did you read it so badly?

Mr. SMITH: I read it correctly.

Mr. Walker: The money is kept for a period of six years, which is the period of limitation, in case any claimants turn up.

Mr. SMITH: The Auditor General says that moneys have been kept over six years. Then, his next statement is—

Under existing conditions the check on securities does not give satisfactory results.

The Attorney General: What securities does the Auditor General refer to?

Mr. SMITH: I take it the Auditor General means that certain sums of money have been lent on certain securities, and that those securities have never been checked.

Mr. Scaddan: He does not say so.

Mr. SMITH: He is not very clear as to what he does mean, apparently.

Mr. Gardiner: Refer the report back to the Auditor General.

Mr. SMITH: Apparently, certain moneys have been lent on certain securities, and the officials have not troubled their heads any further as to whether the securities have been kept up to the standard or not, as to whether the securities were allowed to depreciate in any way. The paragraph proceeds—

Greater care is required in compiling data from which the registers are entered up. That is an obscure statement. The Auditor General proceeds—

In eleven instances receipts were not produced for money paid away. It may, however, be impossible to obtain receipts in every case. The necessity still exists for establishing some system whereby all items in the estates of deceased persons may be readily followed up and accounted for.

I do not think I could adduce any stronger argument in support of the necessity for this inquiry than is contained in the Auditor General's report. I understand that officer has full authority to deal with these matters.

Mr. Walker: Yes; with these estates; but there are others that he has no power to deal with.

Mr. SMITH: This deals only with the Curator of Intestate Estates, but there are other funds—funds where money is paid into the Supreme Court until the matter has been settled by a judge. They may be in court for a year or two, or longer, or even for a shorter period. The Auditor General does not deal with these cases. The question is: we want to know what has been done with the money. I see no reason why members should not readily agree to look into this matter, seeing that the credit of the State is at stake. Take, for instance, the case to which I have referred—that of a man's brother whose estate was involved, and in which case one of the clerks has disappeared. When we get an inquiry the select commit-

tee can report as to what in its opinion is the best to be done in the matter, and the House itself can decide what is the best way in which to handle these matters. At present, they are being handled in a very unsatisfactory manner, and, in view of the disclosures which have been made, I feel confident that we are justified in appointing a select committee.

Mr. O'Loghlen: Has this gentleman, to whom you have referred—the gentleman from England—no redress against the department?

Mr. SMITH: No, none whatever. Any estate frittered away by the department has gone, to all intents and purposes. The department does not hold itself responsible.

Mr. O'Loghlen: Not for the honesty of its employees?

Mr. SMITH: No.

Mr. ALLEN (West Perth) [5.19]: I second the motion.

The ATTORNEY GENERAL (Hon. R. T. Robinson—Canning) [5.20]: There seems to be some confusion in the minds of members of this House, and of the general public, as to the different functions of, say, the Supreme Court, the Attorney General's Department, the Curator of Intestate Estates Department, the general trust funds of the Supreme Court, and the trust funds of an individual, for instance, such as Mr. Clifton, who is merely a clerk in the Supreme Court. On many occasions, I have heard members refer to these matters in such a way as to indicate, apparently, that they did not understand the real relationship. The impression appeared to be that they were all identical. I believe that some confusion exists also in the mind of the member for North Perth (Mr. Smith). The Supreme Court does not operate as a department of the State, and that part of it administered by the judges appointed by the Crown controls the funds of individuals, persons and estates over which the department has no control. One might, for example, just as well inquire into the business of some well known establishment as, for instance, Sandover's or the Western Australian Bank, as to make this inquiry, but, at the same time, to make this inquiry, but, at the same time, owing to the confusion that has existed, and

is still in the minds of people, I think personally, that it is just as well that the matter was cleared up, and that we have a proper definition of the different departments, and also declare to the public that the Supreme Court funds are intact. With that end in view, I consulted his Honour the Chief Justice, and while he agreed with me that the House should not appoint a committee of inquiry as the subject was not under Parliament, he nevertheless agreed that the misunderstanding should be cleared up, and that no objection would be raised to an investigation in order to relieve the public mind. Dealing with the Supreme Court investments, which are really the most important funds that have been discussed, these investments are always made under a specific order of the judge directing the investment, and with the full knowledge and concurrence of the parties to the suit or their solicitors. Accounts are subject to a special audit by the Audit Department, and any party interested has the power—

Mr. Gardiner: Do you refer to those under the control of the judge?

The ATTORNEY GENERAL: Yes. Any party interested has the power to appeal to a judge for a special order if the investments are not in accordance with his desires. On inquiry, I ascertained that no judge's order has ever been applied for. Although that power exists, and although the Trustees Acts give special power to the judges to approve of other securities than those mentioned in the Trustees Acts as applicable to trustees, advantage has never been taken of these powers, and securities approved of by Supreme Court rules are precisely the same as those available for private trustees. No security of any kind is taken, or expended, without the approval of the Master of the court and, in most instances, more especially where the security is not known to him, special valuations and advice are obtained from outside experts.

Mr. Hudson: Are the valuers paid, as well as the lawyers?

The ATTORNEY GENERAL: The valuers are always paid, but this is not so with lawyers. The Government, or in other words, the people of the State—the general

public—are in no way responsible for the action of the court or of the judges. The subject matter is always under the direction of the judge, and is not in any way whatever under the control or direction of the Ministerial head. The Attorney General, or those administering his department, have no responsibility whatever over these funds. If it were the case, and the Government had control over these funds, the revenue would be answerable for any faulty administration or shortage of funds. I think that much of the confusion to which I have already referred is caused owing to the disclosures in a recent bankruptcy case of which the member for North Perth made mention, and in which case proceedings were taken against an officer of the Supreme Court, who, by the way, does not control these funds, and who is simply a paid official in the department where the funds are dealt with. In the Clifton bankruptcy, the term known as "trust funds" was used continuously by the various parties, and I think that is how the confusion arose in the minds of the public. They thought that the "trust funds" referred to in the Clifton bankruptcy were the trust funds of the Supreme Court.

Mr. Collier: It appeared that way in the Press.

The ATTORNEY GENERAL: Yes. Men connected with the law refer always to moneys of a trust estate as "trust funds" and it appears that this officer of the court, in his private capacity, was trustee for several estates of relatives and others.

Mr. Thomas: Does not that indicate his unfitness for his position?

The ATTORNEY GENERAL: That is another matter. Where the trust funds are controlled by a person in his private capacity that individual is answerable, not to the Supreme Court nor to this House, but to the beneficiaries of the estate for whom he is trustee.

Mr. Scaddan: But this particular officer was a public official.

The ATTORNEY GENERAL: True, but in his case where trust funds were affected, they nearly all belonged to relations of that particular officer. The funds administered by the Supreme Court were in no way referred to or dealt with. The Supreme

Court trust funds being under statute placed under the control of the judges, and operated on by the officials under the orders of the judges are, as long as that statute is in force, not subject to question outside the Supreme Court. And so long as the application is in order, it is not subject to question from outside the Supreme Court. Therefore, the Court might say, "We will not give you any information at all." The funds of an estate in dispute between two parties in the Supreme Court have no more to do with the general public than the carrying out of the verdict in any private litigation, the sole persons interested being the parties to the litigation. In ordinary circumstances the judges would oppose any interference or investigation of a public nature into matters surrounding private litigation. As I have already indicated, there seems to be considerable misunderstanding of this question on the part of the public, and on the part of hon. members here. No objection would be raised either by their honours or by the Government to any investigation which this House chooses to authorise in order to set at rest the minds of the public in regard to public funds. Speaking directly about the securities of the Supreme Court funds, there is what is known everywhere as a slump in securities, in their capital value. That is unavoidable. It is difficult at present to realise on securities, and every public body operating trust moneys knows that fact. It is supposed to be owing to the war and drought, and other causes well known to the public. Public officials whom I have questioned on this subject say they are perfectly satisfied the securities are all in order and are being properly dealt with, and they court any examination in this regard which may be desired. There is what one might call a sub-department of the Supreme Court, which is known as the office of the Curator of Intestate Estates. That officer is authorised under our Administration Act. He is an officer of the court but, so far as the estates placed in his hands are concerned, he has sole control of all funds coming into his hands. With regard to the matter referred to by the member for North Perth (Mr. Smith), it is provided in Section 81 of the Administration Act that all sums of money remaining unclaimed for six years shall be

paid to the Treasury. There is nothing wrong in handing over moneys which have remained awaiting claimants for that period. I do not know whether the Auditor General has ever included these funds in his report, but whether so or not, I cannot help but think, after there has been so much misunderstanding of the subject on the part of the public, it might perhaps be as well if a select committee were appointed to inquire into the question.

Mr. SCADDAN (Brownhill-Ivanhoe) [5.35]: As leader of the Opposition I must express surprise at the attitude adopted on this question by the Attorney General as the representative of the Government. It is evident that the Attorney General desires, merely for the purpose of pleasing one of his supporters, that this House shall agree to the appointment of a select committee, which appointment is unwarranted on his own statement. The Attorney General says the public have been labouring under a misapprehension on this question, and he, in his capacity as Attorney General, has told us how that mistaken idea has arisen. He has made it quite clear; and after he has stated his case that statement does not permit of any inquiry. This is one of those matters wherein the House should consider very carefully whether it will permit inquiry. The Attorney General, as the head of the Bar, should be in a position to tell us whether inquiry should be permitted. The Attorney General has already told us that a decision of the Supreme Court in respect of trust funds is precisely the same as the decision of the court in a matter of private litigation. Are we then going to appoint a select committee to inquire into decisions of the Supreme Court?

The Attorney General: You are merely putting obstacles in the way.

Mr. SCADDAN: I am not. The attitude of the Attorney General on this matter is one which he has no need to be proud of. On behalf of the Government he is prepared to agree to the appointment of a select committee to inquire into decisions arrived at by the Supreme Court.

The Attorney General: No.

Mr. SCADDAN: I tried to follow the hon. the Minister in this matter, and I can come to no other conclusion than that. He

has told us, as Attorney General, that in respect of trust funds brought before the court, a decision arrived at is on all fours with a decision arrived at by the Supreme Court in any other litigation. If that be the case, is a decision of the Supreme Court to be questioned by a select committee of this House, merely because that decision has been agreed to by both parties? The hon. member must know that frequently cases are taken before the Supreme Court with a result similar to that, and nobody comes here and asks this House to appoint a select committee to inquire into the decision arrived at by the judge in such cases.

Member: Is there no such thing as a court of appeal?

Mr. SCADDAN: Surely it is not proposed that we should appoint a select committee to act as a court of appeal. We have appointed our judges for life, in order to remove them from the position of having to answer for their official acts before a select committee, or to the Minister himself. They are thus free to administer the law, and if we appoint the select committee it would be tantamount to saying that we have no confidence in our judges.

Mr. Smith: The judges themselves agree to it.

Mr. SCADDAN: That is what I am more surprised at even than the attitude of the Attorney General. If the Chief Justice made that statement to the Attorney General, I think the Attorney General might have kept it to himself. It is a reflection on the Chief Justice, that he should have agreed to the appointment of a committee merely to satisfy the whim of two or three people.

Mr. Smith: It is proposed to inquire into the administration of the funds over the past ten years.

The Attorney General: You could not inquire into any order made by the judges.

Mr. SCADDAN: What, then, are you to inquire into?

The Attorney General: Into the actions of a paid Government official, charged with the administration. I would not agree to an inquiry into anything else.

Mr. SCADDAN: The Attorney General has told this House that once a judge has given his decision, the matter is finally closed and is not one for further inquiry.

The Attorney General: That is so.

Mr. SCADDAN: If that be the case, we could only inquire into the decision of the judges.

The Attorney General: That cannot be done.

Mr. SCADDAN: But the Minister has agreed to it being done.

The Attorney General: I have not. I have agreed to an inquiry into the actions of paid officials of the Supreme Court.

Mr. SCADDAN: Let me try and bring my point home to the Minister. Public officials are under the direction either of the judges, or of the Ministerial head. The official in question is a public servant and as such is responsible to somebody. Now it is proposed that we shall have an inquiry by a select committee into the actions of a Supreme Court official, those actions having arisen out of a decision, and by the direction, of a judge. If we do that, it can be only a reflection on the administration of the Supreme Court by the judges. If, on the other hand, we are to have an inquiry into the actions of a Supreme Court official who is responsible to the Ministerial head, that would be a reflection on the Minister or on the Public Service Commissioner—which does the hon. member for North Perth want?

Mr. Smith: You want to hush the matter up.

Mr. SCADDAN: The hon. member should appreciate the fact that I am merely trying to draw attention to the attitude of the Attorney General in agreeing to an inquiry into the decisions of a Supreme Court judge.

Member: It does not affect the judges at all.

Mr. SCADDAN: In my own opinion, I believe there is necessity for inquiry into the administration of estates by an official or officials of the Supreme Court responsible to the Ministerial head; but do not let us, in doing that, bring in any question of the Supreme Court judges or their decisions. I have already explained that officers of the court are responsible either to a judge or to the Ministerial head; but the hon.

member has introduced matters affecting the court officials—

Mr. Collier: Against whom no charge is made.

Mr. SCADDAN: Against whom no charge has been made; but who are answerable to the Ministerial head of the department. There can be no objection to a select committee to inquire into the administration of estates where the Minister himself is concerned. But surely this House is not going to spend time inquiring into matters of administration by a Supreme Court judge.

The Attorney General: No.

Mr. SCADDAN: I cannot separate the two. If this House agrees to this inquiry, it will be agreeing to an inquiry into the manner in which the Supreme Court judges are administering their department. If the inquiry is to be held into the administration of the office of Curator of Intestate Estates, there is a proper method for doing that. The Minister, or the Government, could arrange for a departmental inquiry, calling upon the Public Service Commissioner to make the inquiry. From the remarks of the member for North Perth it would seem, however, that we should have an inquiry into the administration of the Audit Department for having failed to discover this deficiency and bring the officer to book long since, to ascertain why it was necessary for a public journal or a member of this House to draw attention to the deficiency before the officials of the department discovered the deficiency. What is our Audit Department for if not for the purpose of seeing that all funds handled by public officials are properly accounted for? True, it is said that something has been found, but no details are given to us. Perhaps if details had been given it would have been discovered that this thing had been going on for years, and that the attention of Parliament had not been drawn to it as it should have been by the Auditor General. On the other hand, if we are going to have an inquiry at all we might have one to inquire into the statement made by the member for North Perth (Mr. Smith), that a member of the staff of a newspaper could go into the public offices of the Supreme Court buildings and question a pub-

lie official, and from him obtain information which, I venture to say, was not available even to the Minister himself.

Mr. Smith: He had authority from a brother in England who was entitled to know.

Mr. SCADDAN: If he did have authority from a brother in England there was a proper course for him to adopt, and that course was not for him to go into the building as a representative of a newspaper, and brow beat a public official to give him information which was not available to the Ministerial head, and which public official if giving such information ought to be called upon to answer for so doing.

Mr. Walker: It ought to go through the proper channels.

Mr. SCADDAN: Even members sitting on the Treasury benches will admit that no one has a right to ask a public official for information of this nature, but that the proper course for him to take is to go to the Ministerial head and have the necessary information given to him, if it can be given, through that source. Unfortunately, our public officials would be more likely to give information of this nature to the representative of a journal or newspaper than he would even to a member of this House or his Minister. It is evident that the information in question was supplied to a representative of the *Sunday Times*, although it was not within the cognisance of the Ministerial head of the Department himself.

Mr. Walker: Not fully.

Mr. SCADDAN: I do not know how fully it was known to the Minister. I think we ought to limit the inquiry to those things over which we have proper jurisdiction, and not open an inquiry into what our very Constitution rests upon, namely, the fact that our judges of the Supreme Court shall not be responsible to any Government or party. If we are going going to accept the attitude adopted by the Attorney General, we will be accepting the appointment of a select committee to inquire into the administration of persons appointed for life to administer the laws of the country without fear or favour.

The Attorney General: I said nothing of the kind.

Mr. SCADDAN: The Attorney General occupied the time of the Chamber for about three-quarters of an hour in telling us what the law was. He told us that, unfortunately, too many of the public did not know the procedure.

The Attorney General: I have not suggested that any action of any judge should be inquired into.

Mr. SCADDAN: The Attorney General told the House that he had consulted with the Chief Justice in order to ascertain how he was disposed towards the motion which has been tabled by the member for North Perth (Mr. Smith). He said to the Chief Justice, "What is your opinion of the motion and what attitude will you adopt upon the motion being submitted by a private member?"

The Attorney General: Do not paraphrase my words.

Mr. SCADDAN: I am not doing so. The Attorney General went on to say that the Chief Justice agreed with him that they should have no objection to an inquiry being held in accordance with this motion in order to put right the public mind and remove the misunderstanding of the public as to the position. He explained the position to the House and then meekly sat down saying, "I have no objection to the inquiry being held to substantiate the statement I am making on my own behalf and on behalf of the Chief Justice."

The Attorney General: I said nothing of the kind. You ought to be ashamed of yourself.

Mr. SCADDAN: I am only attempting to put the position just as I have found it.

The Attorney General: You are paraphrasing all that has been said, corkscrew fashion. It is your old habit.

Mr. SCADDAN: I am not objecting to the select committee, but I do ask the Attorney General—

The Attorney General: It should be confined to the question of administration, as I have already pointed out.

Member: He should have a little more backbone.

Mr. SCADDAN: That is right. He will discover that, as Minister, he is called upon from his place in the House to defend at-

tacks made upon public officials. He could not come here and defend the Chief Justice or the other judges of the State who have been appointed to administer the law, but we could do so. Because a motion is submitted by one of his supporters he tamely sits down and says to the House "We will agree to it."

Mr. Thomas: He could not find his way out of a paper bag.

Mr. SCADDAN: It is a matter of giving to the House and the country a clear interpretation of the position. I did not understand how the Supreme Court dealt with the matter without any interference, but since the Attorney General's assurance to the House, he removes any warrant for a select committee upon the administration arising out of the decisions given by the Supreme Court. In other cases where he is responsible as Ministerial head he is not prepared to have an inquiry held, as he can do under the Public Service Act if he likes, but he merely sits down and says he will agree to the appointment of a select committee to do something which he is not prepared to do himself. He does this in order to avoid some responsibility, and if he wishes to avoid this he is entitled to take this course, but we should know where we stand. Does the Minister propose always to adopt that attitude as soon as some complaint is urged against the administration of some branch of his department, and say "I will not act, but will allow the appointment of a select committee of the House to deal with the matter, but I am not going to take up the attitude which as a responsible Minister of the Crown I should accept?" Public servants are not entitled to reply to criticism. Hon. members and journals may criticise, but they cannot defend themselves. The Minister, however, is there for the purpose of defending a public servant and he ought to be prepared at any cost to do so. He will discover later on that there will be times when he will be called upon to take up that difficult task for the sake of the good name of the public service and of the State in particular. He should be ready at all times to combat attacks upon public servants who are not in a position to reply to them; but here is the Attorney General permitting an attack to be made upon our Supreme Court judges.

The Attorney General: I must protest, Mr. Speaker. I have never said anything of the kind.

Mr. SPEAKER: The hon. member is not in order.

Mr. SCADDAN: I am not attempting deliberately to misrepresent the position.

The Attorney General: You are misquoting me.

Mr. SCADDAN: I want to explain what will arise if the Attorney General agrees to the motion as it is framed. He will be agreeing, if effect is given to it, for the appointment of a select committee to inquire into the decision, and what has arisen out of that decision, of a judge of our Supreme Court. If, on the other hand, there is something wrong in the department he is now controlling, he is in the freest possible position. He is not responsible for what occurred prior to his term of office, and could have an inquiry held in the manner set down by Act of Parliament, without a select committee at all, which it is sought to appoint simply because an hon. member imagines that he has got some grievance or has something to set right which is quite wrong. The Minister has offered no defence on the part of the public official who has been attacked.

The Attorney General: No public official has been attacked.

Mr. Collier: Then what are you going to inquire into?

Mr. W. D. Johnson: They are going to inquire as to whether an inquiry is necessary.

The ATTORNEY GENERAL: They want to inquire into the administration of the funds.

Mr. Walker: There is no right. They are private funds.

Mr. SCADDAN: Are we going to inquire into the administration of private funds on the decision arrived at by a Supreme Court judge? Does the Attorney General agree to that? On the other hand, because the funds are administered by public officials he is answerable as Ministerial head, and should make inquiry when it is brought under his notice, at the same time coming here prepared to defend that public official if he is in the right, and if he is not right, be prepared to have an inquiry held under the Public Service Act, and to see that the public

servant concerned is called upon to answer a definite charge. Instead of doing that he meekly sits down and says "This is the position, but in order to show you that this is the position and to avoid the necessity of my taking action as Ministerial head, we will have a select committee to inquire into the action of other officials for whom I am responsible in this House." The Attorney General may not recognise the fact that he is responsible in this House for the action of every officer in the whole of the departments he is controlling.

Mr. Smith: Would you have him defend a dishonest servant?

Mr. SCADDAN: If his attention has been drawn to a dishonest act on the part of any official in any of his departments he has methods laid down by Act of Parliament under which he can take action, and he should take the responsibility of dealing with the matter. He should not ask for a select committee to carry a responsibility which belongs to him.

The Minister for Works: He is not asking for a select committee to do that.

Mr. SCADDAN: He is agreeing to a motion which amounts to that and nothing else. He admits that we have no right to inquire into the administration of a private fund administered by the Supreme Court. He possesses all the powers necessary to inquire into the actions of a public official, but he will not take the responsibility of exercising those powers. I hope this sort of thing will not continue, and that the Minister will properly appreciate his responsibility, and be prepared to answer for the actions of any public official in the departments over which he has control. When the time arrives that a Minister of the Crown cannot stand in his place and defend a public servant, who cannot defend himself, we are coming to a pretty serious position; and that is what we have arrived at to-night. I hope the member for North Perth (Mr. Smith) will get the Minister out of a difficulty by withdrawing his motion. If the hon. member wants an inquiry made into the matter let him submit a request by way of a question or a motion to see if the Minister will move for a departmental inquiry into the administration of the particular department or branch of the Supreme Court; but

do not let us, for Heaven's sake, mix up the administration of our Supreme Court judges with the administration of mere public officials. After all, they ought to be as far apart as it is possible to keep them. A judge is appointed for life under an Act of Parliament which will not permit of his removal.

Mr. Collier: Or of his being criticised.

Mr. SCADDAN: It will not permit of his being criticised unless he does something of a nature which would warrant both Houses of Parliament in demanding his recall from the Bench. Are we going to meekly sit down and permit the appointment of a select committee, because the Attorney General, as Ministerial head, has consulted the Chief Justice, and that between them they have agreed that there is no objection to such an inquiry being held? It appears to be an inquiry for the purpose of discovering that we have no right to inquire, and yet the Minister says that he is prepared to have an inquiry made into the matter. If the Minister gives an assurance that he is not prepared to take the responsibility of having an inquiry held in accordance with the law of the land, I am prepared to support the motion for the appointment of the select committee.

Mr. GARDINER (Irwin) [5.58]: After listening to the member for North Perth (Mr. Smith), I quite agreed that there were grounds for the appointment of a select committee, for the recent disclosures with regard to the case which has been before the courts did instil into my mind and the public mind some element of doubt as to the manner in which public funds, especially those of certain estates, were being administered. I was quite prepared, then, to support the motion of the member for North Perth, but when I had listened to the Attorney General, and to what he said with regard to the control of these particular funds, about which both the member for North Perth and myself were concerned, I can now see that the work of the select committee would be narrowed down to an inquiry concerning the Curator of Intestate Estates. The Attorney General left no doubt in my mind upon that point. I have rarely found him so clear as he was to-day—and sometimes he is involved. He

was absolutely clear as to who controlled certain funds, and as to who are responsible for certain funds. I think it would be very undignified, even with the consent of the judges who have been consulted, if this House appointed a committee to inquire into a fund over which the public have no control and which, on the showing of the Attorney General, was a matter as between litigants, or which was a matter that was strictly under the control of the judges, and in regard to which the investments were frequently agreed to by the parties. The position having been made quite clear, I am not going to be a party to the appointment of a select committee to inquire into the investment of the funds which are distinctly under the control of the judges, not even with the judges' consent, because I venture to say when the Attorney General's statement goes out to-morrow it will remove any false impression that exists as to the Government's control of these particular funds. When we come to the question of the control of the funds by the Curator of Intestate Estates, it is another matter. The member for North Perth (Mr. Smith) quoted from the report of the Auditor General. If the Auditor General can make such a report and can draw attention to discrepancies where funds should have been handed over, and where jewellery and so forth is short, then I consider that the department is under the control of the Auditor General, and then again we get back to the Ministerial head, and, as the leader of the Opposition said, before long the Attorney General will find that he will frequently have to defend his officers when he knows they are wrong. The hon. gentleman will find that he will not be able to get out of it by shifting the blame on to someone else's shoulders.

Mr. Thomas: That would not be a moral procedure.

Mr. GARDINER: It does not matter about its immorality; it has to be done. If the member for North Perth says to the Attorney General "This department, which is directly under your control, is a department in which I ask you to make an inquiry, a department which, according to the Auditor General, should have its affairs looked

into," then I think a select committee might conduct an investigation.

Mr. Collier: There is the proper machinery under which it can be done.

Mr. GARDINER: The member for North Perth would act wisely if he adopted that position. Do not let us stultify ourselves by inquiring into that which we have no right to investigate, and possibly be snubbed. Let us ask the Attorney General to see that the department under his control is properly administered, and if the member for North Perth has any specific case that he wants inquired into—I do not care how he got his information—he can say to the Attorney General "Here is a distinct case where funds have been improperly invested; let us investigate it." Then if it is found that there is anything wrong the officials responsible can be removed, but if it is found that it is one of the cases where, in the circumstances such as we are faced with to-day, it was impossible to forecast what was going to happen, then it can be said that the money was invested in good faith. The scope of the inquiry which I was willing to agree to is now limited by the Attorney General's own remarks to what concerns the Curator of Intestates' Estates, and I am willing to support the hon. member to have that inquiry made, because that matter can be kept within the scope of this House.

Mr. WALKER (Kanowna) [6.5]: I must thank the hon. member who has just sat down for making a clear distinction between the two absolutely remote parts of the motion of the member for North Perth. It is perfectly clear that neither this House nor anybody outside has the right to inquire into the management of private trusts.

Mr. Smith: Do you mean that this House has no right to inquire into the administration of the estates of orphans if those estates have been frittered away by our officials?

Mr. WALKER: This House has no right to inquire into the conduct of the judges.

Mr. Smith: You know very well that the judges know very little about it.

Mr. WALKER: The judges do know; they give their directions, they give their orders.

Mr. Gardiner: Are these moneys not invested with the concurrence of both parties?

Mr. WALKER: Undoubtedly. The law itself says that litigants can invest trust funds in certain specified investments, and in almost every instance both of the parties concerned agree to the course taken and simply have the authorisation to pursue the course agreed upon by the court.

Mr. Smith: That is quite correct up to a certain point.

Mr. WALKER: It is correct to the end of the chapter.

Mr. Smith: What about the administration of the funds after the investment has been made?

Mr. WALKER: There is always someone outside watching the interests of the people concerned.

Mr. Smith: I have given instances where the security has practically disappeared.

Mr. WALKER: That may be under the very widest provisions.

Mr. Smith: Through bad administration.

Mr. WALKER: The Attorney General is not responsible for that. There is no administrative department in this State that can supervise and deal with that matter.

Mr. Smith: We want to know who is responsible.

Mr. WALKER: The Attorney General made the position very clear to-night. The object of the Supreme Court having anything to do with that fund is to merely keep an eye upon it and see that fraud or dishonesty do not come in in dealing with those funds. The Supreme Court's duty is to have a grip upon it. It is an administrative and judicial function that the court exercises, and we have no right to inquire into that. We have no more right to go into that matter than we have to investigate private accounts in the Commonwealth Bank or any other bank in the State. We have no right to poke our noses into the administration of trust funds under the charge of the Court. That is a separate and distinct thing. I was sorry to see the Attorney General yield so easily to the granting of an inquiry. He says that the judges have no objection. It is a very false position to put them in to ask them whether or not they have any objection. They may be very obliging, and they may answer "Yes" to a suggestion of that kind, but it is certainly lowering the dignity of their status. I ask, therefore, that the Attorney General

will take a different stand, and try at all events to preserve our ermine from any imputation or suggestion of corruption or incapacity in any respect.

The Attorney General: There is no such suggestion.

Mr. WALKER: After the Attorney General's definition of the functions of the Court in this respect, to attack it is to suspect it, is to throw suspicion somewhere, and I submit he should not countenance it at all. As to the matter of the administration of intestate estates, it is a subject which the hon. member has entirely in his own hands. I know that whilst I was in charge of that department I heard a good deal about the slowness and perhaps neglect on the part of the officers in charge of that branch of the service. I know, however, that the Curator has been blamed wrongly in many instances, because he is bound to administer the estates submitted to his charge according to the Administration Act. He is bound by the law of the land, and he is compelled to act as that law directs him. There have been some delays, it is true, for which the Curator has been blamed. The Attorney General knows as well as anyone in this House that the Curator has been blamed wrongly, and he has been blamed too by the Treasury Department. The Attorney General knows also that he has been blamed because of the ignorance of the law on the part of the Treasury Department, and it is not for a select committee which knows less even than the Treasury Department or the Auditor General, to deal with questions of law. It is for the Attorney General to protect his officers against insinuations thrown out. I feel that the Attorney General is convinced there is nothing to fear even in that department in the way of corruption or dishonesty, and that he would welcome an inquiry, but I trust he will not set the bad example of welcoming an inquiry by a select committee, when he has all the machinery of the Public Service Act to conduct an inquiry of that kind at his command.

Mr. Smith: Why did you not do it when you were Attorney General?

Mr. WALKER: Let me tell the hon. member that I was doing it. I told the Treasury Department that I welcomed an inquiry, and I would be perfectly willing to submit the

whole business of that department to an official investigation for the purpose of getting at the root of the suspicions that were thrown about broadcast, a good many of which were due to the garrulity of one of the officers of that department who could not get along with his chief. In regard to the jewellery, reference to which has been made during this debate, the man who was there temporarily, and who was responsible, cleared away, but everything was made good, and the Attorney General knows that.

The Attorney General: I never heard about it.

Mr. WALKER: There is a big file dealing with it, and the hon. member should consult it.

Sitting suspended from 6.15 to 7.30 p.m.

[The time for motions having expired, the consideration of Bills was proceeded with.]

BILL—WHEAT MARKETING.

In Committee.

Mr. Male in the Chair; the Minister for Railways and Industries in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Application of Act:

Mr. UNDERWOOD: This clause provides that the operation of the measure may, by proclamation, be extended to the 1916-17 season. Some explanation should be furnished as to how the proclamation will be made, as to whether Parliament will have any further say in the matter.

The MINISTER FOR RAILWAYS: The idea is to continue the wheat pool, if necessary, to the following season by proclamation. In that connection various matters will, of course, have to be taken into consideration. For example, it is futile to arrange a pool unless one also arranges finance. The clause is usual in such a Bill as this.

Mr. Collier: It is not a usual clause. In war legislation it is usual to provide that the operation of a measure shall be extended by resolution of the Houses.

The MINISTER FOR RAILWAYS: But Parliament might not be sitting when the necessity for extension arose.

Mr. UNDERWOOD: Parliament could be called together for the purpose of considering a matter of such urgency and importance. The proclamation, before being issued, should receive the assent of both Houses of Parliament. I am prepared to move an amendment in that direction, if necessary.

The MINISTER FOR RAILWAYS: The hon. member knows that this measure, if passed, will, firstly, confirm all that has been done as regards the 1915-16 harvest, and will, secondly, permit of the continuance of the pool to the 1916-17 harvest. The measure must apply to the past.

Mr. Scaddan: Why should not the question of extended operation be decided by Parliament?

The MINISTER FOR RAILWAYS: What objection have hon. members to continuance of the pool by means of proclamation?

Mr. Scaddan: It is not consistent with the Title.

The MINISTER FOR RAILWAYS: It would be quite consistent with the Title.

Mr. SCADDAN: The Title distinctly states that the measure is to confer on the Government certain powers in regard to the marketing of wheat of the 1915-16 season and the next following season. Therefore, this clause, which provides merely that the operation of the measure may be extended to the 1916-17 season, is not consistent with the Title.

The MINISTER FOR RAILWAYS: The argument of the leader of the Opposition is ridiculous. The hon. member knows full well that the pool must extend over 1916-17. Unless we can arrange to advance under the scheme, the scheme cannot be continued. I am prepared to promise the leader of the Opposition that I will issue the proclamation as soon as the measure becomes law.

Mr. Scaddan: Why not provide the extension straightaway, then?

The MINISTER FOR RAILWAYS: It is a question of the financial arrangement. The Government cannot pool the wheat unless they can pay the farmer. I am willing that the clause should be amended as desired, but there is no necessity for such amendment.

Mr. UNDERWOOD: Before dealing with the next coming crop, we should know that the producer will be protected, and I wish to know also that the consumer will be protected. On the opposite side of the Chamber, so to speak, there is the producer, and on this side the consumer. Without some definite and absolute assurance of protection for the consumer, I do not feel inclined to leave it to the Government to fix the price of wheat for next season. I do not think it fair that the Minister should ask this power. He should be prepared to tell us how he proposes to finance the scheme, and, more particularly, what he is going to charge for wheat. I am not prepared to allow the wheat grower to have a continual draw on the consumers of the State. The farmer claims to be in favour of free trade, and of the healthful wind of competition, but I believe in protecting the farmer by means of this pool. But there is a limit to which the consumer is prepared to go. Had we no pool, the people of this State would be getting their wheat for 2s. a bushel, a price at which it does not pay to grow it. The present position is that those who are making the pool for the protection of the farmer have to pay through the nose. Four shillings and ninepence a bushel is altogether too high a price for wheat for gristing, and that price to-day is due only to the lack of shipping, not to any scarcity of wheat. I want to know before next year's crop is dealt with the conditions under which this pool is to be entered into, and particularly what price is to be charged.

Mr. GARDINER: I am in accord with the last speaker in his desire to protect the farmer, and also the consumer in the matter of the price of bread. Unfortunately, between the farmer and the consumer another party comes in, which makes it difficult to fix the price to the consumer. Again I agree with him when he says he does not want to see wheat produced at a loss. To get over this difficulty I intend asking the Government to bring down a Bill which will give the producer a living wage. He pays a living wage himself and is entitled to such a wage as will cover the cost of production plus a fair profit.

Mr. Scaddan: Who is to fix the cost of production?

Mr. GARDINER: That is a simple matter. The cost of production does not vary much throughout the State. There are several hon. members on that (Opposition) side of the House who will be in a position to assure the hon. member on that point. Regarding the statement that the price, 4s. 9d. a bushel, is due to the lack of shipping, I may say, if freight could be obtained, the price would be very much higher.

Mr. Underwood: If the Dardanelles were opened it would be very much lower.

Mr. GARDINER: Not so long ago Manitoba wheat brought nearly 10s. a bushel in London. Wheat supplies in many countries have become depleted and so long as the present conditions obtain, 4s. 9d. cannot be regarded as an excessive price. Assuming Britain were willing to give us 5s. a bushel for all the wheat we produce next year, it would not be unreasonable to expect that the local consumer should pay 5s. At all events, a fair price to the producer and consumer cannot be secured under this Bill.

Mr. W. D. JOHNSON: While discussion of this point may be permissible, it is not likely to be effective as it is contrary to the spirit of the Bill itself. The Bill proposes to give the control of our wheat to the Government in common with the Governments of other wheat producing States. The question of what has to be done with the wheat afterwards has to be dealt with by the several Ministers. If a member is not prepared to trust those Ministers, then he must be opposed to the Bill. When 4s. 9d. was fixed it was a fair price in the then existing circumstances, and the future price must be governed by the volume of production, the facilities for marketing and other matters into which it is not necessary to enter now. The desired provision in the interests of the consumer cannot be made in this Bill without interfering with its spirit, and without affecting the position of the Minister when he goes to Melbourne. It would be an intimation that Western Australia is not prepared to enter into the uniform legislation which is the object of the Bill.

Mr. UNDERWOOD: I move an amendment—

That the following words be added to the clause:—"Provided that no such proclamation shall be issued unless approved of by resolutions passed by both Houses of Parliament."

My object is to insure that before dealing with next harvest members shall know the proposals of the wheat scheme. It is only just to members and to the people that we should know what is proposed to be done with the next harvest before we approve of the pool. If we pull our men out of this war Great Britain will pull her money out of this country, and that will settle the pool entirely. I want to emphasise the fact that the consumer is entering into this pool equally with the grower, and I do not feel disposed to give the Minister a blank cheque. We must get into the scheme before Christmas, that is before the present session ends; and if the House is not in session it is a simple matter to summon Parliament for a short session to discuss the details of the scheme.

The MINISTER FOR RAILWAYS: One would imagine that the hon. member had not been a Minister helping to control the pool last year. Everything done in 1915 was done with the full approval of the member for Pilbara.

Mr. Underwood: And of Parliament.

The MINISTER FOR RAILWAYS: No; it was because Parliament was not consulted that this Bill is now necessary to ratify what was done then. The action then taken was the only satisfactory solution; and to-day we are to determine on what is to be done for the future. The member for Pilbara (Mr. Underwood) may rest assured we shall be just as fair to the consumer this year as he was last year.

Mr. Underwood: It was not too fair last year.

The MINISTER FOR RAILWAYS: That is your responsibility.

Mr. Underwood: I am not accepting any of the responsibility.

The MINISTER FOR RAILWAYS: You must. Let me point out to the House that the price to be charged will be fixed by the Wheat Board. If there was a separate pool for Western Australia, well and good. I would prefer that. If we could finance 2½

millions of money let us have a separate pool, but we are in the Australian wheat pool because we cannot finance it ourselves. We must have the London parity.

Mr. Scaddan: It is a fictitious London parity.

The MINISTER FOR RAILWAYS: Not at all. If the wheat is sold here I think it ought to be sold on the London parity. If the member for Pilbara expects me to name the price at which we shall sell wheat for gristing purposes in this State, he expects the impossible. If we are in the Australian wheat pool we must do as the Australian Wheat Board says in the matter. I know it is desirable to have cheap bread, but I do not think bread is very dear to-day at 2½d. or 3d. for a 2lb. loaf.

Mr. Foley: Will you give us an assurance that you will bring in a Bill to provide that we shall get bread at 2½d. a 2 lb. loaf?

The MINISTER FOR RAILWAYS: The board appointed by the Federal Government have already fixed the price of bread.

Mr. Underwood: They cannot fix the price of our wheat unless we like.

The MINISTER FOR RAILWAYS: Is the price of bread too high to-day?

Mr. Underwood: I think 3d. a loaf is not too low a price for bread.

Mr. COLLIER: So far as the clause is of a retrospective character, there is no objection to it, but the Minister has asked us to give him a blank cheque, so far as the coming harvest is concerned. He is asking for something which has not previously been asked for in any war emergency legislation, and he proposes, immediately the Bill is passed, to issue a proclamation making this apply to the 1916-17 harvest. Why does not he come straight out and make the Bill apply to the coming harvest? The Minister is going to Melbourne for the purpose of making arrangements with regard to the coming harvest. We expect that these arrangements will be completed before the end of the year and do not anticipate that the House will rise before Christmas. We shall, therefore, have ample opportunity, if the amendment of the hon. member for Pilbara is carried, when the Minister returns and places the full information as to the basis upon which it is

proposed to proceed with regard to the coming harvest before the House, of saying whether we will carry the necessary resolution provided for in the amendment. If the House was not likely still to be in session when the Minister returns I would say that the clause was a reasonable one, but we shall be in session and can discuss the matter when the Minister has given us the necessary information. It is too late to say that we do not agree with this or that aspect of the arrangement when the Minister has already issued his proclamation.

The Minister for Railways: We only say that we do as you did last year.

Mr. COLLIER: The House was then in possession of the fullest possible information. The Minister should accept the amendment. Other Acts have not been permitted to be extended unless by resolution of both Houses. This is of more importance than any other Act in that it affects the price of bread for every one in the State for the next 12 months.

The Minister for Railways: Extend it to the pool for 1916-17 and I will accept the amendment.

Mr. COLLIER: I think the amendment of the hon. member for Pilbara meets the case. It is necessary to cover last year in order to give statutory authority for what has been already done.

Mr. SCADDAN: There is a danger in permitting the Minister to make a proclamation without first of all telling Parliament what he proposes in the way of handling the next harvest, because this affects the consumer more than anyone else. No one objects to legislation providing that the local producer shall get at least London parity for his wheat, so long as that parity is not a fictitious one, as it has been in the past. It may even happen that we shall be charging the miller 5s. a bushel for his wheat and the London parity may fall to 3s. Yet the consumer, who is responsible for the pool and for bringing about that London parity, will be paying for bread based on the price of 5s. a bushel for wheat.

The Minister for Railways: You are quite wrong.

Mr. SCADDAN: We are giving the Minister all the powers he has asked for, and it is not too much to ask that the Minister, when he has made the necessary arrangements for carrying on in accordance with the Act, to come to Parliament and obtain permission to issue a proclamation. The Minister said we had no legislative power to handle last season's crop. I venture to say that if we had asked for it we would never have got it. We could no more have passed this Bill than we could have flown to the moon. Now we are asking that the Minister, before he acts, will tell us what his proposals are, and if they are reasonable from the point of view of the producer and the consumer he will have no difficulty in getting the necessary power.

The MINISTER FOR RAILWAYS: We are ratifying by this Bill all that has been done in the past, and now hon. members opposite object to this Government having the power which they themselves exercise. The Bill will not allow us to do one whit more than they did.

Mr. Collier: Why are you objecting to consult Parliament; why the secrecy?

The MINISTER FOR RAILWAYS: There is no secrecy about it. We know that the Act must be in existence for the 1916-17 season, and unless I have this power it will not be possible to carry on.

Mr. Scaddan: We only want you to tell us what your proposals are.

The MINISTER FOR RAILWAYS: I will tell the hon. member when I come back from Melbourne.

Mr. Scaddan: It will be too late then. What is your objection to the amendment; it is reasonable.

The MINISTER FOR RAILWAYS: I want the Committee to give me the power to carry on the pool during 1916-17. If the Committee insists on my coming back at a later date and asking for power to proclaim the Act it will be doing a foolish thing. Members opposite know well that if the farmer is to get anything for his wheat to-day the pool must be continued. There are two million tons of wheat in Australia which are secured to the pool, and advances have already been made for which we and the other States are already responsible. To protect those it will be necessary to carry on the pool.

Mr. Collier: We are not arguing that you should not carry on the pool.

The MINISTER FOR RAILWAYS: If the House is satisfied with what is done in Melbourne the House should then agree to the Act being proclaimed.

Mr. Scaddan: We had side by side with our action the Control of Trade Commission.

The MINISTER FOR RAILWAYS: The fixing of prices is now done by the Federal authorities.

Mr. Scaddan: They may not always continue to do it.

The MINISTER FOR RAILWAYS: It is absurd to ask that we should postpone this Bill because the local Government have not the power to fix prices. The Federal Government are the principal factors in the control of the prices of flour, bread and wheat. I hope the House will not agree to the amendment, because it is absurd to say that we cannot do to-day in connection with the pool what we would be in a position to do in a fortnight's time.

Mr. GARDINER: The member for Guildford has attended these conferences, and I was perfectly willing to give him every authority to do his best for the State and the pool. I do not want to see the present Minister go to Melbourne and, when it comes to the question of financing the harvest, which will be one of the vital questions, to have him say "I cannot do anything; I must go back and get the authority of my Parliament." That is not the position in which the Minister should be placed, and I do not think it would be advantageous to the State to place him in such a position. There are occasions when Parliament, especially in a case such as the wheat pool, the operations of which we have seen, can trust its Minister by giving him an open cheque, so to speak, and calling him to account if he abuses it. It would be unwise if we did not send our Minister with the same authority that I, personally, was willing to give the member for Guildford when he was in exactly the same position.

Mr. ANGWIN: The amendment is reasonable, and it is only agreeing to the request of the Farmers and Settlers' Association of 12 months ago. They carried a resolution to the effect that they absolutely refused to handle the produce unless they had

the details. In Katanning, on the 18th November, a somewhat similar resolution was carried, with the addition that the meeting entered a protest against the Federal scheme. In Northam a public meeting was also held, and the present Minister was amongst those who attended, and after belabouring the then Minister for Lands for entering into some scheme which would be detrimental to the farming interests of the State, he said that to his mind the farmers would be better off if the arrangements had been left to private enterprise. That was in November, 1915.

Mr. Collier: Now he wants a blank cheque.

Mr. ANGWIN: All we ask now is that the details should be submitted to Parliament. It is true, as the leader of the Opposition has just stated, that if we had introduced a Bill like this 12 months ago it would never have gone through Parliament. In the Melbourne Age of the 25th August of this year I read that in Western Australia the price of flour has been reduced by about £75,000 whilst the price of bread has been reduced by only £23,000. An amount of £52,000 has, therefore, gone into the pockets of some people, and the consumer of bread has suffered to that extent. This fact shows the necessity for insisting that the representatives of the people shall be supplied with full details of what is going to be done. With an open cheque, the Minister for Railways may feel disposed simply to carry out his own views. The late Minister for Lands (Mr. W. D. Johnson), on the other hand, had the interests of the farmer thoroughly at heart, and in connection with the wheat scheme studied those interests in every respect. In this case, however, we shall be sending to Melbourne a Minister who does not believe in socialism, who believes that people should be permitted to deal with their products in any way they desire. He holds those opinions, notwithstanding that under this Bill it will not be possible to despatch a bushel of wheat over the railways without the consent of the Minister. In asking for full details of the proposed arrangement we are merely carrying out the requests of the Farmers and Settlers' Association.

Mr. W. D. JOHNSON: The clause as drafted ratifies the arrangements carried through last year, and provides that similar arrangements may be continued by proclama-

tion. The reason for the latter provision is that until the conference meets in Melbourne Australia cannot determine whether the next harvest can be financed by the people. Thus it is impossible to pass a Bill which will apply definitely to the incoming harvest. I see no objection to the amendment. The present position is utterly different from the position of 12 months ago. Last year the Government of Western Australia had no statutory power as regards the wheat scheme, and therefore one had to be most careful in regard to every step taken under the scheme—most careful not to misinterpret what would be endorsed by conference. Again, one had to reply to continual inquiries from members of Parliament and from farmers' associations throughout the country. The Government had to be very careful not to do anything which would bring them into conflict with the farmers or with the flour millers working under the scheme. If this clause passes as drafted, the Minister will be able to agree at the Melbourne conference to something which Parliament would not endorse and the farmers would not endorse. All the Minister would have to do in order to tie Western Australia to whatever he had arranged, would be to issue a proclamation. For my part, I had to be most particular to see that whatever I agreed to at the Melbourne conference would be endorsed by the farmers and by the millers and by my colleagues. I reported the details of the scheme to a meeting of members of Parliament immediately upon my return. The late Government have no power to force the farmers and the millers under the scheme. Under this measure there will be such power. The Minister will be back from Melbourne in ample time to explain to Parliament what is done at the conference; and then, if the producers' representatives and the consumers' representatives agree to it, he can issue his proclamation.

The MINISTER FOR RAILWAYS: Last year there was no opportunity to discuss this matter, because the then Government would not meet Parliament. In reply to the member for East Fremantle (Mr. Angwin) I wish to point out that when I spoke at Norham, on the occasion to which he refers, wheat was being sold in the country at as much as 6s. 6d. per bushel.

Mr. Underwood: And as low as 3s.

The MINISTER FOR RAILWAYS: The millers then assured me that they were paying up to 4s. for their wheat. Moreover, freights then were down to 60s. and even less. If this measure is not brought into operation fairly soon, there will be a repetition of the confusion into which the late Government got last year; private sales will be made, and these will have to be cancelled by Act of Parliament if the pool is to be effective. We do not want auction sales going on at a cost of thousands of pounds to the farmers.

Mr. Scaddan: We are agreeing with the Bill.

The MINISTER FOR RAILWAYS: Only so far as it ratifies what has been done in the past; not as regards what the Government wish to do.

Mr. Scaddan: Once this measure comes into operation, everybody must comply with it. That was not the case last year.

The MINISTER FOR RAILWAYS: That is not so as regards the 1916-17 crop.

Mr. Scaddan: Yes; as soon as you issue your proclamation.

The MINISTER FOR RAILWAYS: I know that; but if we are not to issue the proclamation until Parliament knows all that is going to happen over the next 12 months, it may involve a delay of a month. If the late Ministers are so unreasonable as to refuse to the present Government powers whose exercise by the late Government they asked the present Government to confirm, then I do not know what to expect from members of Parliament. There cannot be two schemes—a pool and some other scheme. I hope the Committee will not agree to the amendment; and I doubt whether late Ministers are serious in their support of it.

Mr. Scaddan: We are perfectly serious.

The MINISTER FOR RAILWAYS: Yesterday the Opposition were anxious to let the Bill go through; but, evidently, since last night the late Ministers have been whispered to by someone. To-day they seem to be doubtful whether the measure ought to become law at all.

Mr. UNDERWOOD: The Minister is quite wrong—as is normal in his case—when he says that there has been any whispering. Last night, on the second reading, I said

what I wanted in regard to this clause. I fail to understand why the Minister will not agree to the amendment, which is absolutely fair. It merely asks him to submit his proclamation, prior to issue, for the consideration of Parliament. The late Government, for various reasons, concluded two or three agreements, and these were submitted for the approval of Parliament. In regard to the last pool, the late Minister for Lands explained to members step by step what he was doing. The strenuous opposition of the present Minister for Railways to this amendment would seem to demonstrate that he wishes to do something that he thinks Parliament will not approve of if he first submits it to Parliament.

Mr. THOMSON: I am surprised that the Opposition insist on the amendment. The position to-day is totally different from that of 12 months ago; and that is why the Minister should have power to enter into an agreement on behalf of this State.

Mr. Scaddan: We do not want to stop him.

Mr. THOMSON: The wheat pool is an accomplished fact to-day, and we must necessarily carry on the wheat pool to next year in order to protect the interests of Western Australia. And yet we are asked to tie the hands of the present Minister, notwithstanding the fact that the previous Minister for Lands took the matter into his own hands and fixed up an agreement.

Mr. Scaddan: That is not correct; he made the agreement after consulting those interested.

Mr. Bolton: And that is what we want now.

Mr. THOMSON: He did not consult Parliament in the way the member for Pilbara would have Parliament consulted now. Either the amendment is not necessary or the Bill is not necessary. If the amendment be passed, the Minister for Industries must make the statement to Conference that he is unable to enter into an agreement.

Opposition member: What about secret contracts now?

Mr. THOMSON: The hon. member should not speak of secret contracts. It is amusing to hear members opposite objecting to secret contracts.

The CHAIRMAN: Order! There must not be quite so much interruption. I ask the hon. member to confine his remarks to the amendment.

Mr. THOMSON: If the Committee agrees to the amendment it will be practically stating that the Minister for Industries is not worthy to be trusted. The member for North-East Fremantle (Mr. Angwin) has suddenly become a farmers' and settlers' man, and has referred to my district. I am prepared to admit meetings were held in my district, and possibly, if the whole of the farming community had been consulted, they might not have agreed to the pool at all. But the position is totally different to-day. We must accept the pool to protect the interests of the State. I represent in this House not only producers but also consumers, and want to see justice done to both sections. If we do not enter into this wheat scheme, remembering that the Commonwealth Government has already prohibited the export of wheat and flour, is it likely Western Australia will be permitted to deal individually with the next harvest? I trust that the Committee will not accept the amendment.

Mr. MUNSIE: I hope the Committee will accept the amendment. I am surprised at the arguments put up by members opposite, particularly the member for Katanning. His chief argument was that the members on this (Opposition) side objected to the pool. Must I remind him that members on this side had to use a considerable amount of argument last year to convince members opposite, and particularly the member for Katanning, that the pool was necessary. When the member for Guildford (Mr. W. D. Johnson) went to Melbourne last year, he did not do so under the authority of an Act of Parliament, nor was his course of action absolutely fixed before leaving here. He went to Melbourne, came back, and had to secure the consent of the millers and the representatives of the farmers before he could do anything. The member for Northam asks us to pass this Bill which will permit him to go to Melbourne, fix what price he likes, any suggestion or scheme that he can get the other people to agree to, so far as the 1915 pool is concerned. We (Opposition) are prepared to agree to the pool and believe it to be

necessary in the interests of the State, more particularly in the interests of the farmer. But it is also necessary in the interests of the consumer that this House should know something of the scheme before entering into it. The Minister himself even does not know anything about it, does not even know the subject to be discussed. We believe he is capable of putting up a reasonable case and surely it is not unreasonable, seeing that Parliament is sitting, that this House should be informed as to what is proposed to be done.

The PREMIER: The Minister is not going over to Melbourne to arrange for the sale of the harvest, but to arrange for a continuation of the pool. Whatever is done will be for the benefit of the producer.

Mr. Munsie: I want to safeguard the consumer as well.

The PREMIER: Undoubtedly. The object of this Bill is to ensure the wheat producers of Australia shall get full value for their produce. Some members appear to think the Minister is going to Melbourne to complete a bargain; he is not. He is going there to see that Western Australia gets full value for her wheat. We are all agreed the pool is a good thing.

Mr. Munsie: The Minister himself said the farmer is not getting the London parity.

The PREMIER: How does the hon. member propose to improve that—by allowing outsiders to come in? Can he not trust the Minister to make the best arrangement possible?

Mr. Munsie: I am afraid the Minister might even object to the pool altogether.

The PREMIER: The hon. member has no right to make that statement.

Mr. Munsie: He has objected to it publicly at Northam.

The CHAIRMAN: Order! There must not be so much interruption.

The PREMIER: We should trust the Minister to make the best arrangements possible, and on his return to report to this Chamber.

Mr. Scaddan: We are prepared to trust him to that extent.

The PREMIER: You are not. This amendment is an attempt to wreck the Bill, and if it succeeds the responsibility must

rest on that (Opposition) side and not on the Government. I hope the Committee will not be swayed by the amendment.

Mr. COLLIER: The Premier's statement that this is a move to wreck the Bill is not likely to mislead anyone. It is a fair amendment, and I will not have it said that it is the desire of members on this side to wreck the Bill. We are not opposed to trusting the Minister to do his best when he goes to Melbourne, but what the Premier and the Government ask is that the Minister shall be put above Parliament. Are we going to set up a dictatorship? The attitude of the member for Katanning is most astonishing. Apparently something which was bad when it was done by the late Government is now good when the matter is being handled by other people. He claims to be anxious to do his best for both the producer and the consumer. How can he know whether what is done will be the best unless he has an opportunity of discussing and knowing what the arrangements are. It appears to be assumed by some speakers that when the Minister returns his proposals will be rejected; I believe they will be endorsed, if they are reasonable. Members of the Country party have shown a complete change of front on this question. When the wheat pool was initiated it was condemned as an outrageous interference with the liberty of the subject; now it is apparently something desirable. I would point out that the producer is very vitally concerned regarding the arrangements to be made, and should, therefore, have an opportunity, through his representatives in this House, of voicing approval or disapproval of those arrangements.

Mr. HICKMOTT: I do not know that the farmers have changed very much. They could not see any other way out of the difficulty except by putting their wheat into the pool. I do not see much wrong with the Bill it is practically the same Bill as we had last year. The clause also is in harmony with the rest of the Bill, and does not appear to give the Minister any special power. At the conference, which is to be held in Melbourne, the interests of the people of the Commonwealth as a whole will be considered, and not those of one State. It is true that I attended a meeting in my electorate where

people condemned the system by which wheat was being taken out of their hands and being put in the pool, but the great number of the people in the different portions of the State all seemed to think there was no other method of dealing with the wheat. I hope the measure will pass as it stands.

Mr. PIESSE: The farmers do certainly approve of the pooling scheme, and they are anxious that it should continue. It is the only method of handling the harvest under present conditions. The leader of the Opposition is only throwing about political bird lime for the sake of raising a discussion.

Mr. Walker: You are chaffing now.

Mr. PIESSE: We gave the late Minister the fullest confidence in the matter, and hope that similar treatment will be extended to the present Minister.

Mr. Angwin: Is that the reason why the farmers opposed him so often?

Mr. PIESSE: They recognised the good services rendered by the late Minister, but thought the time had come for a change. I hope the amendment will be defeated.

Amendment put and negatived.

Clause put and passed.

Clause 4—Power to appoint advisory committee:

Mr. PIESSE: Will the Minister give an assurance that the farmers will have a representative on the board as was arranged by the late Minister?

The MINISTER FOR RAILWAYS: Yes; I think the farmers ought to be represented on the board.

Mr. ANGWIN: Is it the intention of the Minister to alter the personnel of the board?

The MINISTER FOR RAILWAYS: If I had any intention of making a change I should have announced it. I have no intention of doing so and do not desire to change the personnel of the board.

Clause put and passed.

Clause 5—Power to join in scheme for marketing wheat harvest:

Mr. THOMSON: I move an amendment—

That in Subclause 3, after the figures "1916-17," the following words be added:—"subject to such arrangements as the Governor in Council may deem necessary for the successful working of the scheme."

We have two agreements included in the schedule, and if they are passed we practically compel the Minister to accept them. I have been given to understand that the agreements have not yet been entered into, and if these words are added they will have the effect of giving the Minister power to enter into the necessary agreements for the effective carrying out of the scheme.

Mr. Scaddan: What is the object of making provision for the alteration of the agreements?

Mr. ANGWIN: It appears that the member for Katanning is afraid that the Minister is not to be trusted in any arrangements that are come to. The amendment does not remove any power from the Minister, and the hon. member is merely trying to throw dust in the eyes of some person who has prompted him to move it. The Minister would have to ask the Governor in Council before issuing any proclamation. The amendment is unnecessary and uncalled for, and shows a want of confidence in the Minister.

[Mr. Holman took the Chair.]

The MINISTER FOR RAILWAYS: I do not know that it matters whether the words are added or not. We already have the necessary power. If the amendment means anything it means that my power will be extended. I see no reason why the words should be added and would suggest that the hon. member should withdraw the amendment. If, after consultation with the Crown Law authorities, I should find that some addition is needed I will have that addition made.

Mr. THOMSON: There are two agreements mentioned in the schedule, one entered into by the late Government with the wheat agents, and the other with the millers. If we accept this clause I take it that the Minister is bound to carry on with the same agreements.

Mr. Scaddan: Not at all.

Mr. THOMSON: I want to be satisfied that the agreements are not going to be carried into effect. I am prepared to withdraw the amendment on the undertaking given by the Minister that if it is deemed necessary

that the words should be inserted he will see that they are inserted.

Amendment by leave withdrawn.

Clause put and passed.

Clause 6—agreed to.

Clause 7—Certain agency agreements confirmed:

The MINISTER FOR RAILWAYS: I move—

That the consideration of the clause be postponed.

It is my intention to ask the Committee to refer this clause to a select committee.

Mr. SCADDAN: We ought to know why. The Minister told us earlier in the evening that he desired the Bill to go through all its stages, and an agreement was entered into with the Premier not to continue discussing private members' business so as to permit the Bill to be passed. How will the Bill be passed now if the Minister proposes to refer this clause to a select committee? If such a thing had been suggested I would never have entered into an arrangement with the Premier to drop for the time being the consideration of private members' business. It was in view of the Minister's approaching departure for Melbourne and the desire to get the Bill through that the arrangement was entered into.

The MINISTER FOR RAILWAYS: At the time the Premier asked the House not to continue debating private member's business, I was discussing this question with the millers concerned. I subsequently saw the member for Guildford (Mr. W. D. Johnson) who had dealt with this matter, and we agreed that it would be better to submit the clause to a select committee. There need not be any delay. The committee can meet tomorrow and report almost immediately.

Mr. Scaddan: You are playing the fool with us altogether.

Mr. Collier: Will the select committee take long?

Mr. Underwood: Report progress and appoint a select committee.

The MINISTER FOR RAILWAYS: An agreement was entered into between the late Minister and certain millers in this State in regard to wheat which they had obtained from the farmers. When the millers agreed to place the wheat in the pool they stipulated, according to the officials, that their

oversea sales should be protected. They pointed out that they had made sales oversea on the basis of the purchasing price of the wheat, which was about 4s., and they rightly pointed out that to take the wheat out of the pool then to fulfil those contracts was an injustice. The officials understood that 150,000 bags were required to meet the sales already entered upon. As a matter of fact, 342,000 bags have been received by the millers. The millers claim that they are entitled to have the whole of the 342,000 bags and that it was never intended that they should be restricted to 150,000 bags. I had no hand in making the arrangements with the millers, and I did not know of it until this matter came under my control. If the clause is passed the millers now claim that an injustice will be done to them.

Mr. Scaddan: Can you not give an undertaking that an inquiry will be made and that, if necessary, the Bill will be amended? That will save time.

The MINISTER FOR RAILWAYS: I will be perfectly willing to have a select committee appointed in another place.

Mr. Scaddan: We are agreeable to that.

Mr. W. D. JOHNSON: As I negotiated the agreement, I am satisfied that some investigation is necessary. There is the possibility of some people getting big profits and others making a loss, and the matter is all a question as to whether certain millers carried out their obligations or fulfilled their obligations to the wheat marketing committee, inasmuch as they refrained from buying wheat after a given time. Personally, I am fully convinced that the 150,000 bags referred to was the total that was included in the agreements that were framed. However, those millers who claim that they purchased more than 150,000 bags are of the opinion that I am wrong, and where there is a difference of opinion and it runs into a large amount of money, it is only fair that both sides should be called upon to present their case so that Parliament might be fully seized of the details. While I have a fairly good grip of one side, there is no one, in this Chamber, so far as I know, who has a knowledge of the other side. It is not fair, therefore, to pass a clause of this description while we possess the whole facts of one side only. I hope an

arrangement will be made by which an investigation will be conducted so that Parliament may be fully posted. I think the millers would be perfectly satisfied to allow the Minister to pass the Bill on the understanding that an investigation will be made. If, as a result of the select committee which will be appointed, it is found that the operation of this clause will be unfair, it will easily be possible to amend it. There is plenty of time to determine the matter. It would be advisable for us to go on with the Bill on the understanding that the matter will be thoroughly investigated.

Mr. S. STUBBS: The questions involved in this Bill are so important to every section of the country that I think it is highly desirable a select committee should be appointed, as suggested. After hearing the statement of the hon. member for Grildford who had control of the scheme for 12 months, and who has a grip of the position, I certainly think the select committee should carry out the investigation suggested. Hon. members would be wanting in their duty if they did not support the proposal.

Mr. W. D. Johnson: There is no need to postpone the clause; we can pass it on the understanding that it can be amended later.

The MINISTER FOR RAILWAYS: If hon. members are agreeable, I will withdraw the amendment to postpone the consideration of the clause. One hesitates to ask the House to pass legislation of a retrospective character. When the clause was printed we believed we were justified in having it inserted in the Bill, but from what I have since heard it is right that we should appoint a select committee to inquire into the matter. That select committee can be appointed by another place.

Mr. W. D. Johnson: I will object to that. The select committee will have to be appointed by this Chamber.

The MINISTER FOR RAILWAYS: I do not mind which Chamber appoints the select committee. I will withdraw my motion to postpone the consideration of the clause.

Motion by leave withdrawn.

Mr. THOMSON: I would like an assurance from the Minister that the agency

agreements will apply only to the 1915-16 harvest. Unless their operation is specifically limited, the Minister may be bound to carry on under those agreements over 1916-17.

The MINISTER FOR RAILWAYS: The suggested amendment is unnecessary, because this clause merely ratifies and confirms something that already exists.

Mr. S. STUBBS: If this clause is agreed to, will Schedules A and B operate in regard to the 1916-17 harvest as in regard to the 1915-16 harvest?

The Minister for Railways: No.

Mr. W. D. JOHNSON: Clearly, this clause merely ratifies the agreements of last year. Working arrangements for the future are still to be determined.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Contracts not assignable:

Mr. PIESSE: I should like to see some provision made to render interim certificates negotiable, as they are in Victoria. Will the Minister agree to such an amendment?

Mr. Collier: Interim certificates may be transferred or assigned with the consent of the Minister.

The MINISTER FOR RAILWAYS: It would be unwise to alter this clause, as certificates can, under it, be transferred with the approval of the Minister first obtained. The Minister would not refuse his consent to an assignment which was desirable in the interests of the holder.

Mr. PIESSE: I hope the Minister, while in Melbourne, will inquire whether the privilege is of advantage to the Victorian farmers.

Clause put and passed.

Clause 10—Prohibition of sales, etc., of wheat except to Minister:

Mr. ANGWIN: The Minister should explain this clause, the introduction of which by the hon. gentleman surprises me. It represents extreme socialistic legislation. Under it there is a possibility that a man who purchases a quantity of wheat to grist into flour may render himself liable to a heavy penalty.

The MINISTER FOR RAILWAYS: We desire to control all the wheat produced in Western Australia. A great deal of wheat

has changed hands at much less than it is worth, at much less than the pool is likely to return. The pool, to be effective, should take in all the wheat produced here. If the Government are to handle the crop, they must handle the whole of the crop. For my part, I shall be indeed pleased when wheat is again handled through the ordinary channels of trade, after the war is over. That will certainly save Parliament a great deal of anxiety as to London parity.

Clause put and passed.

Clauses 11, 12—agreed to.

Clause 13—Commissioner of Railways may refuse to carry certain wheat:

Mr. ANGWIN: This is a highly drastic clause.

Mr. Scaddan: It sets up the Minister as an autocrat, a dictator.

The Minister for Works: If the Minister is to have the powers under this Bill, he must also have power to prevent infractions.

Mr. ANGWIN: I am utterly surprised at the submission of this clause to Parliament by the Minister—a clause authorising the Minister to refuse to carry wheat over the railways except for certain individuals nominated by him. Under this clause, the Minister will have power to restrict the whole of the wheat trade of Western Australia to one or two individuals. I notice this provision is taken from a Victorian Act, but that is no guarantee that Victorian law is advisable to be introduced here. I think the clause is altogether too drastic. The Commissioner should not have power to direct the Commissioner to carry freight offering.

The MINISTER FOR RAILWAYS: The clause does not say the Commissioner "shall" but "may." It is not likely that this clause would be enforced, unless circumstances made such a course absolutely necessary. I do not think that any serious objection can be taken to the clause.

Mr. SMITH: No good reason has been put forward by the Minister for the retention of the clause.

The Minister for Railways: It operated all last year.

Mr. SMITH: The Government railways are supposed to be carriers for the produce of the country and the Committee should not give the Minister power to direct the Com-

missioner not to carry any legitimate traffic that may be offering.

Mr. Willmott: You prohibit him now from carrying fruit.

Mr. SMITH: That is lest there should be disease in fruit; in this case no reason is given.

Clause put and passed.

Clauses 14 to 18—agreed to.

Schedule, Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—SALE OF LIQUOR REGULATION.

Second Reading.

Debate resumed from the 4th October on the motion for the second reading, and on the amendment by Mr. Taylor—That all the words after "That" be struck out with a view of inserting the following words:—"this House will not proceed upon any Bill which is an evasion of the principle that all proposals which entail the expenditure of public moneys must be introduced by Ministers of the Crown."

The PREMIER (Hon. Frank Wilson—Sussex) [9.59]: I desire to say, merely, that I am opposed to the amendment which has been moved by the member for Mt. Margaret (Mr. Taylor) on the ground that the Bill has been introduced by the member for Katanning is not an evasion of our Constitution Act. The Constitution Act of Western Australia provides that it shall not be lawful for the Legislative Assembly to adopt or pass any Vote, Resolution or Bill for the appropriation of any part of the Consolidated Revenue Fund, or of any rate, tax, duty or impost to any purpose which has not been first recommended to the Assembly by message of the Governor during the session in which such Vote, Resolution or Bill is proposed. This Bill does not propose to appropriate any part of the Consolidated Revenue Fund.

Mr. Scaddan: It makes a charge upon it.

The PREMIER: It does not even make a charge upon it as the Bill is drafted, and the fact that you, Mr. Speaker, have ruled that the Bill is in order ought to be a sufficient answer to the interjection of the leader

of the Opposition and to the remarks of the member for Mt. Margaret (Mr. Taylor). As it stands the Bill is undoubtedly in order. At the same time you have ruled, Sir, and we abide by your ruling, that the amendment also is in order. Whilst I might as an abstract motion perhaps support a resolution of this description, such as is embodied in this amendment, I cannot for a moment give it my support when it is moved, as I believe it is, with the object of wrecking the Bill.

Mr. Taylor: That is an unfair statement. I think I made that point clear when I moved the amendment. I would do the same in connection with any Bill, and the Premier knows it.

The PREMIER: I withdraw that statement. I do not want to hurt the feelings of the hon. member or to be unfair to him. Certainly if persisted in, it would be used for that purpose.

Mr. Taylor: No.

Mr. Scaddan: You do not want to destroy it.

The PREMIER: I have not the slightest intention of destroying it, but I am going to vote against it. I am not going to adopt any subterfuge in my attitude and I am not going to see the Bill wrecked by a side issue.

Mr. Taylor: This Bill is a subterfuge as regards your Government.

The PREMIER: The hon. member must come right out in front and vote.

Mr. Foley: We are going to force everyone to give a straight out vote on the question.

The PREMIER: Even the wording of the amendment is wrong, because there is nothing in our Constitution Act which provides for the expenditure of public monies. Any proposal which entails the expenditure of public monies must be introduced by a Minister of the Crown and has to be accompanied by a message from His Excellency the Governor.

Mr. Foley: That is easily amended.

The PREMIER: In that connection also I would be opposed to the wording of the amendment even though it were an abstract motion.

Mr. Foley: Are you going to ask His Excellency to give his assent to a measure to help the member for Katanning?

The PREMIER: I will explain to the House what I propose to do. The attitude which the Government took up in connection with the matter was, I submit, a perfectly legitimate and fair one.

Mr. Underwood: You did not take an attitude at all!

The PREMIER: I do not think there is any doubt about our attitude or about the replies I gave to certain deputations which waited upon me.

Mr. Collier: Of the individual Ministers there is no doubt, but as to the Government there is a great deal of doubt.

The PREMIER: I think I was clear when I wrote to those who were interested on both sides, those who were interested from the point of view of the brewers and hotel-keepers and those who were interested from the point of view of the Women's National Movement, who were the prime movers.

Mr. Taylor: That has nothing to do with the amendment.

The PREMIER: Mr. Speaker is the judge as to that. I am explaining the reason why I am opposing the amendment.

Mr. Scaddan: Are you asserting that they prompted the hon. member to move the amendment?

Mr. Taylor: No one prompted me. I prompted myself in defence of the privileges of the House.

The PREMIER: I do not know who prompted the hon. member.

Mr. Taylor: I would not allow your Government, or any Government, to bring down a Bill on a side issue.

The PREMIER: I have no objection to the hon. member moving any amendment he likes. I am pointing out the attitude of the Government and the reasons why I am going to oppose his amendment.

Mr. Taylor: You need not discuss the Bill.

The PREMIER: I clearly defined the attitude of the Government, which was that we would offer every facility to any private member wishing to introduce legislation to amend the liquor laws with regard to the hours of closing, but when promising that

the Government were determined that the question generally should be considered, and that, if such a Bill was introduced, it should be debated upon non-party lines. The same attitude has been taken up for several years past.

Mr. Taylor: On a point of order, is the Premier in order in discussing the merits of the Bill on the amendment?

Mr. SPEAKER: The hon. member is not.

The PREMIER: I am not discussing the principles of the Bill.

Mr. W. D. Johnson: You are not discussing the amendment.

Mr. Underwood: You might find out what you are discussing.

The PREMIER: I was trying to explain the reasons why I am opposed to the amendment. I am opposed to the amendment because the hon. member is endeavouring to make out that the Bill is an evasion of our Constitution. I think I have said sufficient to show that it is no evasion whatever of the Constitution.

Mr. W. D. Johnson: You are discussing deputations.

The PREMIER: If the Bill be passed it is clearly stated in it that it is subject to the appropriation of Parliament of any moneys that are necessary in connection with it.

Mr. Carpenter: Who invented that?

The PREMIER: It does not matter who invented it. That clearly—

Mr. Scaddan: It clearly leaves it in your hands to put it in operation or otherwise.

Mr. Taylor: You are shirking your responsibilities as a Government and tramping upon the Constitution in doing so.

Mr. SPEAKER: Order!

The PREMIER: The Bill states that if the necessary expenses are provided by Parliament but not otherwise, a referendum shall be taken. My undertaking was that I would not throw any obstacle in the way of a private member introducing legislation to define the hours of closing of licensed houses.

Mr. Taylor: The amendment does not touch that. Where does it talk about the hours? It does not touch liquor at all.

The PREMIER: My own desire, and that of every member of the Cabinet, is that this question shall be fully debated, that it shall be debated on its merits, and that each member shall deal with it as he deems best according to his own conscience. We do not want obstacles thrown in the way of free discussion on the question, which, apparently, the hon. member who now raises objections wants. If the House passes the hon. member's amendment—

Mr. Taylor: Which it should do.

The PREMIER: And wrecks the Bill in consequence, which it will do, members must do this with their eyes open and take the full responsibility. I am going to vote against it.

Mr. Taylor: You will not take any responsibility.

The PREMIER: If the Bill be passed and the amendment defeated, then I am prepared to bring down the necessary Appropriation Bill with the necessary accompanying Message from His Excellency the Governor.

Mr. Carpenter: That is where you are dodging it.

The PREMIER: Until the Bill is passed I am not prepared—

Mr. Taylor: You are anxious for another referendum, are you?

The PREMIER: I do not want any referendum at all; I do not approve of the principle. If the House approves of this measure I shall deem it my duty to bring down the necessary appropriation for the cost of taking a referendum.

Mr. Scaddan: You join the "antis."

The PREMIER: Ministers may vote as they like on the question, but I am going to oppose the amendment.

Mr. Taylor: You must put up a better fight than this on the "yes" question.

The PREMIER: I hope also that hon. members will oppose it in sufficient numbers in order that the Bill may be debated.

Mr. Scaddan: In order to avoid the necessity of bringing down a message.

The PREMIER: Let us hear the hon. member's attitude.

Mr. CARPENTER (Fremantle) [10.12]: I sympathise with the Premier.

Mr. Taylor: I never saw him in such difficulties before.

Mr. CARPENTER: I have seen the Premier in some tight places, and in some difficult positions, but never have I seen him so hard put to extricate himself as I have seen him to-night. It is only another illustration of the difficulties which beset the Government, and especially the head of a Government when he tries to avoid a straight out issue. The whole of this trouble has arisen on account of the Premier trying to give a hand to both sides on the question when he should at least have shown a bold front and declared for one thing or another.

The Minister for Works: He has said them both; are you not satisfied?

Mr. CARPENTER: As one who cannot do otherwise than support a democratic principle like a referendum, I regret that the difficulty has arisen, and I want to put the blame where it must lie, upon those who inserted that apparently innocent phrase in one clause of the Bill which stated that this referendum should be taken if an appropriation were made by Parliament of monies to meet the expense, but not otherwise.

The Minister for Works: Pretty clever, is it not?

Mr. CARPENTER: That has never been inserted in any Bill in this or any other Parliament before, and I am glad to have the public admission of the Attorney General that he had a hand in putting it there.

The Attorney General: I did nothing of the kind.

Mr. CARPENTER: In reply to an interjection from myself, in which I asked who was responsible for this, the Attorney General said "I was." Therefore there is no getting away from that.

The Premier: Why do you object to him doing it if he did do it?

Mr. CARPENTER: I repeat that the Attorney General has admitted that he had a hand in putting it into this Bill, and it was put there for the purpose of shielding the Government against the result of their own shirking.

The Attorney General: Rubbish! The Bill was drafted so as to comply with the Standing Orders.

Mr. CARPENTER: It was drafted to dodge the Standing Orders.

Mr. Taylor: Absolute evasion.

Mr. CARPENTER: It is all nonsense for the Premier to accuse the member for Mt. Margaret (Mr. Taylor) of trying to wreck the Bill. The question has never arisen on any other Bill, and I am quite sure the hon. member would have taken the same stand in defence of the constitutional procedure which has always been adopted in this House.

Mr. Bolton: Probably the Government knew that he was going to take that stand.

The Premier: What are you going to do?

Mr. CARPENTER: I am going to support the amendment.

The Premier: Then you will wreck the Bill.

Mr. CARPENTER: The Premier is talking nonsense. Let me quote a few words from *May* bearing on this matter. It follows on what the member for Mt. Margaret read, and upon which he based his amendment.

It must be borne in mind, however, that the resolution if agreed to does not arrest the progress of the Bill. The second reading of it may be moved on another occasion. The effect of such an amendment is merely to supersede a question for *now* reading the Bill a second time, and the Bill is left in the same position as if the question for now reading the Bill a second time had simply been negatived or superseded by the previous question.

It then goes on to give instances where similar motions have been moved in the House of Commons on other Bills, and the purport of it is to show that the dealing with this amendment leaves the question of the second reading of the Bill still the question for the House to decide. It does not in any way interfere with the second reading of the measure. I have had personal experience of a Bill which did just what this Bill proposes, that is, to impose a charge upon the public revenue, and the question was raised, as it has been raised on this occasion, and the Government of the day complied with the constitutional provisions by simply stating that before the Bill reached the Committee stage they would bring down the necessary message from the Governor. The Premier having promised that he would give a private member every facility for introducing such

a Bill, he would now only be keeping that promise if he gave the hon. member who has charge of this Bill a similar assurance at the present stage. When the Premier made his promise to the deputation he knew well there was one facility which every private member must have before he could put a Bill of this sort through Committee, and that was a message from the Governor. That the Premier promised to do.

The Premier: I did not.

Mr. CARPENTER: Then words have no meaning.

The Premier: The hon. member knows he is making a mis-statement.

Mr. CARPENTER: The Premier said he would give every facility for carrying the Bill, and if there was a mental reservation that he was going to withhold the one facility which was essential, he did not disclose it. Every reasonable man who read the promise the Premier made to the deputation, and was familiar with the provisions of the Standing Orders, interpreted the promise to mean that he intended to bring down a message from the Governor to enable the Bill to be put through. But in spite of that promise he now says that he is going to vote against the Bill, and he has, by some means, tried to dodge the responsibility for bringing down that message by inserting in the clause that which I have just read, and which has never been put into a clause before, in order to get round the Standing Orders and to save the face of the Government, and also to enable the Premier to say by and by that the House forced his hand, that he could not help making the appropriation because the House passed the Bill in spite of him. Believing from the authority which I have just read, that the passing of the amendment still gives the Premier the chance to redeem his promise to the deputation, I am going to ask the House to support the amendment, and when we have carried that we shall still be in the same position in regard to the second reading, and we shall be able to pass the second reading. The Premier, however, should give the House an assurance that he will do what he has always done before a Bill of this nature has arrived at the Committee stage, and that is, bring down a message from the Governor. I am going to support the amendment. At the same time I

hope and believe the Bill will be secure and will be passed by a majority of this House.

Mr. UNDERWOOD (Pilbara) [10.22]: The member for Fremantle is speaking as a supporter of the Bill, and I suppose he is one of the most conscientious supporters of temperance reform in this House. I am speaking as an opponent of the Bill, and I am pretty conscientious too. I prefer to drop this amendment, and to come to the Bill and have a straight out vote on it. I intend to oppose the amendment for that reason. To me it seems that it is a question which we should deal with on its merits, and we can deal with it on the Bill. Regarding the attitude, or should I say lack of attitude, taken up by the Government, I think the people of Western Australia, whichever side they are on in regard to this question, have sufficient sense to see that for themselves. What I want to do is to get to the Bill and defeat it straight out, not by any amendment regarding the Constitution, but on the principles of the Bill. I intend to oppose the amendment.

Mr. W. D. JOHNSON (Guildford) [10.25]: Before the question is put, I desire to point out the danger of permitting a Bill to go through with a provision of this sort inserted in it. In this particular measure hon. members may feel that because this is a subject of some special public importance, a subject that has been a matter of discussion for some time, and has caused a great deal of public interest, and consequently a matter in which the public are well versed, that there is no particular harm in passing it. One of the most dangerous things we can do in Parliament, however, is to establish a precedent, and if we pass this Bill we shall be undoubtedly using a special occasion to establish a precedent that may do considerable harm to Parliament and to the State. If we pass it at the present time, it just means that a future occasion may arise when a Bill will be introduced with a similar clause, and Parliament may pass it and do something which will commit the country to an expenditure without the public knowing exactly what has been done until it is too late. It is necessary we should always take particular care that the Government assumes responsibility in connection with the expenditure of public funds. There are no means by which private

members can put a tax upon the general revenue. Therefore, much as I am a supporter of the Bill, we should not permit this liberty to be taken to establish a precedent that we may all be sorry for in the future. I appeal to hon. members to compel the Government to take the responsibility that they should take in seeing that a message is provided before a tax is imposed upon the general revenue.

Mr. WALKER (Kanowna) [10.27]: Either the Government intend that there shall be a Bill passed by this Legislature which shall be honoured, and shall give to that Bill all facilities and fair and complete consideration, or they are just simply playing with Parliament.

The Premier: Just as you did last session.

Mr. WALKER: The hon. gentleman has no occasion to accuse me, or the late Government, of playing. The late Government never shirked their responsibilities.

The Premier: All the time.

Mr. WALKER: The hon. gentleman is worthy of some of the outlandish meetings that he attends occasionally, when public feeling is excited. Surely he can listen.

The Premier: You listened to me, did you not?

Mr. Scaddan: You were humorous though.

The Premier: That is the difference. The member for Kanowna is not humorous.

Mr. WALKER: The subject is not one for jesting. If the Premier makes a farce of Parliament, he need not expect me to follow him. I submit that the Government's attitude upon this question is beyond the trivial. It deserves a stronger word of condemnation. The Premier promised deputations that he would give every facility for a private member to pass a Bill for a referendum, if Parliament agreed.

The Premier: No; I did not.

Mr. Scaddan: What did you promise?

The Premier: I said that every facility would be given by the Government to any private member wishing to introduce legislation amending the liquor laws in regard to the hours of closing.

Mr. WALKER: I will put it that way, just while what the Premier has said is fresh in everyone's memory. I say that the Bill as introduced, and as amended for the purpose by the Crown Law Department with

the approval of the Attorney General, and coming down without a Message, does not afford facilities for a private member to introduce and pass legislation upon this or any other subject.

The Premier: Yes; it does.

Mr. WALKER: The Bill is merely a pious resolution, and, as it stands, it could all have been expressed in a motion.

The Premier: I quite agree with you there, of course.

Mr. WALKER: The Bill may be valuable, or may be absolutely useless, because it depends upon subsequently a Message being obtained from His Excellency and then upon appropriation being passed by Parliament. I say this is to reduce legislation to an absolute farce. This is not legislation. As it stands, the Bill is merely waste paper.

Mr. Scaddan: It reduces the Legislature to a model Parliament, a mock Parliament.

Mr. WALKER: Absolutely a mock Parliament. This is not legislation in any sense. Whatever decision the House may come to will be merely waste paper. I submit we should never lend ourselves to playing with legislation, especially when embracing great subjects.

The Premier: I suppose, then, you will oppose the whole thing, oppose the Bill?

Mr. WALKER: I am opposing with all my heart the attitude of the hon. gentleman.

The Premier: You have done that all your political life.

Mr. WALKER: I have had occasion to do it all my life. The Premier is not giving the member for Katanning an opportunity of carrying legislation through this Chamber; he is fooling the member for Katanning.

The Premier: You are fooling him.

Mr. WALKER: The Premier is fooling this Assembly.

The Premier: You are fooling the Assembly.

Mr. WALKER: He is fooling the whole of the people of this State.

Mr. Smith: But he cannot do it all the time.

Mr. WALKER: No; he cannot do it all the time.

Mr. Bolton: He has done it up to date.

The Minister for Works: You had four and a half years of fooling the people, and it landed you where you are.

Mr. Scaddan: You have had a similar experience yourself. You had only four years as Commissioner of Railways, and then you were put out.

Mr. WALKER: For my part, I am delighted to have had for nearly five years the honour of holding a position of trust and confidence in a Ministerial capacity on behalf of the people of this State. When the Minister for Works has been on the Treasury bench for five years and can talk in the same strain, then he may wear his iron crown from the black goose foundry. There can be no doubt whatsoever that the Bill as introduced, had it not been for the amendment introduced by the Government—

The Premier: We never introduced any amendment into the Bill.

Mr. WALKER: We had, just this minute, an assurance from the Attorney General himself that he had seen that this clause, which is the whole bone of contention, was all right. Now, for what purpose did he scrutinise that clause? What was the object of his doing so? A clause which has never been introduced into any Bill in the history of any British Parliament, which is an utter and a most dangerous innovation—what was the object of its introduction? Was it to facilitate this Bill as a legislative measure, to facilitate its becoming law? Was that the purpose of this amendment? The purpose was to afford a loophole for delay, a loophole for evasion. That was the object, and none other.

The Attorney General: Fortunately the present Attorney General has not a mind framed like yours.

Mr. WALKER: For which I am eternally thankful to heaven. These personal and stupid interjections—

The Attorney General: You started the personalities.

Mr. WALKER: Are unworthy of the new Attorney General.

The Attorney General: At all events, the old Attorney General is a very unworthy person.

Mr. WALKER: More worthy than a cock sparrow.

Mr. SPEAKER: Order! This will have to cease. The Attorney General takes exception to the word "cock sparrow" as applied

to himself. The member for Kanowna should withdraw.

Mr. WALKER: I certainly will withdraw, and now I will ask the Attorney General to withdraw the personality which produced that retort.

Mr. SPEAKER: There must be no more personalities.

Mr. WALKER: The personality was that the late Attorney General was unworthy. These personal insults I will resent every time.

Mr. SPEAKER: Order! Does the member for Kanowna ask for a withdrawal of the words that he is unworthy?

Mr. WALKER: Certainly. I have withdrawn the words which that insult produced, and I ask for that insult to be withdrawn.

The Attorney General: If I am called upon to do so, I am quite willing to withdraw those words; and equally the member for Kanowna should withdraw the aspersion he made on the present Attorney General, that when this Bill was being framed, and when that amendment was being framed, it was done as a subterfuge, to try and evade something. That is what the member for Kanowna said. So long as the member for Kanowna will use expressions of that kind, so long may he expect guns to be fired at him. I do not care whether the hon. member withdraws the expression about me or not.

Mr. Bolton: Then, why did you ask for a withdrawal?

Mr. SPEAKER: Order!

Mr. WALKER: I hope I am not wanting in respect to the Chair. I submit I have not used any personalities except by way of retort.

Mr. SPEAKER: Order! I understand the Attorney General has withdrawn.

Mr. WALKER: Yes, but with a qualification.

Mr. SPEAKER: Order! Do I understand the Attorney General has withdrawn his remark?

The Attorney General: Certainly, Mr. Speaker, but—

Mr. SPEAKER: Order! There must be no qualification. Do you withdraw?

The Attorney General: I withdraw.

Mr. SPEAKER: The hon. member for Kanowna will continue his remarks. He has the floor.

Mr. WALKER: I was saying that the amendment had been introduced for some purpose, and that purpose can only be that of evasion and delay. If those methods had not been used this Bill must have been accompanied by a Message, and then it would have received that consideration at the hands of the House which is given to all legislation here.

Member: And it would have passed.

Mr. WALKER: I believe that a majority of members would have voted for it.

The Premier interjected.

Mr. WALKER: Lest I be provoked into saying something which may ruffle the feeling of members opposite, I must ask, Sir, that I be not interrupted even by the Premier. I was saying that there was an object in the introduction of this Bill, and to me it appears that that object can have been no other than a desire to secure evasion of the real issue. There can be no doubt but that the motive or purpose of this Bill is evasion, and I object to a Bill of this character being brought forward after a request from the citizens of the State. The Bill is a pure delusion and a snare; it is absolutely waste paper as it stands. If the Attorney General, or the Government, is in earnest in this matter, if there is any real desire to keep faith with the public, what was to prevent the Government making it, if you will, a non-party question, giving to every member of the House, and every member of the Government, the right of voting as his conscience or his logic directed, and bringing down simultaneously with the Bill the necessary Message? There was nothing in the world to stand in the way of that being done. It would not matter whether the Bill was introduced by the member for Katanning, if the Government did not desire to father the measure. It would not have mattered one iota that it should be introduced by a private member, so long as there was simultaneously with the introduction of the Bill a Message from His Excellency the Governor. That has been done repeatedly in this Chamber. But it has not been done in this instance. Why? Can anybody question the true purpose, can anybody conceive any other purpose than the one I have suggested, namely, delay and evasion?

The Premier: Where is the delay?

Mr. WALKER: Is it not delay when this Bill has to go through the two Chambers and all the formalities necessary to comply with the Standing Orders and the Constitution Act?

Mr. Scaddan: On one day a week only.

Mr. WALKER: And, as the leader of the Opposition interjects, at one sitting per week? Is it not delay that this Bill shall be passed and we then have to wait for the introduction of a Message, followed by a further debate on the Appropriation Bill when it is brought in. Nobody in their calm senses can deny that is a method of delay. The passage of this Bill would leave the further necessary action at the will of the Government, and undoubtedly afterwards there would be some way of escape found, some get out of it. But if the Message had been brought down simultaneously with the Bill, and the Bill was passed, then the Government would be bound. The appropriation must come in and then the will of the House cannot be evaded. This is merely playing with the will of the House, a mere academic discussion on the liquor question, no more, no less; and I cannot be a party to entering into such unnecessary and fruitless discussion. This is playing with a great question. You have ruled, Mr. Speaker, that the Bill is in order as it stands. There can be no question but that it is in order with this clause in it. But that clause nullifies the Bill as legislation and makes it no more than a cumbersome resolution of the House. It is in order as a resolution, but as legislation it has no value whatever; and I object to pretended legislation, pseudo legislation, being introduced in this form. I object to the privileges of the House and to the Constitution Act being flouted in such a manner on such a great question; therefore I support the amendment.

The ATTORNEY GENERAL (Hon. R. T. Robinson—Canning) [10.50]: (On amendment.) There are some members of the House who object to everything on principle—the principle of objecting—because they are in the position of being what is called “agin the Government.”

Mr. Mullany: This is not a Government measure.

The ATTORNEY GENERAL: There are some people who when a Bill of this description comes before them will do everything in the world to throttle it.

Mr. Bolton: By this clause.

The ATTORNEY GENERAL: There are some members who will make any attack on this Bill rather than face the issue.

Mr. Scaddan: Are you making an explanation as to why this clause is in the Bill?

The ATTORNEY GENERAL: The leader of the Opposition will get the explanation. I will be prepared to argue and I thoroughly believe, that even with the words in Section 3, "if an appropriation is made by Parliament," this Bill would not be a money Bill. I would be prepared to contend, and I believe that you, Sir, would support the argument, that the Bill would not be a money Bill. The section of the Act is so clear on the subject. Section 67 of the Constitution Act, in dealing with the matter, says—

It shall not be lawful for the Legislative Assembly to pass any Bill for the appropriation of any part of the Consolidated Revenue Fund which has not first been recommended to the Assembly by Message.

Mr. Walker: It goes further.

The ATTORNEY GENERAL: It continues—

of the Governor during the session in which such vote or Bill is proposed.

This would not have been an appropriation. For the purpose of the discussion now that is a mere academic argument, but I have no doubt that that argument, if it were addressed to you, Sir, would be given the weighty support it deserves.

Mr. Carpenter: If that is so why did you put these words in?

The ATTORNEY GENERAL: Why cannot the hon. member be patient? There are some members of the House who are never satisfied unless they are either nagging, or objecting, or have something to say, or like to hear their own voices. There are other people who do not care about hearing them, and I am one of those.

Mr. Munsie: There is a fairly strong feeling on this side of the House with regard to yourself.

The ATTORNEY GENERAL: This section would be perfectly in order, I would be prepared to argue, without these words. The question was raised by certain individuals that they would take exception in Parliament to this particular clause if it were left in, that they would say it required a message, or that it made it a money Bill. In order to prevent any discussion on the subject, and to show that this Bill was not a money Bill, and that the issue of the closing hours of hotels should be one of free discussion, I asked the draftsman to put in such words in the plainest of King's English as would show that it is not a money Bill.

Mr. Scaddan: It was not your Bill. The hon. member in charge of it could have whatever he liked in it.

The ATTORNEY GENERAL: I was helping the hon. member with it. The leader of the Opposition need not laugh.

Mr. Taylor: I think it was helping the Government over a stile.

The ATTORNEY GENERAL: The Government do not want to be helped over a stile. If they come to a stile, they will not want the assistance of the hon. member. If there is any assistance which can be rendered to the member for Katanning (Mr. Thomson) by myself with the passage of the Bill he can rely on me to give that assistance to the utmost of my ability. I did give him that help before the Bill reached the House. I have anticipated these interjectors and have robbed them of the long debate they were going to make on the question, as to whether or not it was a money Bill, and they were so infuriated that they put up the expert member of this House, who was supposed to know more about the rules and regulations than any one else, to put forward this amendment.

Mr. Taylor: That is unfair. If any one is put up as a special pleader for your Government, it is yourself, and you have failed.

The ATTORNEY GENERAL: What is the amendment? With the exception of the words, "is an evasion," I should say it is one which every member on each side of the House could thoroughly agree with, but it is aimed at the Government because it states that this Bill is an evasion of the principle that all proposals which entail the expendi-

ture of public moneys must be introduced by Ministers of the Crown. The Government not only do not desire to evade that principle, but they have permitted to be specially stated in the Bill that no principle is being evaded. The amendment which was put forward by the hon. member is not even as good as I thought it was.

Mr. Taylor: The amendment does not touch the Bill at all. You have put words into the amendment which were not there.

The ATTORNEY GENERAL: It says that the words after "that" are to be struck out. The words in the original motion are "that this Bill be now read a second time."

Mr. Taylor: Read the amendment.

The ATTORNEY GENERAL: And the motion of the hon. member is that all the words after "That" shall be struck out with a view to inserting the following words "This House will not proceed upon any Bill which is an evasion of the principle" etc., meaning that this Bill is an evasion.

Mr. Taylor: That is not so.

The ATTORNEY GENERAL: If it is not so will the hon. member withdraw his amendment? Why did he tack it on to this particular Bill?

Mr. Taylor: I have done it at every opportunity. I never had such an opportunity of defending the privileges of the House as on this occasion. You are subterfugers.

The ATTORNEY GENERAL: There is no doubt whatever that the amendment is aimed at this Bill.

Mr. Taylor: It is not. It is aimed at protecting the privileges of this House.

The ATTORNEY GENERAL: It is also aimed at the Government in that the Government allow the Bill to be brought forward which the mover of the amendment contends is an evasion of the principles of the House.

Mr. Hudson: You could not prevent any member bringing it forward.

The ATTORNEY GENERAL: It raises a number of issues quite foreign to the purposes of the Bill. The Bill deals purely with the question of the closing hours for the sale of liquor. The people of the country want to know about the closing hours for the sale of liquor, and the members of the House want to know. But a red herring, and a bad one too, has been drawn across the track by

the hon. member, and he is trying to attach that to the Bill.

Mr. Taylor: You know differently.

The ATTORNEY GENERAL: I do not. The mere fact that I am subjected to these interjections by the hon. member shows that I am hitting him pretty hard.

Mr. Taylor: You are not hurting me one bit in the world. It is only child's play.

The ATTORNEY GENERAL: Be that as it may, there is no principle sought to be evaded by this Bill. The words of the amendment are designed for the purpose, and for the sole purpose, of wrecking the measure.

Mr. Taylor: That is unfair. It is not so.

The ATTORNEY GENERAL: I hope that every member of the House who has got any conscience on the subject of liquor will vote against this amendment.

Mr. FOLEY (Leonora) [11.0]: I desire to inform the Attorney General that while we are debating the amendment we do not want any extraneous matter dealt with, and I think you, Mr. Speaker, will realise that if the Attorney General does not. The Premier has been very facetious over this matter, and at the deputation which waited on him certain conversations took place. Perhaps there was too much conversation, but whatever was said the Premier certainly did make a definite promise that every facility would be given to a private member to introduce a Bill, although, he added, it was against the principle they were propounding. The one facility now necessary is a Message from the Governor.

Mr. Thomson: That is only your opinion.

Mr. FOLEY: After listening to the Attorney General, I am absolutely certain that a Message is necessary.

The Premier: The Speaker says it is not necessary.

Mr. FOLEY: The ruling that the Speaker gave that a Message was not necessary, I am willing to abide by, but the amendment of the member for Mt. Margaret is that this is an evasion of a principle. We will let the matter of an appropriation being necessary go by the board, but the argument used by the Premier was on the question of whether an appropriation was necessary, and it did not touch at all on the question. If, as the Premier says, an appropriation is

not necessary, it will be a dead letter if the amendment is carried; it will be a pious resolution after all. At a recent election the exponents of temperance considered they were fighting that election on the principal point raised by the member for Mt. Margaret. A lady representing a certain party in this State asked Mr. Scaddan at that election a definite question, and Mr. Scaddan gave a definite answer regarding the referendum. He said he believed in it and always endeavoured to put it into practice. We can never get sound government if any Government in office will allow a private member to introduce a Bill which certainly is an evasion of a principle so long honoured in every Parliament. If we are going to do this we shall establish a precedent which is not worthy of this House, and it will mean that if the amendment is lost and the Bill goes to the vote it will be possible for any private member to introduce what should be a Government measure. I am not prepared to support a measure which is brought in as a subterfuge and the object of which is to do away with the responsibilities of the Government.

Mr. MUNSIE (Hannans) [11.6]: I am going to support the amendment because I believe the wording of it to be correct; therefore I believe that the Bill, as it has been introduced, is practically an evasion of the principles of the House. I desire to place the responsibility on those who should carry it, namely, the Government of the day. I trust the House will agree to the amendment, if it is only for the last named reason. At the deputation from the temperance organisation which waited on the Premier, the hon. gentleman said he would give every facility to any private member to introduce the Bill, the object of which would be to control the hours of trading in the liquor traffic. He told us to-night that he would be favourable to the House deciding the hours at which the hotels should be closed, but that he is not favourable to this Bill because it refers to the matter of the referendum.

The Premier: I did not say that.

Mr. MUNSIE: The Premier went very close to saying it.

The Premier: Oh, no!

Mr. MUNSIE: Whether the Premier said it or not, I want him, as Premier, to take the responsibility of introducing a measure of this kind, or to arrange for a Message from the Governor. I will go further, and say that he is afraid to take the responsibility, afraid of offending one side or the other. That is a nice position for the head of a Ministry to occupy. Everyone of the Premier's colleagues is afraid, too.

The Premier: What are you going to do about it all?

Mr. MUNSIE: I am going to support the amendment, and when the Bill itself comes before the House I shall support the second reading, and then endeavour to amend the Bill in Committee.

The Premier: What are you going to amend in it?

Mr. MUNSIE: I will tell the Premier that when the time arrives. The fact that every member of the Cabinet is afraid is, in my opinion, proved by the interjections of Ministers and by the arguments they have used. I shall support the amendment in order to protect the privileges of this House and also in order to put the responsibility in this matter on the shoulders of those who ought to bear it.

Mr. BOLTON (South Fremantle) [11.11]: I want an opportunity of supporting this Bill; and, if I can help it, I am not going to allow the Government to rob me of the opportunity. I am one who believes that both the Premier and the Attorney General—the only two Ministers who have spoken on the Bill—are anxious for the defeat of the measure. They desire that this amendment shall be carried, so that they may subsequently claim that the carrying of the amendment has been responsible for the defeat of the Bill. The extract read by the member for Fremantle (Mr. Carpenter) proved that the carrying of the amendment will not wreck the measure, that the other Bill will still be before the House in the stage at which it lapsed. I am rather sorry to have to assist the Premier and the Attorney General to achieve what they will claim to be the defeat of the measure. In any case, this Bill should not be defeated by the passing of the amendment, which really has no effect on

the measure at all. Possibly, the member for Katanning (Mr. Thomson) knew from the very jump that he had no chance of getting his Bill through Parliament. I am now prepared to say that I have told him he was not sincere in his action, and that he knew the Bill would not pass this Chamber. But I did not discover until just now that that very clause which has been so much referred to is going to be the ruin of the measure. I want to discuss the Bill itself. There are members of this House who earnestly desire to support the Bill; and certainly no member is more earnest in that desire than the member for Kanowna (Mr. Walker). No one here can claim to be a more sincere supporter than the member for Kanowna of this Bill. For my part, I am as earnest as the member for Kanowna in supporting the measure. Possibly, I shall disappoint the Premier and the Attorney General by voting for the amendment; but I hope to disappoint them still further when it turns out that the carrying of the amendment does not wreck the Bill.

Mr. THOMAS (Bunbury) [11.14]: It is rather difficult to understand the attitude of hon. members professing on the floor of this House to be moved by a wonderful desire to pass the Bill, and yet seizing every opportunity, apparently, to place the Government in an awkward position. While I do not sympathise with those hon. members in that respect, it appears to me that a deeper cause underlies the opposition of certain members to-night. I venture to assert that various members are anxious to evade the main issue. I fail to understand, even for a single moment, how voting for the amendment will help hon. members in that direction, unless their hope is to create such a tangle as will ultimately result in the loss of the Bill to Western Australia. At the outset, I fail to understand the attitude of the member for Mount Margaret (Mr. Taylor). If he absolutely desires to safeguard the Standing Orders of this House, there is nothing whatever to prevent him from moving at some later time, at his leisure, and in a calmer atmosphere, to so amend the Standing Orders as to render a recurrence of the present position impossible.

Mr. Taylor: It is not necessary.

Mr. THOMAS: I understand it is necessary. The last hon. member to speak (Mr. Bolton) asserted, that whether the amendment is lost or carried will make no difference whatever to the other aspects of the proposal before us. He says that neither the carrying nor the defeat of the amendment will have any effect. Then, if that is so, what is the hon. member's difficulty? If it is so, why hold up the measure?

Mr. Carpenter: The member for South Fremantle did not say that at all.

Mr. THOMAS: The hon. member said that if the amendment were carried the other Bill would still remain before the House.

Mr. Bolton: I say so still.

Mr. THOMAS: What is the hon. member fighting for, then? Can any sane member of this House deny the fact that the carrying of the amendment will force the hands of the Government? Here we have just one of those little opportunities that are taken advantage of by certain individuals who are afraid to vote in a certain direction when the main proposal is before the House. Those individuals are ready to take any side-track which would enable them to protect their political skins, would enable them to defeat in an underhand fashion the main proposal. I am prepared to fight for a certain principle for which I have stood, and shall refuse to take advantage of any side-issue to defeat a measure that I am not game to vote for.

Mr. Carpenter: You have not heard the debate at all. You should be the last man to say that.

Mr. THOMAS: If I have offended the member for Fremantle (Mr. Carpenter), whom I greatly respect, I am extremely sorry.

Mr. Bolton: You have not heard the debate.

Mr. THOMAS: I heard all that was said by the member for South Fremantle (Mr. Bolton). It seems to me that if we are seized with the importance of that for which we are fighting—

Mr. Carpenter: You should come in and listen to other people.

Mr. THOMAS: I do sometimes listen to the hon. member, but it is a species of compunction for which I am not anxious. Sup-

pose our soldiers at the Front, when marching to meet the enemy for a decisive battle, stopped on the way to discuss the latest race meeting, or some trifling matter of no importance. That would parallel the present position of this debate. I am prepared to sink petty issues when a great issue is at stake. And here is a great issue being side-tracked by means of an amendment which is worthy of no consideration. If certain hon. members were earnest in their advocacy of the principles of this Bill, they would recognise that any other time would be fitting for the amendment of the Standing Orders. It is admitted by one of the foremost advocates of the amendment that it makes no difference. If the ancient privileges of this House are of such value to certain hon. members, why do they not choose a fitting and proper time for the assertion of those privileges?

Mr. Taylor: That would be too late.

Mr. THOMAS: It would not be too late.

Mr. Taylor: Do not get hysterical over it.

Mr. THOMAS: I appeal to hon. members not to give ear to the pleas which, under cover, have been submitted to the House this evening.

Mr. Carpenter: You have not listened to those pleas.

Mr. THOMAS: I ask hon. members to vote on this question as its importance demands.

Mr. Taylor: You do not know anything about it.

Mr. THOMAS: I have a pretty good idea of the object of the member for Mount Margaret in moving his amendment, and I earnestly appeal to the House to make a clear-cut issue of this matter.

Mr. Foley: That is what we want.

Mr. THOMAS: How can a clear-cut issue be made when it is sought to side-track the issue in this manner? The member for South Fremantle (Mr. Bolton) has told us that the amendment means nothing. What is the use of it then? Does it not represent an effort to get in a side wind, to alter the whole aspect of the question?

Mr. Taylor: Why all this rage, if it all means nothing?

Mr. THOMAS: The hon. member when previously discussing the matter went ranting on to a late hour of the night endeavouring

to introduce this matter. Evidently my friends do not like the question being put before the House, because it shows up their peculiar attitude upon it. There seem to be many straight out advocates upon it when it suits to take up that attitude, but when it comes to the question of standing up to the matter so that the public can understand the position, there are lots of people who are anxious to get away from it.

Mr. Foley: I have stood up on the question much straighter than you have.

Mr. THOMAS: I have stood for this thing ever since I have been in Parliament and shall stand for it as long as I remain here. But I shall endeavour to fight the battle fairly. I want this matter fought out as it should be, and when the vote is given I want Western Australia to be able to judge upon which side members stand. That is what I want to know. I am not supporting the Ministry in any dereliction of their duty. They have a clear mandate from the people of Western Australia to introduce this matter.

Mr. Foley: They have not.

Mr. THOMAS: I think they have. If the Government of Western Australia are not prepared to do their duty is it any reason why I should shirk mine, or that any other hon. member should do so either? I appeal to members of this Chamber to turn down the amendment and to let us get to the main issue. We shall then find out what there is in the professions of some hon. members around me as to the burning necessity for bringing about a referendum in Western Australia on this question. If the amendment is turned down we shall know where we stand, and the battle can be fought out fairly and squarely in this Chamber.

Mr. ANGWIN (North-East Fremantle) [11.22]: I shall have to vote against this. Whilst I give every credit to the member for Bunbury (Mr. Thomas) for his splendid flow of language to-night when he indulged in heroics concerning what, as he said, other people were trying to evade doing, I must say there is no one who has tried more to evade principles than he himself has.

Mr. Thomas: Where does that come in? Where have I evaded principles?

Mr. ANGWIN: You, Mr. Speaker, to whom we look for the purpose of seeing that the affairs of the Assembly are properly conducted, have ruled that an evasion has taken place, but that it is a successful one. That being so, is it not only fair that we should give those hon. members who think that there is an evasion of the principles of this House the credit of believing that they are honest in their desires to see that these principles are maintained? They are only doing what they think is in the best interests of the State. If I came along and in a similar manner introduced a Bill for the purpose of carrying out certain harbour improvements at Fremantle, there is no member in the House who would more quickly say that I had no right to do this than the member for Bunbury (Mr. Thomas).

Mr. Bolton: And say there was something behind it.

Mr. Thomas: Why should you imagine that I would say that?

Mr. ANGWIN: I know the stamp of the hon. member. I would point out that the hon. member for Mt. Margaret (Mr. Taylor) is a very old member of this Assembly. He has followed its principles carefully. He has held the position of Chairman of Committees and also as Deputy Chairman for several years. He felt that the principles of this House had been evaded by this measure. I maintain, if that be so, that he is justified in introducing his amendment in order to endeavour to retain those principles which always have been adhered to in this House, and which have been adopted by every Parliament in the British Dominions. There is nothing in the accusation of the member for Bunbury that he was trying to get behind something else, and that there is something at the back of all this.

Mr. Thomas: Do you honestly believe that this is so?

Mr. ANGWIN: I believe the hon. member was actuated by honest motives and that, no matter what Bill was in question, he would do the same as he has done in the present instance. I have heard him get up before on matters of this description in regard to the Standing Orders. If there is anything at the back of this, I do not know

of it. Some of the members who have spoken to-night will vote in favour of the Bill.

Mr. Bolton: And more sincerely than the member for Bunbury.

Mr. ANGWIN: They have only asked that the Bill shall be dealt with by proper methods.

Mr. Thomson: You have got the Bill.

Mr. ANGWIN: The only difference is this—

Mr. Thomson: And I have taken the responsibility of it.

Mr. Bolton: You knew you were taking no responsibility.

Mr. Seaddan: Had we not better adjourn and cool down.

Mr. ANGWIN: The only difference is that we have two Bills to deal with instead of one, when one Bill should have done everything that is required. As the member for Kanowna (Mr. Walker) has said, this is purely waste paper and waste of time unless the other Bill is introduced. Why not bring it in and carry it through, and take action as soon as possible? I merely rose because I considered that the member for Bunbury was unfair to those who have taken the stand they have. I will vote against the amendment.

Mr. HUDSON (Yilgarn) [11.28]: In consequence of the observations of the member for Bunbury (Mr. Thomas) I feel that I must make a few remarks. It was rather a pity he was not in the Chamber in order that he might listen to the debate. I feel sure that if he had been here he would not have made the disparaging remarks that he did make regarding other hon. members and their intentions with respect to the amendment. I would remind the hon. member that we are not dealing with the Standing Orders at all. This is a question of the violation, or otherwise, of the Constitution Act. That was clearly pointed out by the Premier. I would like to remind hon. members that when the Bill was introduced objection was taken to it by the member for Leonora (Mr. Foley), and the decision given from the Chair was that the method adopted by the mover of the measure was a clever evasion and a successful evasion of the principles which underly the introduction of money Bills, which require a Message from His Excellency the Governor. I have

carefully considered that aspect of the question, and am satisfied that there is an evasion in that case. I have looked up an authority on the question and find there that the evasion of an Act is dealt with. The learned authority makes use of the following words—

People cannot escape from the obligation of a Statute by putting a private interpretation on its language. It is a well-known principle of law that the provisions of an Act of Parliament shall not be evaded by shift or contrivance.

We have Section 67 of the Constitution Act which has been referred to already, and the learned authority I am quoting says—

If a contract be framed so as entirely to defeat the object of an Act, such a contract, although not within its express prohibition, might very well be held to be impliedly forbidden by it. We accordingly find that a court of law will not tolerate such an evasion of an Act of Parliament as amounts to a positive fraud upon the Act, such an evasion being as Lord Eldon described a fraud on the law or an insult to an Act of Parliament.

The proposal of the mover of the measure in endeavouring to evade the provisions of the statute is an insult to the Chamber, and I submit that the amendment moved by the member for Mount Margaret should be carried.

Mr. THOMSON (Katanning) [11.30] (*On amendment*): I am surprised at the arguments which have been brought forward by members opposite. They were all anxious that this matter should be brought before the House and they were prepared to support it, provided it was brought in in a manner to suit their views. The position is that the liquor question has never been brought before the House without an endeavour being made to side track it in the way that is being done to-night.

Mr. Scaddan: You were the prime mover in a similar direction on a previous occasion.

Mr. THOMSON: I object to that statement.

Mr. Scaddan: It is on record. You moved to strike out all the words after "That" just as the member for Mt. Margaret has done this evening.

Mr. THOMSON: When I moved the second reading of the Bill I quoted extensively from *Hansard* and I suggest that the leader of the Opposition should endeavour to be quiet and read the speech I made. Members profess that they are anxious for this Bill, but they are also very anxious about the privileges of this House, and I maintain it is up to private members to maintain their privileges. If the amendment is carried I see no necessity for having a House of 50 members. Let the country appoint six Ministers and let those Ministers do as they choose.

Mr. Scaddan: What nonsense.

Mr. THOMSON: That is the position, and I maintain that a private member, if he honestly believes that the movement under discussion is in the interests of the country, he should have the opportunity of bringing it before the House by way of a Bill. The member for Fremantle (Mr. Carpenter) made a statement that Clause 3 was inserted in the Bill to shield the Government. He need not be so solicitous for the Government: the Government do not require shielding.

Mr. Scaddan: Is this your Bill or the Attorney General's?

Mr. THOMSON: It is my Bill?

Mr. Taylor: It is the Attorney General's Bill.

Mr. Bolton: That clause is not yours.

Mr. THOMSON: The Bill is mine and I am going to put the responsibility of throwing it out on members generally. The member for Fremantle stated that Clause 3 was inserted with the object of shielding the Government, and he then went on to quote from *May* that if the amendment was carried it would not defeat the Bill. I desire to point out to the member for Fremantle and other members who may have been induced to support the amendment, that if it is carried the Bill will be defeated. We shall not be able to discuss it in this House. The amendment of the member for Mount Margaret says that this House will not proceed upon any Bill which is an evasion of the principles of the Constitution; if that is carried we shall not be able to proceed to discuss the Bill.

Mr. Carpenter: The Government can then bring down its own measure.

Mr. THOMSON: If members opposite are sincere in their desire to have the people consulted in connection with the closing of hotels, they should not try to evade their duty.

Mr. Scaddan: That comes well from you.

Mr. THOMSON: Hon. members are endeavouring to evade their duty; what do they care about the Bill? Their intention is to try and force the Government into an unenviable position. By that I do not mean that the Government are not afraid to shoulder their responsibilities, but I do say that when a private member on this side of the House has brought in his Bill, if members are sincere in their desire to submit the question to the people, they should support him.

Mr. Taylor: Not when he has been smothered by the petticoats of Perth.

Mr. Green: You are not very sincere yourself.

Mr. SPEAKER: The hon. member must not say that the member for Katanning is not sincere; it is a reflection.

Mr. Taylor: It is true; that is the worst of it.

Mr. THOMSON: I am prepared to let the hon. member's public actions in the recent important event which we have taken part in and mine be placed before the people of the State and then we shall see who is sincere.

Mr. Green: I was pretty sincere on that question, anyhow.

Mr. Munsie: It was left to the people of Australia and they decided against you.

Mr. Scaddan: What has that to do with the amendment anyhow?

Mr. THOMSON: I am very proud that the people of Western Australia turned down the member for Kalgoorlie. In regard to the Bill I am introducing, hon. members seem to be afraid of it. The member for Guildford is very anxious to impress upon this House that it is going to establish a dangerous precedent if we allow a private member to introduce legislation which may mean the imposition of a tax. I maintain with all due respect to the member for Guildford that it is just as necessary to safeguard the privileges of the private members of this House as it is to safeguard the privileges of the House, and we are elected by the people and sent here to voice their opinions.

Mr. Lambert: Are the people clamouring for this referendum?

Mr. THOMSON: Yes.

Mr. Lambert: Where?

Mr. Taylor: They are all in the gallery.

Mr. THOMSON: Do not make any mistake about that. They are right throughout the whole of the State and some of the hon. members who are opposing the Bill are afraid to meet them. The position I have taken up in regard to the Bill—

Mr. Taylor: You have shifted your ground twice to-day; you have gone back on yourself since 4 o'clock this afternoon.

Mr. THOMSON: The member for Mt. Margaret evidently is an authority on what I should do.

Mr. Taylor: No. On what you said you would do, but have not done.

Mr. SPEAKER: Order!

Mr. Taylor: Ask the member for Bunbury what you promised him at 4 o'clock this afternoon.

Mr. SPEAKER: Order!

Mr. THOMSON: The member for Mt. Margaret should not become irritated. That hon. member was afforded an opportunity of placing his views before the House, and he was listened to with a certain degree of respectful attention. I maintain that I am entitled to the same privilege. Certain hon. members have asserted that the amendment represents an evasion. I say that is not so. The amendment places the whole question entirely in the hands of the House. It affords hon. members an opportunity of discussing the Bill, of discussing whether, either at or before the next general election, the people shall have an opportunity of deciding the hour at which hotels shall close.

Mr. Scaddan: That is not your Bill.

Mr. THOMSON: If hon. members will turn to page 2 of the Bill—

Mr. SPEAKER: Order! The hon. member cannot discuss the measure.

Mr. THOMSON: The member for Leonora (Mr. Foley) stated that it was against sound government to—

Several members interjected.

Mr. SPEAKER: Order! There is so much cross-firing and interjecting that I cannot hear the hon. member, and the hon. member cannot discuss the subject unless he

is given an opportunity of being heard. Order must be kept.

Mr. THOMSON: The member for Leonora seems very anxious that we should have sound government. He contends that the introduction of this measure by a private member means that the country will not have sound government. But surely a private member has the right to bring forward a Bill which does not involve any expenditure.

Mr. Taylor: This Bill does involve expenditure.

Mr. THOMSON: I maintain the contrary. I have the right to introduce this Bill, and it is for members of this House to decide whether the measure shall be passed into law. As a private member, I wish to guard the privileges of individual members as well as those of the Ministry. The member for South Fremantle (Mr. Bolton) has asserted that I am not sincere. I am quite prepared to admit that that hon. member has told me that I am not sincere. I suppose that is the reason why I have brought in this Bill, and why I am now here to defend the Bill, and to fight in order to carry it to a successful issue. I appeal to those members on the Opposition side who claim to be in sympathy with the temperance movement and in favour of the referendum, not to support the member for Mt. Margaret, because, in my opinion, his amendment is nothing more or less than a deliberate attempt to wreck the Bill.

Mr. SCADDAN (Brownhill-Ivanhoe) [11.45]: The somewhat violent address just delivered by the member for Katanning (Mr. Thomson) is refreshing, as coming from that gentleman, particularly when he concludes by asserting that the amendment moved by the member for Mt. Margaret (Mr. Taylor) is a deliberate attempt to wreck the Bill. I wish to call back the mind of the member for Katanning to the 26th August, 1915, on which date *Hansard* recorded certain utterances of the hon. member. I wish him to go back a little over 12 months and call to mind the fact that he moved a certain amendment to a Bill which had been introduced with the backing of the then Government. There was no shirking of responsibilities in that instance. The amendment moved by the mem-

ber for Katanning was on all fours with the present amendment of the member for Mt. Margaret. That amendment of 14 months ago moved the striking out in a motion for a second reading, of all words after "that," for the purpose of introducing another question which was absolutely foreign to the Bill then under discussion. Did the member for Katanning move that amendment for the purpose of wrecking the Bill? Oh, no! With quite a different object, for quite a different purpose! Now, when the hon. member has discovered, as he admits he has discovered, that the liquor question has attracted attention throughout the State, he wants to get right with his electors. The result is that he comes forward with this measure. Incidentally, of course, he wants to put the Attorney General right. He wants to let the Attorney General keep true to his promises. He does not want to put the Ministry in a difficult position. And thus we have had introduced into this House a measure that is undoubtedly without precedent in the constitutional history of any Parliament of the British Empire. Ever since I have been in Parliament it has been accepted, and I believe it is accepted everywhere, that any Bill which makes a charge, whether directly or indirectly, on consolidated revenue shall be introduced by a Minister of the Crown with a message. Here we have our new Attorney General already showing how much he appreciates, when in office, what he was always preaching when sitting in opposition—that constitutional forms of government must be adhered to, and that Bills must be expressed in the plainest possible English. When the hon. gentleman gets over to the other side of the House, he takes the earliest opportunity to violate the principles he preached when sitting here. In order to keep himself and his Government out of a difficult position, and in order to help his friend the member for Katanning, the Attorney General has introduced into this Bill a clause of a nature for which there is no precedent, and which, if we admit it now, will establish a very dangerous precedent. As the member for Fremantle (Mr. Carpenter) has explained, all that we on this side ask is that the House should adhere to what we consider to be a practice from which no departure should be

permitted. That being agreed, we ask that the Ministry shall bring down a message and so enable the Bill to be discussed on its merits. The talk about shiftiness, and about shirking responsibilities, comes with a bad grace from the member for Katanning. As I have said, in August of 1915 that hon. member attempted to wreck a Bill similar in nature to this measure.

Mr. Thomson: What did the member for Katanning say on the 5th August, 1915?

Mr. SCADDAN: Do not let us trouble about that. He deliberately moved an amendment to wreck the Bill, and he together with other members supporting him in opposition gave the cue to the member in another place to defeat the Bill, and this they were successful in doing.

Mr. Thomson: That is absolutely incorrect.

Mr. SCADDAN: The responsibility for wrecking that Bill rests upon the shoulders of the member for Katanning (Mr. Thomson).

Mr. Thomson: The statement is incorrect.

Mr. SCADDAN: It is not incorrect. It is in *Hansard*. In August, 1916, however, he comes along with a motion for leave to introduce this Bill, on lines similar to those of the Bill which he was responsible for defeating. Then he comes along at 4 o'clock of this day of Our Lord and makes another arrangement with members of the House to get out of the Bill in order that he may table a motion which will remove it from being a party question. Where does he stand tonight? Then the hon. member stands up in his place in rather a wrathful spirit and accuses members, who are trying to carry the matter in a constitutional manner, of trying to wreck the Bill. So far as members who have spoken in favour of the amendment are concerned, they have been true to the principle of the referendum upon any question of national importance. But where does the hon. member stand in this matter? Is the liquor question the only question of importance for submission to the electors of the State?

Mr. Thomson: It is one of the important questions at the present time.

Mr. SCADDAN: And 12 months ago the hon. member attempted to prevent it. He asserted on that occasion that we should put

into operation the powers that we had under the Emergency Bill, fix the hours and take the responsibility of so doing. Does his own Government take the responsibility of putting into operation the same Act which still remains on our statute-book?

Mr. Thomson: Cannot the hon. member support them in that?

Mr. SCADDAN: I am not supporting the Government. I am asking the hon. member to be consistent in his attitude on this question. If there is one member in this House who has been inconsistent it has been the hon. member. The Attorney General and the Premier, and the hon. member himself knew that the most effective manner of having this Bill dealt with on non-party lines was the tabling of a motion providing for the introduction of a Bill to submit this question to the people per medium of a referendum. If the Premier then was sincere in the answer he gave to the deputation he could have followed up the decision arrived at on such a motion by introducing the Bill, and could have justified his attitude in so doing. Instead of that, however, it is the Attorney General who has been responsible for the Bill.

Mr. Thomson: Absolutely incorrect.

Mr. SCADDAN: Without consulting his chief during the Canning election the Attorney General said to a meeting of his electors, "I am in favour of a referendum but the Government do not intend to introduce a Bill of this nature but to continue the present law which provides for 9 to 9 during the term of the war and for six months after." Does the Attorney General deny that? Does he deny that he was there pronouncing the decision of the Government on the question and that he personally advocated this also.

The Attorney General: Why does not the hon. member say that I promised. It is the first time I have heard him use the word "advocate."

Mr. SCADDAN: Does the Attorney General deny that he said that?

The Attorney General: The hon. member always twists that word into a promise if it suits his purpose to do so.

Mr. SCADDAN: I advocate a free passage to heaven for every man on earth. What

is the good of making a statement of that kind to educated people? Does the Attorney General assert that all that he said was only what he advocated, and that he had not the slightest intention of giving effect to his advocacy? It is due to the attitude adopted by the Attorney General that the Bill is before the House in its present form, and it is the clause in question which has brought about the amendment of the member for Mount Margaret (Mr. Taylor). It was stated publicly to the electors by the Attorney General that the Government had decided to continue the 9 to 9 hours during the war and for six months afterwards.

Mr. SPEAKER: The hon. member is not discussing the question. He is discussing the policy of the Government.

Mr. SCADDAN: I am trying to point out that the Attorney General in his statement to the House—

Mr. SPEAKER: Order! What has the promise of the Attorney General to the Canning electors to do with the amendment? Nothing at all. The hon. member for Mount Margaret (Mr. Taylor) has moved an amendment, which is on the Notice Paper, to the second reading, to the effect that the House will not proceed upon any Bill which is an evasion of the principle that all proposals which entail the expenditure of public monies must be introduced by Ministers of the Crown. That is moved, as I understand it, as a protest against the evasion in this Bill of the practice of this House that Ministers shall be responsible for the expenditure of money.

Mr. Taylor: That is so.

Mr. SPEAKER: That is the question before the House. I do not want hon. members to get beyond that, but there is some discussion beyond it. The reason for the amendment is that Ministers should be responsible for the expenditure of public monies, and that this Bill should not be proceeded with because it affects the practice of the House.

Mr. SCADDAN: If I am going to be confined to that, all I can do, Sir, is to repeat your statement.

Mr. SPEAKER: Order! I do not think the hon. member can do anything better.

Mr. SCADDAN: I am prepared to admit that. After all, there is room even for an

opinion on a question of that kind. The member for Mount Margaret (Mr. Taylor) has moved an amendment because of the wording of Clause 3 of the Bill. It is due to that and to nothing else. It has nothing to do with the principles contained in the measure. That clause, the Attorney General told us, was drafted by him and deliberately worded in that fashion for the purpose of enabling Ministers to avoid the responsibility of bringing down the measure, and to enable him to get out of the difficulty he has got his Government into.

The Attorney General: It was not to get out of the difficulty at all.

Mr. SCADDAN: The Bill requires to be introduced by Message from the Governor, and under these circumstances the Attorney General having stated the Government's intentions was not permitted by his chief, as the Minister controlling this department, to bring down a Bill which required a Message, and he arranged the matter on this basis. Are the Government prepared to take the responsibility of saying that the referendum should be held on this question at a cost to the electors of £6,000?

The Attorney General: The hon. member puts party before the Bill.

Mr. SCADDAN: When we were on the other side of the House we never shirked our responsibilities as a Government on any question of public interest. To talk about its being party or non-party is so much nonsense. The Government of the State must take the responsibility of the expenditure of every penny of public money.

The Minister for Works: We are prepared to do that.

Mr. SCADDAN: Why do the Government not do so, and why did the Government not do it? Why did not the Government introduce a Bill, or arrange for a member to submit a motion in order to get an expression of opinion, if that is what they desire? Then they could say in reference to the motion, "We are prepared to undertake the expenditure of public funds." Would it not be preferable to ask the Attorney General to allow this matter to be withdrawn, and then the Premier can take the responsibility of either bringing down a Bill which will or will not mean the expenditure of public money? The Premier

cannot evade his responsibility and neither can the Government. It is a constitutional principle that the expenditure of public money shall only take place with the concurrence of the Government. Our Standing Orders provide that members shall not be permitted to cause expenditure of public funds without the concurrence of Ministers.

Mr. Taylor: They cannot tax and they cannot spend.

Mr. SCADDAN: In the Estimates members cannot move to increase items, but they can reduce them.

Mr. Thomas: If this shows the will of the people, why worry?

Mr. SCADDAN: The hon. member would set aside all principles of Government for the purpose of getting something which appears to be demanded by his constituents.

The Premier: There will be no expenditure in connection with this.

Mr. SCADDAN: That is rather interesting. How are we going to submit a question of any nature to the people without the expenditure of public money? There is nothing in this about the referendum being taken at the general election.

The Minister for Works: The hon. member has not read the Bill.

Mr. SCADDAN: It says, "or any earlier date on a proclamation issued by the Government."

The Premier: What will the hon. member do about the amendment, anyhow?

Mr. SCADDAN: I am trying to urge the Premier to carry the responsibility which attaches to his office.

The Premier: I will carry the responsibility, don't you worry.

Mr. SCADDAN: Are we, then, to accept the position that the Premier is agreeing to this Bill? In the event of it being carried, he will not be able to shirk his responsibility.

The Premier: I think I told the hon. member, if Parliament passes the Bill, I will bring in an appropriation for the money.

Mr. SCADDAN: It is unnecessary to discuss the matter further except to say

that I am surprised at the attitude of our friends who, when on this side of the House, never failed to draw attention to the responsibilities of those who fill the Ministerial offices, but who neglect to pay any attention to those responsibilities when they themselves are in possession of the Treasury bench. The clause in question is an evasion of the Constitution Act.

The Attorney General: Rubbish.

Mr. SCADDAN: Then the Bill is not worth the paper it is printed on.

The Minister for Works: What is the hon. member stonewalling the Bill for?

Mr. SCADDAN: I am not doing anything of the sort. I am asking members to try and do their duty in a constitutional way.

Mr. S. STUBBS (Wagin) [12.8]: Several members have stated that if they vote for the amendment they will wreck the Bill. I think it was unworthy of them to say that. The member for Katanning said that anyone who voted for the amendment would be shirking his duty and would be deliberately wrecking the Bill. I want to make my position clear: I am going to vote against the Bill. But, as I do not wish to allow any member to say that in voting for the amendment I have an ulterior purpose, I wish to point out that I feel bound by your ruling, Mr. Speaker, that the Bill as introduced by the member for Katanning is in order. I should be glad to see the Bill thrashed out on its merits, so that there may not be an opportunity for anyone to say that the member for Wagin shirked his duty and was afraid to vote against the measure.

Mr. Holman: The carrying of the amendment will not kill the Bill. The Government can bring the Bill in again. The Government are shirking their responsibility.

Mr. S. STUBBS: I hope the Bill will be debated, and debated calmly. If the amendment is defeated, members will have an opportunity of speaking on the measure itself, as they cannot do now. My desire is to explain to the House and to the country why I am opposed to the Bill. I still consider that the Member for Mt. Margaret (Mr. Taylor) was right in moving his amendment, and this in face of the assertion that members voting for the amendment will be

doing so from an ulterior motive. For myself, in the circumstances I feel compelled to vote against the amendment on that ground, and on that ground alone.

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

Ayes	..	..	..	..	16
Noes	..	..	..	..	26
Majority against					10

AYES.

Mr. Carpenter	Mr. Lambert
Mr. Chesson	Mr. Mullany
Mr. Collier	Mr. Munsie
Mr. Cunningham	Mr. Scaddan
Mr. Foley	Mr. Taylor
Mr. Green	Mr. Walker
Mr. Holman	Mr. Bolton
Mr. Hudson	(Teller.)
Mr. W. D. Johnson	

NOES.

Mr. Allen	Mr. Robinson
Mr. Angwin	Mr. Smith
Mr. Butcher	Mr. S. Stubbs
Mr. Connolly	Mr. Thomas
Mr. Gardiner	Mr. Thomson
Mr. George	Mr. Underwood
Mr. Griffiths	Mr. Veryard
Mr. Harrison	Mr. Wansbrough
Mr. Hickmott	Mr. Willmott
Mr. E. B. Johnston	Mr. A. A. Wilson
Mr. Lefroy	Mr. F. Wilson
Mr. Mitchell	Mr. Hardwick
Mr. Nairn	(Teller.)
Mr. Plesse	

Amendment thus negatived.

Question (Second reading) put and a division taken with the following result:—

Ayes	..	..	..	..	18
Noes	..	..	..	..	24
Majority against					6

AYES.

Mr. Allen	Mr. Smith
Mr. Angwin	Mr. Thomas
Mr. Carpenter	Mr. Thomson
Mr. Griffiths	Mr. Veryard
Mr. Harrison	Mr. Walker
Mr. Holman	Mr. Wansbrough
Mr. W. D. Johnson	Mr. A. A. Wilson
Mr. E. B. Johnston	Mr. Bolton
Mr. Robinson	(Teller.)
Mr. Scaddan	

NOES.

Mr. Butcher	Mr. Mitchell
Mr. Chesson	Mr. Mullany
Mr. Collier	Mr. Munsie
Mr. Connolly	Mr. Nairn
Mr. Cunningham	Mr. Plesse
Mr. Foley	Mr. S. Stubbs
Mr. Gardiner	Mr. Taylor
Mr. George	Mr. Underwood
Mr. Green	Mr. Willmott
Mr. Hickmott	Mr. F. Wilson
Mr. Hudson	Mr. Hardwick
Mr. Lambert	(Teller.)
Mr. Lefroy	

Question thus negatived; Bill defeated.

BILL — POSTPONEMENT OF DEBTS CONTINUATION.

Returned from the Legislative Council without amendment.

BILLS (2)—FIRST READING.

- 1, Zoological Gardens Act Amendment.
- 2, Execution of Instruments.

Received from the Legislative Council.

House adjourned at 12.24 a.m. (Thursday).

Legislative Council,

Thursday, 2nd November, 1916.

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