

Legislative Assembly.

Tuesday, 31st August, 1915.

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

PAPERS PRESENTED.

By the Minister for Lands: Regulations under the Abattoirs Act and the Plant Diseases Act.

By the Minister for Works: By-laws (Perth) under the Municipalities Act; regulations under the Workers' Homes Act.

By the Honorary Minister: By-law Westons local board of health; by-law of the Cue-Day Dawn roads board under the Health Act; amendment to regulation 25 under the Prisons Act; amendment to regulations under the Industrial Conciliation and Arbitration Act.

By the Premier: Public Service Commissioner, 10th Annual Report.

QUESTION—ENEMY SUBJECTS IN GOVERNMENT EMPLOYMENT.

Hon. J. D. CONNOLLY (without notice) asked the Premier: Has the Premier's attention been drawn to the following resolution passed by the All British Association on the Perth Esplanade on Sunday, 29th August:—"That this Government dispense forthwith with the services of all alien enemy subjects in its employ, naturalised or otherwise." If so, what action is contemplated.

The PREMIER replied: My notice has been drawn to the resolution passed by the gathering held on the Esplanade

on Sunday afternoon last. There is nothing further to add, so far as I am personally concerned, to the reply I gave to the deputation from the All British Association introduced by the hon. member last Friday. The matter is one that any hon. member can submit to the House at any time for an expression of opinion, and if the House is of opinion that the terms of the resolution shall be complied with, the Government will have pleasure in carrying out the wishes of the House. Personally, I hold that the resolution is impracticable, and impossible to carry out, and if the naturalisation papers are not what they purport to be, representations can be made to the proper quarters, namely, the Federal authorities and not the State.

QUESTION—MINING REGISTRAR'S OFFICES, BROAD ARROW AND KANOWNA.

Mr. MULLANY asked the Minister for Mines: 1, Will he reconsider the decision to close the mining registrar's office at Broad Arrow? 2, What was the number of leases applied for and the amount of business transacted at that office during the last financial year? 3, What was the number of leases applied for and the amount of business transacted at the mining registrar's office at Kanowna for the same period?

The MINISTER FOR MINES replied: 1, The decision to close the mining registrar's office was not arrived at without much consideration, and it is not proposed to reconsider the question. 2, The figures relating to the business of the office for the 12 months ending 31st December, 1914, are as under:—Transfers, 19; exemptions, 30; agreements, 5; power of attorney, 1; withdrawals, 4; applications for leases, 20; prospecting areas, 40; miners' rights, 95; surrenders and forfeitures, 53; complaints, 8; recommendations, 25. 3, At Kanowna the figures for a similar period are as follows:—Transfers, 13; mortgage, 1; exemptions, 32; agreements, 13; powers of attorney, 2; withdrawals, 3; applications

for leases, 9; prospecting areas, 23; other mining tenements, 6; miners' rights, 74; surrenders and forfeitures, 26; plaint, 1; recommendations, 19; objections, 2; refusals and withdrawals, 3.

QUESTION—PROBATE DUTY, SOLDIERS' ESTATES.

Mr. GRIFFITHS (for Mr. Willmott) asked the Premier: 1, Is it the intention of the Government to remit probate duty on the estates of deceased Australian soldiers during the war? 2, If this matter has not already been under review, will the Government take it into favourable consideration at an early date?

The PREMIER replied: 1 and 2, The matter has been under review. The Government favour a uniform basis and have telegraphed to Sydney, and await a reply. The Government proposals are—"administration of all estates up to £300 free, all costs and charges being dispensed with. Above £300 and not exceeding £1,000 at half-rates. Above £1,000 full rates."

QUESTION—INDUSTRIES ASSIST- ANCE BOARD, SALE OF BRAN.

Mr. SMITH asked the Minister for Lands: 1, Did the Industries Assistance Board dispose of some hundreds of tons of good bran to a man named Carter at Fremantle for £3 10s. per ton? 2, Will he supply particulars of the transaction?

The MINISTER FOR LANDS replied: 1, No. 2, 248 tons 146lbs. of damaged bran and pollard was sold to Carter, of Fremantle, at £3 10s. per ton and an officer of the Board was sent down to the Grain Shed to deliver damaged stuff only.

QUESTION—STATE BRICKWORKS, CAPITAL COST.

Mr. ALLEN asked the Minister for Works: 1, (a) Does the cost of raising the loan money (including the difference

between the amount actually realised and par) expended on the establishment of the State Brickworks, form part of the stated capital cost to June 30th this year? (b) Or is this additional thereto? (c) If so, what total sum would be further chargeable? (d) Has interest on these loan moneys payable during construction been charged in the stated capital cost to June 30th? (e) If not, what was the total amount of this interest during construction period? (f) Have office charges in Perth during construction been included in the said capital cost? (g) If not, what sum is so chargeable? 2, (a) Will the cost of producing bricks be debited with office charges, including rent, wages, stationery, stamps, fares, and other charges as actually incurred? (b) Or is it intended to charge these as has been done in the case of the Boya quarry, viz., 1¼ per cent. on the expenditure? (c) Will he ascertain whether such percentage charge should not be 2½ per cent. or thereabouts, if a percentage charge is adopted? (d) What fees, allowances, or commissions are being made or paid to any person (not being an officer in the department) for selling or purchasing bricks? (e) Have any bricks been charged to Government works at higher prices than bricks have been sold to private persons? 3, (a) What rate of interest on the capital expenditure will be charged against producing bricks? (b) What rate for sinking fund? (c) What rate for depreciation?

The MINISTER FOR WORKS replied: 1, (a) No. (b) No. (c) The discount on issue is treated as part of the cost of raising, and is taken into account when calculating the amount of interest chargeable, this being in accordance with the universal practice. (d) No. (e) £1,131 18s. 10d. (f) Yes. (g) Answered by (f). 2, (a) Yes, except where such expenditure is interwoven with general expenditure, in which case a fair estimate is made. (b) All expenditure which can be charged direct is charged direct, but in cases such as salaries of departmental staff officers, use of Public Works Department telephones, electric light, stationery,

etc., where the brickworks' requirements only take up a portion of staff officers' time, and other head office expenditure, it is intended to charge on a percentage basis, which, it is estimated, will not exceed $1\frac{1}{4}$ per cent. on the turnover for the year. (c) It is contended that the $1\frac{1}{4}$ per cent. will fully cover all indirect charges. (d) $2\frac{1}{2}$ per cent. on accepted orders. (e) No. 3, (a) 1912-13, 4 per cent.; 1913-14, $4\frac{1}{4}$ per cent.; 1914-15, $4\frac{1}{2}$ per cent. (b) 1 per cent. (c) Rates vary as they are determined on the life of the respective assets.

QUESTION—MAILS, CONVEYANCE OVER STATE RAILWAYS.

Mr. GRIFFITHS asked the Minister for Lands: 1, Has he had a consultation with Mr. Spence, Postmaster General, upon the conveyance of mails over the State railways in Western Australia? 2, Did he promise to look into the matter upon his return to Perth? 3, If so, will he use his influence to bring about prompt and immediate action in this matter?

The MINISTER FOR LANDS replied: 1, Yes. 2, Yes. 3, It is proposed to discuss matter with Minister for Railways.

BILL — NEWCASTLE-BOLGART RAILWAY EXTENSION.

Read a third time and transmitted to the Legislative Council.

BILL—WEIGHTS AND MEASURES.

Second Reading.

Debate resumed from the 24th August.

Hon. H. B. LEFROY (Moore) [4.43]: This measure which has been introduced by the Honorary Minister is, as has been explained, not a party one. I do not see how by any stretch of imagination it could be made a party measure, but at the same time it is an important one. It was explained that the Bill was necessary and that it was framed on the lines of the most recent legislation. It must be admitted that the Bill is necessary because

we have been administering weights and measures under a statute which was passed 16 years ago, and the conditions of the country to-day are vastly different from what they were at that time. The subject is a complicated one, and there are in the Bill many technical questions which will affect the whole community. I have not heard or read any criticisms of the Bill, but I trust that hon. members have studied it carefully, because, necessary though it may be, it will affect all sections of the community, and it may be found that there are among its provisions some which will prove inconvenient, tending to harass people in an unnecessary degree. This is one of those measures in the framing of which the Minister has had to rely upon the expert advice of his officers, who, I have not doubt, have gone thoroughly into the question, carefully considering all its details. But, in dealing with a measure such as this, very often those who frame it think it will not go beyond the large centres where it will be chiefly used, and therefore I impress upon my country friends, at any rate, the necessity of earnestly considering it from the point of view of how it will affect traders in the country. The principal flaw in the existing Act is that it is administered by the municipalities, who have no jurisdiction outside their own areas. Moreover, not all the municipalities have brought themselves under the Act. In view of this, the Bill I think is necessary to all sections of the community, and particularly to the traders in the country.

The Minister for Works: The wheat sellers at railway sidings have repeatedly asked for it.

Hon. H. B. LEFROY: The Bill has been framed on the New South Wales Act which was passed only a few months ago, and which, in turn, was framed on English Acts. The New South Wales Act provides that its administration shall be taken out of the hands of the municipal bodies and left with the Commissioner of Police. That, I think, is a wise provision, for the Act will be well and fairly administered by the police. The Minister said that half the fines to be inflicted under the Act would be returned to the inspector

and placed to the credit of the Police Benefit Fund. The Bill does not provide that, although the New South Wales Act does.

The Premier: It was an omission in the printing.

Hon. H. B. LEFROY: I cannot understand how it was omitted. I wondered whether the Government were a little uncertain as to how it would work. Although by some it may be considered that such a plan offers a reward for vigilance in seeking out cases, still at the same time I do not think we need look at it in that light. When we consider the matter broadly, it will be realised that it is not the individual who gains the benefit from the fund, but the whole of the force generally. Again, the administration of the measure will impose a considerable burden on the police, will give them a good deal of trouble, and perhaps this disposal of the fines and penalties may be regarded as some little return for that trouble.

Hon. J. Mitchell: It is a dangerous precedent.

Hon. H. B. LEFROY: I admit it.

The Premier: It is not a precedent; it is already in operation in this State.

Hon. H. B. LEFROY: I was not aware of it. Again, in New South Wales the Railways are brought under the Act. This is of considerable importance to country people. I do not know why, but that provision is not included in the Bill. I think the Railways should come under the measure. It was one of the chief reasons given for supporting the Bill during its passage in New South Wales. If the Railways were brought under the Bill, the farmers would know that all the weighing machines of the Railways were open to inspection.

The Premier: The weighbridges on railway stations are not for the sale of goods.

Hon. H. B. LEFROY: But a great many of our farmers rely on them. Moreover, if they are not for the sale of goods, they are for the payment of freight, and no doubt the Railways buy what they require over those weighbridges.

The Premier: It will mean thousands a year additional expenditure.

Hon. H. B. LEFROY: These railway weights are taken by the purchaser and the seller, and a great many farmers depend on the weights given to them at the railway. In the past a considerable discrepancy between the weights at one end and those at the other has frequently been discovered, and I think that very often the railways themselves are at fault in this. The House would do well to follow the lead of New South Wales and bring the railways and tramways under the Bill.

The Premier: I do not think you know what you are asking.

Hon. H. B. LEFROY: Surely what is good in New South Wales must be good in Western Australia. The railways there are Government property, just as they are here, they serve the same people, and we all agree that the railway weights ought to be inspected.

The Premier: They are now. We have a staff of inspectors, and in some cases it would be dangerous for an inspector under this Act to go on railway property.

Hon. H. B. LEFROY: Policemen can be trusted to look after themselves. Certainly the Government would do well to follow New South Wales in this. Another point: the Bill provides that no person shall sell by retail any article except by net weight or measure. In the past the farmer has always sold his wheat by the bushel, with the bag weighed in. Surely this is not to be another injustice to the farmer, that he will have to lose the value of his bags. If this is adopted as a retail principle it should be adopted in the wholesale trade as well, because if people are obliged to sell their wheat retail by net weight, it must be purchased at net weight, whereas at present the bag is given in with the wheat.

Hon. R. H. Underwood (Honorary Minister): Let him give the bag back again.

Hon. H. B. LEFROY: That cannot be done. The farmer will lose his bag every time. It is not right to place this additional burden on the producer, who

should be relieved in every possible way. Again, it is provided that any person delivering to a purchaser at a place other than the premises of the seller shall deliver an invoice of delivery showing the net weight of the measured article. Hon. members should look into this, because I think that in the framing of these measures people in the back blocks are not considered, and, as they have no opportunity of being heard, they are consequently overlooked.

The DEPUTY SPEAKER : Order ! There is too much conversation going on.

Hon. H. B. LEFROY : If Jones wishes to buy a bag of oats he goes to Brown and says "Will you sell me a bag of oats?" Brown replies, "I will be coming along to-morrow, when I will leave the bag at your place." Under the Bill he will have to put on the net weight of the oats and hand in an invoice with it. All that sort of thing is unnecessary. These dealings between individuals in the country have been satisfactory in the past, and those people are well able to look after themselves. It is only putting fresh burden on those people, causing them hardship and exasperation. Of course the Premier does not deal in these things. The Premier deals only in sovereigns and gold.

The Premier : I have not seen one for years.

Hon. H. B. LEFROY : The Premier's great forte is finance. He knows nothing about bags of oats and that sort of thing.

Hon. J. Mitchell : Nor about bran and pollard.

Hon. H. B. LEFROY : In good time. I hope he will know all about bales of wool.

The Premier : No, I am trying to forget a lot.

Hon. H. B. LEFROY : I merely draw attention to these matters in the hope that representatives of country districts will make a study of the Bill, because it needs careful study, to enable them to determine how the incidence of the measure is likely to affect the community in the backblocks. Under the mea-

sure, all weights have to be stamped and inspected. If a farmer has weights and scales used occasionally when selling a bag of wheat or oats, they will have to be stamped, and if the inspector finds them to be not exactly true to an ounce the farmer will render himself liable to a fine. If a farmer has a machine for weighing wool or a number of bags of wheat at a time, he will have to take it to an inspector once every two years to have it overhauled. If people in the country are prepared to do this sort of thing and think it will be a convenience and an advantage to them, I will not be behindhand but will do the same myself. On the other hand, however, there may be some who will not be in a position to do it. If a farmer wishes to weigh a half or a quarter of a sheep, it will be necessary to have his scales tested to ensure absolute accuracy. Hon. members know that all farmers are honest, and would rather give a little extra weight than underweight.

The Premier : Hear, hear, especially when refunding money to the Treasury.

Hon. H. B. LEFROY : I have been in a good many places, but have not been Treasurer, so I cannot say.

The Premier : We are all honest.

Mr. James Gardiner : When we can afford it.

Hon. H. B. LEFROY : Another feature of the Bill is that it leaves a great deal to regulation. Perhaps it might be necessary to leave more to regulation under a measure like this than under an ordinary Act. Some alteration might suddenly be made in weights or some new method in weighing might be invented, and it would be necessary for the Government to pass certain regulations to meet the position. I welcome the Bill because I think it is necessary. Personally I have never heard much complaint from country districts though there may be complaints in the town with regard to light weight.

Mr. Foley : Not many inspections are made in the country.

Hon. H. B. LEFROY : If we are going to pass a measure of this description,

it should be a good and effective one which is likely to achieve the desired object. The existing Act has not met the object for which it was framed. It applied only to municipalities and could not be put into operation outside of such districts. I welcome a measure which will embrace the whole of the community, but at the same time I hope members will carefully examine the Bill and will voice their objections in Committee, and I trust the House will see that such an important Bill is not hurried through without thorough consideration.

Mr. WILLMOTT (Nelson) [5.5]: I do not agree with the member for Moore (Hon. H. B. Lefroy) that there are not many complaints in the country districts because, in my opinion, and in the opinion of those who know—and I certainly thought the hon. member would have known—the farmers have lost thousands of pounds in cash through incorrect weights at the various sidings.

Hon. H. B. Lefroy: I agree with that, therefore bring the railways under the Bill.

Mr. WILLMOTT: Certainly.

The Premier: That is a very serious statement to make. You ought to bring some evidence.

Mr. WILLMOTT: I could get cart-loads of evidence.

The Minister for Works: That is through using private scales, not Railway scales.

Mr. WILLMOTT: It is possible to find 15 or 20 private scales dumped down and not used from one year's end to another, and when stuff is weighed on them how can they be in a proper condition to record the correct weight?

Mr. George: Is that the fault of the Railway Department?

Mr. WILLMOTT: I am referring to private scales at the sidings.

Mr. George: That is not the fault of the Railway Department.

Mr. WILLMOTT: I did not say it was. The country store scales require to be tested. They have never been tested from the day they were bought.

Mr. Foley: The storekeepers would never beat you, would they?

Mr. WILLMOTT: The storekeepers might be as honest as the farmers, but it is as well to have a little help to keep honest. Such scales should be tested just the same as those in the metropolitan area. Under the Bill, the townspeople are protected in every way, and rightly so, and the people in the country wish to be equally protected. Penalties are provided under the Bill which will no doubt deter people from doing things which they have done in the past. When the police are administering a measure of this description, I cannot imagine how they will be able to drag around the cumbersome testing weights. Supposing the police wished to go from Dowerin to Wyalatchem and test scales there, how could they drag around the necessary testing weights? If they do travel around like this, will they have time to administer such an Act? The police are kept very busy in many ways, what with collecting census returns and so on, and I doubt whether they will have the time to administer this measure. The country districts are not over-policed, and I doubt if they will have time to attend to the enforcement of such a law, so that it may be necessary to appoint extra inspectors under the control of the Commissioner of Police. In the old days, the councils had to defray the cost of administering the Act.

Hon. R. H. Underwood (Honorary Minister): They had profit out of it.

Mr. WILLMOTT: A mighty small profit. The existing Act has become an absolute farce, and it is high time an effective measure was put into operation. The weighing machines at country stations also should be inspected.

The Premier: They are being inspected.

Mr. WILLMOTT: They should be inspected under this measure.

The Premier: What object could inspectors of railway machines have in making incorrect tests on the railways?

Mr. WILLMOTT: There might be no object at all, but inspectors are liable to make mistakes. They are not infallible.

The Premier: Would not inspectors under this measure be liable to make mistakes too?

Mr. WILLMOTT: No, they could not do such a thing. It would be a good idea to abolish many of the little private scales at the railway sidings by putting in weighbridges. It would pay the Commissioner of Railways handsomely to do so.

The Premier: That is the first proposal you have made affecting the country to help the Treasury.

Mr. WILLMOTT: Clause 20 prohibits the selling by retail of any article by weight or measure unless by net weight or measure. This provides another very good argument in favour of bulk handling of wheat. What is "retail" as applied to a farm? Would the sale of a bag of oats be embraced by that term?

Hon. R. H. Underwood (Honorary Minister): This will not affect the farmers.

Mr. WILLMOTT: The Bill is for the farmers' benefit, and we want it to affect them. When the Committee stage is reached it will be necessary to make the Bill affect farmers in one or two instances. Clause 20 will have the effect of hampering the farmers.

The DEPUTY SPEAKER: Order! Members must realise that the *Hansard* reporters must take correct reports of members' speeches, and they cannot do so unless members cease the loud conversation which has been carried on. I have been asked to make this intimation as the *Hansard* reporters cannot hear what is being said.

Mr. WILLMOTT: When the Bill reaches Committee we shall be able to deal with those clauses which require to be altered.

Mr. FOLEY (Leonora) [5.13]: In supporting the second reading of the Bill I may say that for many years I have thought there should be something more than the legislation on the statute-book to deal with the matter of weights and measures. In listening to the Honorary Minister moving the second reading we did not find out much about the Bill, but after reading the various clauses we have

been able to find out a great deal about it. I was glad that the Honorary Minister merely spoke regarding the salient points with which he was thoroughly conversant. When referring to one or two points, he made it absolutely clear that he would not consider whether the Bill would benefit the farmer, the shopkeeper, the merchant, or any other class of the community. He merely wished to hold the balance truly between buyer and seller, irrespective of whether farmers, storekeepers, merchants, or any other section of the community were concerned having consideration only for the seller on the one hand and the buyer on the other. One hon. member remarked that he wished the Bill to affect the farmers. This farmer business is repeatedly being introduced into the debates, but I would point out that everyone wishes to benefit the farmer. Under a measure of this description the farmer should receive no more consideration than anyone else. There ought to be no Government assistance to farmers in connection with the question of weights and measures. A true scale is all the justice for which the farmer should ask.

Mr. Willmott: That is all he is asking for.

Mr. FOLEY: This Bill gives every section of the community justice, so far as the purchasing power of a sovereign is concerned. There is one main point at issue, and that is that the Government intend to take over by this measure the whole of the administration of the Weights and Measures Act. This, in itself, is the one thing that is going to make the Bill a good one. The question of whether a person is in favour of State enterprises or not should not enter into this matter. So far as the metropolitan area is concerned, facilities exist for giving the honest trader justice as against the dishonest trader, but in many other parts of the State every hon. member who has spoken has said that things have not been administered as they should have been—and particularly in the country districts. There is another feature of the measure which will give a sense of security to the honest trader. In Western

Australia at the present time any class of scale that any firm may wish to import may be brought into the State. There are dozens and dozens of scales now being used for the selling of goods and the weighing of goods for sale, in the metropolitan area especially, that are barred by the Board of Trade in England. If a scale is found fault with by the Board of Trade it is not allowed to be used, but the firm turning them out can still continue to make them and dump them down in Western Australia. So it is, therefore, that any one purchasing goods in Western Australia is liable to have the goods which he purchases weighed upon this class of scale.

Mr. George: Do you really mean that this sort of thing occurs?

Mr. FOLEY: I am positive it does occur.

Mr. George: I am positive it does not.

Mr. FOLEY: The hon. member may be positive it does not occur, but I am equally positive it does.

Mr. George: You are wrong.

Mr. FOLEY: I do not profess to have the world-wide knowledge of my hon. friend, or to have his business capacity, or his vast experience of metals of every description and, in fact, of everything in the world. So far as this question is concerned, however, I claim to have had a better opportunity of judging the merits of the case than the hon. member, and I have a superior knowledge of what class of scale is being used in the State at the present time.

Mr. George: All right.

Mr. FOLEY: There is one class of scale in use here. It is an iron scale and costs 3s. 6d. Iron scales, however, are not allowed by the Board of Trade in England. If anyone will go into any three out of four shops in the metropolitan area I venture to say that he will find an iron scale in use.

Mr. George: When was it that the iron scale ceased to be used in England?

Mr. FOLEY: This was done under the Board of Trade regulations. If the hon. member will only look over this book he will find every class of scale which is allowed to be used in England, and will

ascertain that the iron scale is prohibited there at the present time. The makers of scales in England continue to manufacture them, however, and they are being dumped into Western Australia. Since the advent of the Act in New South Wales it is not possible after a certain length of time for these scales to be used. The knife-edged blade on the 3s. 6d. scales should on all scales be razor keen. It should be made of steel, and steel only, in order to give the purchaser a fair deal with the seller.

Mr. George: Are not Avery scales and others made in that way?

Mr. FOLEY: The firm of Avery makes iron scales, and I can take the hon. member to scales in this town which are made by this firm. When this firm makes these scales it does not always put the name of the maker upon them. A different name is put on many of them. I am not talking at random. I say that these scales are now being used in the State of Western Australia, and are being used to the detriment, perhaps, of those people earning 9s. a day, and who are having a very hard time in their endeavour to make ends meet.

Mr. George: You are speaking of one of the finest firms of scale makers in the world.

Mr. FOLEY: I know what I am saying, and I say this advisedly. One of the important essentials under this Bill is that it is going to give the buyer and seller equal consideration. With iron scales it is impossible to do this. I admit that the hon. member for Murray-Wellington (Mr. George) knows something about the tempering and face-hardening of steel.

Mr. George: I do not know anything about your face-hardening.

Mr. FOLEY: The hon. member himself is face-hardened. After a little while in some instances, or a greater while in other instances, in the working of these scales, owing to the friction which takes place, the iron places will wear out before the steel places. According to the Board of Trade in England every little pivot on which these scales work shall be razor keen, and one cannot get the same effect from iron as one can get from steel.

Therefore, under this Bill the scales that are made at the present time and used in Western Australia can be thrown out of commission if after expert knowledge has been gained of them the Minister has satisfied himself that they are an unjust class of scale. At the present time the Minister possesses no such power. In connection with the use of iron scales, there is this point that we must bear in mind when considering the person who is buying. If a person goes into a shop and buys a pound of butter, the man who hands over the parcel of butter alleges that it weighs one pound, though it may be only 15 ozs. If an inspector buys that amount of butter and it turns out to weigh only 15 ozs., and proceeds to take that butter back to the shopkeeper because it is short weight, the shopkeeper cannot be prosecuted for giving short weight if his scale, upon which he weighed the butter, is wrong. The position, therefore, arises that a man can have his scales wrong in Western Australia and use that argument to combat the argument of the inspector, who has endeavoured to put the provisions of the present Act into force. The measure now before the House will alter this. Under the proposed law the authorities will have an opportunity of coming down upon the man who gives short weight in any direction, whether his scales are wrong or whether they are right. The question was raised by the hon. member for Moore (Hon. H. B. Lefroy) that some scales might be out to the extent of pounds in the country districts. Under our present Act no error tables are provided for, and a scale might be one oz. out or four or five ozs. out. Whether a farmer is selling a side of bacon or half a sheep, or any other commodity to his neighbours it is just as much a misdemeanour under this Bill for the farmer to give short weight as it is for the shopkeeper in the City of Perth to do so to any one who buys from him. What more does one want? We want an Act to hold the balance between the buyer and the seller, and this measure, I maintain, does this. If a farmer or any man out-back has a scale, and this scale is of a certain class, and is out in the

weighing to the extent of, say, one lb. or one oz., or half an oz. in seven, under the Bill we can deal with him. There is an error table provided for. If a certain class of scale is half an oz. out or any other amount in a lb., even to the extent of seven or eight or nine grains, an error margin is allowed, but if the scale is faulty beyond the margin allowed for, the man can be prosecuted for having corrupt scales in his possession—and rightly so, too. Under our present Act an inspector has no option but to take the man's word for it, and to tell him to get his scales put right, and has no power to order the confiscation of the scales in any way. We now come to the question of computing scales. Most hon. members have, perhaps, been into shops and seen these scales. There are two beams; one beam weighs the amount in weight and has a slip weight on the end, and the other beam is on the top and gives the purchase amount. These beams are supposed to work in unison one with the other, and the two beams to go up together. I have had opportunities for seeing these machines, and I took the Colonial Secretary to certain places which used these scales. In one instance a 14 lb. weight was placed upon the weighing plate on one of these computing scales. The 14 lb. slip-weight was adjusted on the weighing beam, and the balance was true at 14 lbs. The average man who goes into a shop and wishes to buy 14 lbs. of potatoes will see these potatoes put on the scale and will say to himself as the weight is registered, "I am getting 14 lbs. weight and I am quite satisfied." But on the computing beam of the same scale that the Colonial Secretary saw a commodity was being sold at 1s. a lb. The purchase weighed 14 lbs. as far as the weight beam was concerned, but a glance at the computing beam showed a value of 15s. 8d., that the seller of the goods got for the 14 lbs. weight at 1s. a lb. If, in the opinion of the Minister, he can find out that such scales are being used under this measure he is given authority to do away with this class of scale altogether. In support of this, I want to read an advertisement which has to do with a certain

class of scale. The advertisement is as follows:—

Can you do this on your scale? Buy 20 lbs. of loin pork at 9 cents a lb., retail them at the same price and get your money back. We can on our scale, and return you a profit of 3 per cent.

That is not a bad sort of scale for a store-keeper to have.

Mr. B. J. Stubbs: A profitable enterprise.

Mr. FOLEY: But it is a bad scale for the man receiving 8s. or 9s. a day in the metropolitan area. It is a bad scale for the man in the Gwalia district, say, working for 11s. a day 3,000 feet down in bad air and under other adverse conditions. No Act can be too strong or too drastic to put down this kind of thing. I am satisfied that when the Minister has the necessary authority every member of this House will back him up in keeping out that class of scale. There is another class of scale with which the Minister under this Bill will have power to deal, whilst the existing law does not enable him to interfere in any way whatever. As I said previously, an inspector who finds a scale registering correct weight although giving short weight to the buyer, is left without an argument, and cannot bring the dishonest trader into court and prosecute him for doing what is practically the same as putting his hand into the customer's pocket and stealing his money.

Mr. George: Is that a balance scale?

Mr. FOLEY: It is an ordinary spring scale.

Mr. George: But ordinary spring scales are not allowed. The Perth City Council abolished them years ago, and would not allow them to be used.

Mr. FOLEY: They are to be found in every butcher's shop in the metropolitan area, almost.

Mr. George: The Perth City Council did away with them years ago.

Mr. FOLEY: I know that the Perth City Council wrote to the Government many years ago asking the Government to do something in the matter. They

suggested that power be given to the Colonial Secretary to do something in the direction of regulating spring scales.

Hon. J. D. Connolly: That is right.

Mr. FOLEY: Up to the present day nothing has been done. The law then existing has never been repealed or amended, but is still in force; and no other regulation has been made, except the one governing weights and measures; not even when my friend who interjected was a member of the Perth City Council.

Mr. George: The city council did it.

Mr. FOLEY: They meant to do it, but they did not do it. If they did it, how is it all these spring scales are being used at the present time? They are to be found in the butchers' shops and generally in shops. One may see the shop-keeper in the early morning pulling the spring scale down so as to bring it to the direct line starting at nought.

Mr. George: You mean a sort of spring balance?

Mr. FOLEY: Yes. Every change in atmospheric conditions alters the tension of the spring. Arrangements have been invented for the purpose of doing away with any alteration of tension from atmospheric conditions.

Hon. J. D. Connolly: But this Bill does not aim at remedying that.

Mr. FOLEY: Yes, it does.

Hon. J. D. Connolly: Where?

Mr. FOLEY: It gives power to prohibit the use of certain scales and to regulate what scales shall be used.

Hon. J. D. Connolly: Under what clause?

Mr. FOLEY: When we come to the Committee stage I intend to suggest an amendment empowering the Colonial Secretary to decide what scales shall not be used. Then, when the inspectors in the course of their duty find in use scales which are a detriment to honest, legitimate, and fair trading, the Minister will have the opportunity of saying that that class of scale shall not be used. Some scales will weigh 11b. correctly; they may weigh correctly up to 7lbs.; but it will sometimes be found that in weighing

24lbs. they are a quarter of a pound out. It is a wrong thing to permit the use of scales which do not weigh correctly up to their top limit. I do not say for one moment that all the scales of this kind now in Western Australia are being used for the benefit of the man behind the counter, because I know thoroughly well that such is not the fact. I have had the opportunity of speaking with men who know the subject, and they tell me that there are shopkeepers selling their commodities by means of such scales at the present time and giving greater weight than they should do. There was one very reputable firm in the South-West—many members of this Chamber know the gentleman comprising that firm—used for many years a scale which in a 7lb. bag gave away two ounces and in the 14lb. bag gave away four ounces. Until it was proved to the firm that the scale was wrong, this went on. It is equally unjust to have a scale which harms the man selling as it is to have one which injures the man buying. The present Bill gives the Minister the right to go into the question of platform scales. Personally I consider the Minister should have power over scales irrespective of whether they are used in a shop or on a railway station. Wherever goods are sold by weight, or scales are used for the purpose of determining a monetary consideration in respect of goods, the direct supervision of the Government should extend.

Mr. George: Are not railway scales properly tested?

Mr. FOLEY: In my opinion they are not.

Mr. George: They are tested.

Mr. FOLEY: I know they are tested. However, I wish to point out that even under the Bill as it stands the Minister has an opportunity to appoint, by regulation, inspectors from the police force. There is nothing, so far as I can see, to prevent the Minister from appointing a man to an inspectorship and then making him a member of the police force as regards the administration of this measure. Thus the measure would accomplish what the Honorary Minister said he

wished. I know that the Railway Department have adjusters going round all over the railway system, and those men should know their work.

Mr. George: Do not they know it?

Mr. FOLEY: I am not going to say what they do know or do not know; but those adjusters could be sworn in and become police constables so far as this measure is concerned. They could continue their work as hitherto, the only difference being that they would come under the authority of the Commissioner of Police. After all, if it is good enough to place under the control of the police the weighing machines and weighing utensils of all classes of business men, it is good enough to put the weighing machines of the Railway Department under the same control. I believe that if the Minister placed the Railway Department adjusters under the control of the Commissioner of Police it would be well for the purposes of this measure.

Mr. George: In that case the adjusters would be under dual control.

Mr. FOLEY: That is a matter which can be argued out in Committee. Now I come to a point to which I desire to direct the special attention of my farming friends, who sell wheat, and to whom a variation of 2d. or 3d. in a bag means a great deal. I want the members of the Country party to listen to this. So far as platform scales are concerned, the question does not so much affect the people who sell. When a platform scale is sold, the scale should be tested and stamped at the head office before it is sent out—stamped and certified as correct. At the present time that is not done. If the scale and the weights are stamped as correct, it is a guarantee that the purchaser is starting off scratch so far as his utensils are concerned. If, however, the member for Murray-Wellington (Mr. George) bought one platform scale and the member for Irwin (Mr. James Gardiner) at the same time bought another, and if they happened to live in the same town, it might occur, in all honesty, that the weights for the two respective scales might become mixed in transit, with the result that the member for Murray-Wel-

lington received the weights intended for the member for Irwin. The further result would be that, the weights being changed, the scale would not balance truly. In England this difficulty has been overcome by a very simple method. The slip weight put on a certain machine to weigh 2 cwt. has to be 2lbs. in weight. The adjuster will put that weight on and weigh the 2 cwt., and he will set the beam of the scale to the weight authorised. Then to weigh 1 cwt., he will put the 1 lb. slip weight on the scale and adjust it accordingly. To weigh 56 lbs. he takes the $\frac{1}{2}$ -lb. slip weight and adjusts the scale again. Then it does not matter how the weights get mixed up. Any man supplying that scale is safe and has a fair chance of getting proper consideration for the man to whom he is selling the scale. In the case of an ordinary slip weight put on an Avery machine, the average man who knows nothing about weighing will say, "I am giving honest weight, because I am putting the 56lbs. weight on." He may take an Avery or a Fairbank scale with slip weights, and yet, although he may be perfectly honest and be utterly without any wrongful intent, yet, if an inspector happened to come along, the man might be prosecuted for giving short weight. So far as this State is concerned, if the standardisation of weights is brought about and the slip weights are used for the weighing of wheat or anything else sold over platform scales, it is going to be the means of remedying any injustice that may be done at present to sellers under such conditions. I know of one man who the year before last bought 148,000 bags of wheat in this State. He bought that quantity in the one season. The scales over which he bought the wheat were in his favour to the extent of $1\frac{1}{2}$ lbs. in the bag. Each bag that man bought was $1\frac{1}{2}$ lbs. over the weight for which he paid. If the total quantity represented by the difference per bag were estimated, I doubt whether one hon. member of this Chamber would care to put it into a truck before he had his breakfast. This incident proves that no matter how good the inspectors are, however intent on doing their duty, the existing legislation

does not afford the honest trader the chance that he should have against a dishonest trader. The remedy is to test, stamp, and certify all scales before allowing them to pass into use. Before they leave the City of Perth, before they are sold, they should be tested and stamped and certified; and all weights used should be standardised. We should not continue merely to adjust the machine to a true balance and let any and every weight be used. Even in Western Australia at the present time I doubt whether there are more than a dozen copies of the standard right through the State.

Mr. S. Stubbs: There are not that many.

Mr. FOLEY: There are to my knowledge copies at Fremantle, Midland Junction, Kalgoorlie, Boulder, Albany, Kanoona and York, but where there is no standard there is no inspection. Between York and Albany there are no proper testing facilities, and in the wheat districts there is likely to happen every day what I have told hon. members, and what I can prove to be right, namely, the incident I referred to in regard to the buying of wheat. Second hand scales are often purchased by agriculturists in this State, and when the wheat season is over there may be no further need for the man who is out buying to use those scales. Then they are brought in and put into a room and all the weights are thrown into a corner. Next year they are used irrespective of the make of scales and irrespective of adjustment in balance of a particular scale. The result is that they may be pounds out against the man for whom a purchase is being made. This Bill will give the seller and the buyer justice, and after all, that is what we require. I would say to members that, no matter what amendment is made to the measure we want to see that the Government and the Government alone have control, not in one part of the State, but right throughout. In that way, every man, no matter in how remote a part of the State he may be, will be able at least to get a share of justice, and as much as the man who lives in a

more populated centre. I could tell the House of many things that have come under my notice so far as purchasing is concerned. Short weight very often applies, and in many instances storekeepers, on getting a box of butter from the factory, dispose of it in light weight quantities with the machines that they use. The honest trader should be protected over the dishonest trader in this respect. Say butter is 1s. 4d. a lb. and that there are five honest traders and one who is dishonest. The latter will say that he will drop the price 1d. per lb. and with the aid of his scale has the advantage over the honest trader by reason of the fact that he does not give full weight for the reduced price. We have no power over such a dishonest trader at the present time, but the Bill provides that the trader who is honest shall be protected. So long as one thinks that the price he is giving is fair, he gives it, and he has the right to expect the correct weight. Every Government, irrespective of its political belief, should do its utmost to see that this condition of things is brought about, and that all classes of the community get what they pay for. I have gone into this question thoroughly and have had many conversations on the matter with the Colonial Secretary, and I believe, if the measure becomes law, it will bring about what we all desire to see in the State, and that is fair consideration for everyone, and the protection of the honest trader against the man who is dishonest, as far as business methods are concerned.

Mr. GEORGE (Murray-Wellington) [5.50]: Every hon. member in the House will agree that it is desirable that correct weight should be given. I merely rose to say that a firm like Avery's makes scales, the accuracy of which cannot be questioned. That firm has been established for very many years, and it holds a reputation in Great Britain second to none in connection with the turning out of a first class article; the name and their results are guarantees of the best workmanship. I hope hon. members are fully seized with the importance of the matter as it affects the rail-

ways. It is not a question that may be settled in a few words. The Railway Department have a large staff of adjusters who are always travelling from one part of the State to the other, testing and adjusting machines. So far as the platform scales are concerned, it must not be forgotten that they are exposed, not only to the weather, but to the use of anyone who may be passing. I dare say hon. members themselves have used them to learn their weight and children, too, have been known to play with them, but the position taken up by the railways in regard to the scales and wagon weighing machines is that they are not the medium between the buyer and the seller. There is no railway system in existence—and I am pretty well familiar with most of them—which does not lay down what I may term an axiom; the railways simply weigh for the purpose of calculating the freight. Do hon. members know that the weighing of trucks in the Perth yards goes on while the trains are actually travelling?

Mr. Harrison: But payments are not made on those weights.

Mr. GEORGE: That may be, but I am speaking of the practice of the Railway Department, and hon. members must be careful about what they do, so as not to upset the arrangements of that department. As I have stated, the bulk of the weighing for the railways is done while the trains are in motion; that can be seen in the Perth yards at any time. If the department had to stop a train and weigh every truck singly, it would not be possible to marshall the trains and keep the yards clear. The tare of the railway trucks is taken twice a year; it would not be possible with a thousand trucks to tare every day. It could not be done, and if people are selling from railway weights they have either to take the risk as to the weight, or else arrange to have their own weighing done on the ordinary cart and wagon weighing machines in Perth. If we insisted upon it, that the Railway Commissioner must tare every truck practically every day, and weigh every wagon stand-

ing, we would simply paralyse the traffic in all centres of the State. I am at one with hon. members who desire that we should have full weights, but I want them, when dealing with this question, to think it out to a practical issue, and to ask themselves whether they are requiring the Railway Commissioner to do a reasonable thing, and whether it can be carried out. Weights and measures should always be accurate, but when the Bill is in Committee, and it is sought to make amendments, hon. members will have to be careful that they are not imposing disabilities on the people they are desirous of assisting.

Hon. J. D. Connolly: What about the smaller scales of the Railway Department?

Mr. GEORGE: I have referred to those; they are all tested and I think they are fairly reliable. The Railway Department have their own staff of adjusters, but that is no reason why those scales should not be made part of the system under the Bill. The system of the Railway Department can be relied upon, and there is the fear that if we have two bosses dealing with the one particular class of men, we shall have one working against the other. If we have someone else as well in charge of any portion of a great concern like the Railway Department, I think it will tend to diminish the authority of those who are in supreme command. The hon. member who spoke last made some reference to the manufacture of scales. I have seen many scales made, but I do not know of any set that might be said to be absolutely perfect. So far as weighing machines are concerned, the important parts are all made of hardened steel, that is, the centre pivot, the outside pivots and all the bearings being of steel. There are some cast iron parts; there must be those. There may, too, be castings, instead of steel in some makes, but not in any of those that I have seen. There may be defects, and there are many things that one cannot see. I do not profess to have seen them all. I have had an Avery scale at Claremont and its pivots are of steel. I also have an Avery platform

machine at my farm and the pivots are of steel. What the hon. member has said with regard to the weights is correct, but every platform machine has its own adjuster on it until you get a perfect balance, and when you get that you are as close as you can possibly be to accuracy. I repeat, we must be careful that we do not place any disabilities on farmers and others in the way of getting scales tested. And if the scales have to be sent some distance, what is the farmer or the storekeeper to do while they are being tested? The hon. member was right in saying that before these things are sold they should bear the imprimatur of the State, as having been tested. The cost of this would be money well spent. In Birmingham no weights are allowed to be used unless they bear the stamp of the municipal council. Some years ago the Perth City Council went to considerable expense in maintaining the standard of weights and measures, and they had an inspector, a Mr. Collins I think, who tested hundreds and hundreds of these different machines every year. Spring balances the city council was dead against, and would not allow them to be used. Hon. members should exercise a fair amount of caution and thought before interfering with the weighing system existing on the Railways. For final acceptance the measure must be practicable, and must not interfere in cases in which it would be proved impracticable.

Mr. S. STUBBS (Wagin) [6.2]: The Bill should commend itself to every member. One or two of the points touched upon by the member for Murray-Wellington (Mr. George) are open to discussion, and I desire to place my views upon them before the Chamber. I have often sent a truck load of produce down to the City. It is weighed at Wagin before leaving, notwithstanding which, when I sell it in Perth it is bought only on the condition that Perth railway weights are to be accepted. Very often a grave injustice is done in this connection. The discrepancy between the weighbridge weights at Wagin and the weights of the Railway Department in Perth would astound hon. members.

The Minister for Mines: Is the weighbridge at Wagin a railway one?

Mr. S. STUBBS: Yes. If I weigh a truck of oats at five tons 14 cwt., my accountant works out the oats at so much per bushel on the weights given. On reaching Perth the oats are removed from the truck to the purchaser's lorry and over the railway weighbridge, and I am bound to accept those weights. The position is not quite as the member for Murray-Wellington thinks it is. If the provisions of the Bill are to apply to my stores in the country, they should also apply to the Railway Department's weighbridge.

Hon. R. H. Underwood (Honorary Minister): Why cannot the railway inspectors adjust these scales?

Mr. S. STUBBS: They should be brought under the provisions of the Bill.

Hon. R. H. Underwood (Honorary Minister): It is not necessary, the Commissioner of Railways is honest.

Mr. S. STUBBS: I claim to be just as honest as he is. I have not doubted the Commissioner's honesty. The scales at Wagin and at Perth should not differ at any time. If the Government really have this staff of officers adjusting the weights, there is a screw loose somewhere.

Hon. R. H. Underwood (Honorary Minister): It is in the railway inspection.

Mr. S. STUBBS: It is absolutely true that the farmers and the country people have lost thousands of pounds a year for years past in consequence of the discrepancy in weights on the Railways alone, and if some provision can be inserted in the Bill which will keep the railway scales and weights properly adjusted it will be a step in the right direction. The member for Leonora (Mr. Foley) has evidently made a special study of weights and scales. I regret that in his denunciation of the manufacturers of inefficient scales, he should have mentioned the names of one or two firms with whom I have had lengthy business transactions. I claim to know as much about the manufactures of scales as any hon. member, and if he says that certain firms whom I

have in my mind manufacture inefficient scales, his statement is at least inexact.

Mr. Foley: Would you believe it if I brought up a pair and showed you?

Mr. S. STUBBS: I have sold thousands of them without receiving any complaints, and nearly all I sold in Perth were adjusted by the city council and stamped by Mr. Pearce, the inspector. If, as the hon. member says, certain well-known firms have manufactured scales from shoddy material, all I can say is it must have happened very recently. I feel certain some mistake has been made. However, I hope the Bill will serve to punish the dishonest trader. I do not agree with the proposition that the police should administer the measure. That responsibility should be left to the local authorities, who should be given power to delegate their administration to the police in respect to any outlying area in their respective districts and, if necessary, to provide that any penalties imposed shall be paid into the Police Benefit Fund as a recompense for the extra duties cast upon the officers. To ask the police to administer the law in its entirety is impracticable. It would mean that no conviction could ever be secured, because most certainly the magistrate would require proof that the policeman was a competent man to judge the scales, and that he had the proper standard with him when he discovered the alleged offence. Again, I object to the suggestion that the police would institute prosecutions with a view to securing half of the fines imposed. I am sure there is not a police officer in the State who would act on such base motives. In any case, the policemen should not be put in such a position. I intend to oppose that provision when in Committee. Most certainly, if there is a provision in the Bill for half the fines to be paid to the police, I will oppose it. I have no hesitation in saying that on the whole the Bill is a good one, and worthy of a place on the statute-book.

Mr. B. J. STUBBS (Subiaco) [6.12]: I also had made up my mind to oppose that provision, but when I looked through the Bill I failed to find it. It is not in the Bill at all, notwithstanding the state-

ment of the Honorary Minister on the second reading. It seems that it was in the draft Bill, although it is not in the Bill as printed. The member for Leonora (Mr. Foley) gave us a very fine exposition of what can be done with weights and measures, and explained how people can be cheated, showing us how customers buying over the counter can receive short weight without being aware of it. I have gone carefully through the Bill without discovering anything which would satisfy me that, even under this measure, it would be an offence for a shopkeeper to supply short weight to customers in certain circumstances. If the commodity purchased is delivered, it is provided that a delivery note must be delivered with it. If the delivery note is wrong, if the incorrect weight is stated upon it, that will constitute an offence. But if a person purchases something across the counter and the shopman drops it on the scales heavily, as he often does, and grabs it off quickly, the customer goes away thinking he has received the correct weight. In these circumstances, if, when he gets home, he finds that after all the weight is short, that does not prove any offence on the part of the shopkeeper.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. B. J. STUBBS: Before tea I pointed out that, in my opinion, this Bill did not afford sufficient protection for purchasers buying commodities over the counters of shops. A few years ago a certain commodity was being offered for sale in this State, and there was very keen competition between the merchants selling it. One morning the trade were considerably surprised at the announcement by one merchant of a price at which the others well knew it was impossible to sell without losing a considerable amount of money, and they also knew that this merchant was not in a position to lose much over the transaction. A number of business people happened to meet in a merchant's office in town, and after discussing the matter, they resolved to send out and purchase

some of this commodity. When it was brought in, one of them accidentally placed the parcel on the scales, and found that it was some ounces short of the weight it purported to be. They then sent out and bought various quantities of the commodity, and each package showed the same proportion under weight, which distinctly pointed to the fact that systematic short-weight selling was being practised and that this alone enabled the particular merchant to reduce his price and undersell the others. This sort of thing is distinctly unfair and, under the law existing at present, that merchant could not be brought to book for what is undoubtedly an offence. After a careful perusal of this Bill I am convinced that there is no adequate provision to meet such a case now. I admit this is a very difficult matter upon which to legislate because, while giving purchasers certain protection, we might be placing in their hands powers capable of being dishonestly used against the trader. There might be people in the community who, for one purpose or another, might purchase something at a shop and, on reaching home, reduce the weight of it and then charge the shopkeeper with having sold light weight. In such a case as the one I mentioned, where there was unimpeachable evidence that a large quantity of a particular commodity was being sold under weight, the dishonest trader should be brought to book.

Hon. R. H. Underwood (Honorary Minister): That was through having bad scales.

Mr. B. J. STUBBS: No, it was not. It was systematic underweight selling to undercut competitors and perhaps to drive some of them out of business altogether. Such a practice should not be allowed by law.

Hon. R. H. Underwood (Honorary Minister): He must have faked his scales.

Mr. B. J. STUBBS: There was no necessity to do so because people who call at a shop to make a purchase do not minutely examine what they buy. Very often the seller simply drops the stuff

on the scales and lifts it off before the buyer can see what the weight is.

Hon. R. H. Underwood (Honorary Minister): Sleight of hand—tea and sugar bushranging.

Mr. B. J. STUBBS: If a person, on reaching home, discovers that he has been given short weight, it should be evidence against the seller.

Mr. Foley: That is in this Bill.

Mr. B. J. STUBBS: Well, I cannot discover it. The member for Wagin wanted the Railways brought under the measure, and he urged in advocacy of it that many people in the country, buyers and sellers of wheat particularly, use the railway weights as their guide and trade upon those figures. The object of this measure is to provide a fair and honest system of trading between buyer and seller; it is to ensure that people buying a commodity shall receive the correct weight from the seller, but according to the member for Wagin, there are outside people buying and selling and for their own convenience sake using the weights supplied by the Railway Department, and he urged because of that the Railway Department should be brought under the Bill. Unless the Commissioner of Railways is a seller himself, I cannot see why he should be brought under the Bill.

Hon. J. Mitchell: No, he is a carrier; he charges freight.

Mr. B. J. STUBBS: For the purpose of freight it is not necessary to have such minute adjustments of weight as when buying and selling.

Mr. S. Stubbs: I bought some chaff at Dumbleyung from farmers and paid on Dumbleyung weights. When it got to Kalgoorlie it weighed so much less, and I lost the money represented by the difference. Should I be penalised like that?

Hon. R. H. Underwood (Honorary Minister): It shows what farmers will do.

Mr. S. Stubbs: They had nothing to do with it.

Hon. R. H. Underwood (Honorary Minister): They got there somehow.

Mr. B. J. STUBBS: The hon. member was using the railway weights for the purpose of buying and selling for his own convenience.

Mr. Heilmann: There should be no incorrect weights, whether Government or otherwise.

Mr. B. J. STUBBS: But to urge that the Railway Department should be brought under the Bill because merchants desire to use the railway weights for their own convenience is not a fair proposition.

Mr. Heilmann: They are dealing with a public utility.

Mr. B. J. STUBBS: That is true, but it is not necessary to have such minute weights for freight as for buying and selling purposes.

Mr. S. Stubbs: Why not?

Mr. B. J. STUBBS: There is one provision to which I take strong exception, namely, that all municipalities which to-day have copies of the standard weights and measures should hand them to the Police Department without receiving any compensation for them.

The Premier: There is compensation, for we are relieving them of the expense of undertaking the inspections.

Mr. B. J. STUBBS: These copies, I understand, cost about £30. There are about 12 municipalities in the State which have endeavoured to carry out the existing law and have provided themselves with these copies. They have spent the ratepayers' money in procuring these conveniences.

The Premier: Not necessarily.

Mr. B. J. STUBBS: It is a fact, and to ask them to hand them over to another department, the Government, is unfair. The Premier interjected that the Government were relieving those municipalities of expense. They are not relieving them of expense, but of some revenue. True, they do not get a great deal from the fines inflicted at present, but they get some, and there is no extra charge involved to the municipalities in carrying out the Act because their inspectors have to be employed any way.

The Minister for Works: It has never been carried out.

Mr. B. J. STUBBS: The Government have no right to ask municipalities to hand over, free of charge, these utensils on which they have spent the ratepayers' money.

The Premier: What about the subsidy?

Mr. B. J. STUBBS: They are entitled to the subsidy.

The Premier: Entitled!

Mr. B. J. STUBBS: Whether the Government pay a subsidy or not does not affect this question. The municipalities are entitled to it.

The Premier: How are they entitled to it?

Mr. B. J. STUBBS: The Premier imagines that the local governing bodies exist for the purpose of being fleeced by the Government. These bodies exist to carry out very necessary functions of government, functions which have been delegated to them by Parliament. For the purpose of carrying out some of those functions they have spent their ratepayers' money, and if the Government wish to relieve them of articles they have purchased to that end, they are justified in asking for compensation. In Committee I intend to move that this provision be deleted or that provision be made for the payment of compensation for copies of standard weights and measures which the municipalities have purchased.

Hon. J. MITCHELL (Northam) [7.45]: The Bill is a far-reaching measure. I believe the intentions of the Honorary Minister are good, or they were good when he framed the Bill. He does not, however, quite understand it. Some of the proposals will stagger even the Minister when he comes to understand the clauses we are discussing. No doubt the Honorary Minister has had several complaints. Of course there are dishonest traders but they are not all dishonest. After listening to some hon. members one would imagine that everyone who sells anything is a thief, and that anyone who buys does not get the proper weight. That, however, is not so. The great bulk of the people who supply commodities to

the public are people who trade honestly. The hon. member for Subiaco (Mr. B. J. Stubbs) contends that the Railway Department need not be asked to treat us fairly in the matter of freight seeing that we are paying the Railway Department two millions of money a year, and that it does not matter whether the weights are out 5 per cent. or not. I would point out that 5 per cent. on two millions is £100,000 a year. The Premier ought to help us to arrange with the Commissioner of Railways to give the correct weight at all times. It is impossible for the farmer to weigh his own goods on the farm. It is also impossible to send weighing machines around his field, or to supply the weight of the wheat or hay which he sells in large quantities to the merchants. The usual custom is to accept the railway weighbridge weights. We know they are not accurate, and that we cannot expect the Commissioner to take any responsibility in connection with them.

The Minister for Works: Do they not use private scales for weighing wheat?

Hon. J. MITCHELL: We know the Railway Commissioner takes no responsibility.

Hon. R. H. Underwood (Honorary Minister): The poor farmer can be relied upon to take the weight by his scales.

Hon. J. MITCHELL: That shows the ignorance of the Honorary Minister. This Bill only provides for the sellers' scales to be tested.

The Attorney General: Does it not include buyer and seller?

Hon. J. MITCHELL: The seller has to weigh and to supply the proper weight to the buyer. If a man goes into a shop to buy goods he is entitled to see the scales that are used in weighing such goods. When the farmer sends away stuff from his farm he has to send an invoice setting out the weight of the goods as provided. It is obvious that the buyer can use any scales he pleases. The Bill is simply for his protection. It should be possible to arrange with the Commissioner to weigh all our truck loads and supply the weight. We recognise that this cannot be done for nothing, and I believe the farmers would be pre-

pared to pay a small charge for the convenience. It would pay them to do this. If weights are to be supplied by the Commissioner they ought to be as accurate as possible.

The Premier: Have you read Clause 52?

Hon. J. MITCHELL: Yes.

The Premier: It is not there.

Hon. J. MITCHELL: Has the Premier read Clause 104?

The Premier: There are only 51 clauses in the Bill.

Hon. J. MITCHELL: I know all about the Bill.

Hon. R. H. Underwood (Honorary Minister): I have not seen much yet that you don't know all about.

Hon. J. MITCHELL: I know all about the Honorary Minister. We have had so many confessions from him on so many occasions that I wonder he ventures upon an interjection of that sort. I think we should ask the Commissioner to give us the accurate weight. Why should we pay more freight than is right? If the Commissioner professes to weigh goods why should he not weigh them accurately? The member for Murray-Wellington (Mr. George) says that the trucks are merely run over the weighbridges, and that it is impossible to take accurate weights. That is a grave assertion to make.

The Premier: The system is as accurate as any other in the world.

Hon. J. MITCHELL: The Premier does not know anything about the system here, or anywhere else. Farmers have a right to expect the Government to help them as far as they can. The Honorary Minister, who possesses a farm at Tammin, knows well that when he sends his wagon loads of wheat and hay to be sold he must supply the railway weight to the man who buys his produce. The Minister has framed the Bill, I suppose, because complaints have reached his ears. He says it is not satisfactory that municipalities should any longer administer the Act. I daresay municipalities will be pleased to be relieved of the responsibilities. Apparently he is going to make use

of the police. That will be a very far-reaching system, and I suppose it will be more satisfactory. It is, however, a wrong principle that half the amount of the fines inflicted should be paid to the police benefit fund. I do not know whether the police are expected to persecute people, or whether they are expected to see that the weights and measures legislation in regard to buying and selling is carried out properly. It is ridiculous to expect that a policeman should be at the elbow of every man who buys a lb. of butter. All we can do is to see that the man who buys this lb. of butter has a reasonable chance of having the weight taken by correct weights. In business matters it is impossible to set up complete protection, and in my opinion the Bill aims at the impossible. It provides that everything sold shall be weighed and that the scales should be tested. That is right. It seems also to control all contracts, the carriage of goods, delivery, and everything. I am not sure that railways are not included. If railways are included the member for Wagin (Mr. S. Stubbs) will, I suppose, be perfectly satisfied. It sets up a measure by which a check is to be kept in connection with timber. I venture to say that if a man cuts a sleeper under the proper measurement he will be liable to be fined £20. I believe that is what the Bill provides for. There is no need to go to unnecessary lengths in legislation of this sort. We only need to see that the retail purchaser is protected.

Mr. Foley: Do not the wholesale people need protection?

Hon. J. MITCHELL: They look after themselves very well. If the Honorary Minister will change the purpose of the Bill to compel the man who buys to have correct weights and measures, he will, I admit, be helping the farmers to some extent. That, however, is not provided under the Bill. The obligation to keep correct scales is cast upon the seller whether he is a farmer or a storekeeper. The Bill is badly drafted in many particulars, and will be very costly to administer. I do not propose to criticise

the Honorary Minister now, but in committee we can deal with several clauses that will need amendment. I hope that if we cannot afford ample protection for our primary producers the Honorary Minister will at least see that it is no use worrying them by asking them to do the impossible.

Hon. R. H. Underwood (Honorary Minister): If you don't worry, I will not.

Hon. J. MITCHELL: We expect to get seven million bags of wheat from the agricultural districts of this State during the coming harvest, and the Honorary Minister under this Bill will compel every farmer to keep tested scales and have his weights tested. Is it reasonable to ask farmers to weigh their seven million bags of wheat? If the seller is going to take Government weights then he should be allowed to take Government Railway weights. If he is willing to take the weights set up by the purchasers he should be allowed to do so. Unless the Government can offer some measure of protection it is no use passing legislation that will mean a considerable loss to the people, and from which they will derive no good. I am not going to oppose the second reading of the Bill. A Bill of this sort is needed. I am, however, going to oppose some of the provisions included in it by the Honorary Minister.

Mr. B. J. Stubbs: So am I.

Mr. WANSBROUGH (Beverley) [7.55]: The necessity for this measure has been brought about largely by reason of the agitation which has taken place more particularly in the metropolitan-suburban area, and also to a considerable degree in country districts. I think the main idea of those who drafted the Bill was the protection of those in the metropolitan-suburban area. No adequate provision has been made for the systematic inspection of weighing machines in country districts.

Hon. R. H. Underwood (Honorary Minister): Yes.

Mr. WANSBROUGH: I say, no. Further, no provision is made for travelling inspectors.

Hon. R. H. Underwood (Honorary Minister): There is provision in the Bill for inspectors all over the State.

Mr. WANSBROUGH: Clause 6 of the Bill sets out that inspectors under the measure shall be under the direction of the Commissioner of Police and that police constables shall be appointed as inspectors.

Hon. R. H. Underwood (Honorary Minister): Every policeman can be made an inspector.

Mr. WANSBROUGH: How many policemen are there in a country district to do this work?

Hon. R. H. Underwood (Honorary Minister): Sufficient to keep the agriculturists in order.

Mr. WANSBROUGH: I maintain that the clause should be amended in this respect, although I do not say that the Commissioner of Police should be altogether limited in regard to his administration. One matter has been overlooked by the previous speakers, and that is the necessity for making provision for greater weighing facilities in the country districts. It has been suggested that railways shall be brought under the operation of the Bill. That is a good suggestion. We will have this phase of the question facing us if the Bill is carried in its present form. The railway weights are adjusted by the regulations of the railways and are under their control, and there is no guarantee that the railway standard of weight is going to be the same as the weights provided under this Bill. Consequently, the farmer will find himself selling on the railway weights and subsequently have his goods run over the municipal weighing-bridges, and a discrepancy will occur. I will take the opportunity in Committee of moving in the direction that inspection should be provided for outside the police force.

Mr. HARDWICK (East Perth) [7.58]: While congratulating the Government for bringing in this Bill, I am rather inclined to agree with the hon. member for Leonora (Mr. Foley) in saying that the Honorary Minister has not given us that information which is required in connection with such an im-

portant measure as this. I notice that the purport of the Bill is to regulate, amongst other things, the sale of coal and firewood. The whole discussion in connection with this Bill has been directed principally to the back blocks and the wheat areas. The importance of the Bill is this, that it may do a serious injustice to the small traders in the metropolitan area.

The Minister for Works: Sellers or buyers?

Mr. HARDWICK: The Bill provides that the vendors of coal and firewood must weigh their goods. Can the small trader, of whom there are many in the metropolitan area, from the extreme end of East Perth to the extreme end of West Perth, be expected to come into the centre of the City and await his opportunity to weigh, in order to send out to a customer 5s. or 10s. worth of goods?

Mr. B. J. Stubbs: He has to provide his own weighing machines.

Mr. HARDWICK: The Bill provides that he must get a machine of his own. This will cost anything up to £150.

Mr. Bolton: That is the East Perth price.

Mr. Foley: Judging by the loads they deliver in Perth a 2lb. scale would be sufficient to weigh them.

Mr. HARDWICK: We cannot confine them to a small scale because of the increased cost of handling. Instead of the Bill having the effect which the House wishes it to have, namely to cheapen the price of commodities and to see that the person purchasing gets a fair deal, it will have quite the reverse effect. The cost of handling would come in, and in these days, when we are paying rather high wages, it will reflect against the purchaser, who will be called upon to pay more than at present. Therefore I would ask the Honorary Minister to exercise the greatest caution in connection with this matter, as undoubtedly the effect of what he proposes will be to play into the hands of the large trader to the detriment of the small trader. In my opinion the enactment of this Bill in its present

form will lead to the closing up of many small wood yards.

The Minister for Works: Are they open to compete with large traders by selling short weight?

Mr. HARDWICK: That is not so. It is generally recognised throughout the metropolitan area that a man putting his money into this class of business is taking one of the shortest cuts to the bankruptcy court. There are one or two wood yards within easy distance of the Premier's residence, which is over a mile from the centre of the City, and if those men have to come into Perth to get their wood weighed—

The Premier: It does not affect me, as I do not buy firewood.

Mr. HARDWICK: Possibly the hon. gentleman is in the happy position of getting it for nothing. I should like the Honorary Minister to give us a little more information on this question, and tell us how the small trader is going to be affected by this Bill.

The Premier: If a trader is honest, this Bill will not affect him at all.

Mr. HARDWICK: If a man weighs his own wood, it means increased handling, and increased handling means that the consumer eventually will have to pay extra. There are not many wood yards within the City boundaries, nor are many owners of wood yards driving about in motor cars. The trade represents a mere existence. To place an imposition on that class of trader, as proposed by the Bill, is most unfair; and when the measure reaches the Committee stage I hope it will be amended in such a way as to do justice to the small trader within the metropolitan area.

Mr. Bolton: Never mind the consumer.

Hon. R. H. UNDERWOOD (Honorary Minister—Pilbara—in reply) [8.3]: The hon. member who has just sat down has complained that in introducing this Bill I did not give much information to the House. To judge, however, from the quantity of information hon. members generally have displayed, it does not seem that information from me was needed. I must say, moreover, that vari-

ous members have discovered in this Bill many things that I did not know were contained in it. The member for Northam (Hon. J. Mitchell) says that I know nothing about the Bill. All I can say is that if he is right in his criticism of the measure, then indeed I do not know anything about the Bill. It is just a question, however, of whether he is right or not, according to the law of averages. Hon. members generally seem to be of opinion that the Bill is necessary; and, with the exception of a little of what might be called hypercriticism, there has been no real fault found with the measure as placed upon the Table. The deputy leader of the Opposition (Hon. H. B. Lefroy) put forward many cases which really cannot possibly occur. If we were to try to make our legislation meet such cases, then we would have to do without legislation altogether. For instance, he says that a farmer selling half a sheep would be fined if his scales were not branded and he had not the right weights on. I am sure the hon. member knows that no such thing is intended under this Bill, and that the Bill would not act in the way he has suggested. One clause which is not in the Bill has caused a great deal of discussion. That is the clause with regard to bringing the Commissioner of Railways within the scope of this measure. I am sure most members have not a thorough grip of the position in regard to that matter. At the present time the position is that the Railway Department, so far as weight is concerned, are as correct, or at least try to be as correct, as they possibly can be. The department keep a staff of inspectors continually employed going round testing scales. They have a complete plant and a complete staff.

Mr. George: That is right.

Hon. R. H. UNDERWOOD (Honorary Minister): Now, to bring the Railway Department under this Bill would mean either that we must duplicate the inspectors—that is to say, we would have inspectors appointed by the Commissioner of Police in addition to the inspectors appointed by the Commis-

sioner of Railways—or we would have to dispense with the Railway Commissioner's inspectors, men who are thoroughly versed in railway work, men who can get round among railways without danger to themselves or to the traffic, and put in their place men who are unfamiliar with railways and would not understand their working nearly so well as the present inspectors do. The proposed new inspectors could not succeed any better. As a matter of fact the Commissioner of Railways endeavours as far as possible to bring his scales right up to date and to have them as nearly correct as they can be got. If it can be proved that the Railway Department's scales are wrong, then the Commissioner is wrong, and it only means a complaint to the Commissioner to put his scales right.

Mr. Thomson: But he is not punishable; you are exempting him.

Hon. R. H. UNDERWOOD (Honorary Minister): Of course I am exempting the Commissioner of Railways, because otherwise it would mean duplicating the work. As the member for Subiaco (Mr. B. J. Stubbs) has pointed out, it is not so much a question of the correctness of the Railway Department's scales. As a matter of fact, it is admitted that the railway scales are correct. The matter is really one of making a convenience for traders who have to use the railway weights. They want the concession of a correct weight as well as the carriage of their goods. Let me explain this, and I think that hon. member who knows so much about railways, and about one or two other questions, will agree with me. When a train of wheat is being weighed, that train is kept continuously moving.

Mr. George: That is what I say.

Hon. R. H. UNDERWOOD (Honorary Minister): As a matter of fact, it would take up infinitely too much time to pull that train up as each truck goes on the scales. Weighing in the manner now adopted, the weight is not likely to be absolutely correct. If hon. members want the Railway Department to go

in for absolutely correct weighing, then they must expect to pay for the service.

Mr. Thomson: The Railway Department charge for the weighing now.

Hon. R. H. UNDERWOOD (Honorary Minister): No. They charge for carrying the weight. As regards the cart bridges of the Railway Department I am prepared to say that the scales are as correct under the administration of the Commissioner of Railways as they would be under that of the Commissioner of Police. It would be only complicating the system and getting men who do not understand railway work to do that work, if the Commissioner of Railways were included under this Bill. Now, another proposition has been brought forward by several members of the Country party, who say that under this measure a farmer would not be allowed to sell his wheat without weighing it or producing an invoice. Clause 20 of the Bill provides that no person shall sell any article by retail, except at certain weights. But the farmer does not sell by retail.

Mr. Willmott: He might.

Hon. R. H. UNDERWOOD (Honorary Minister): I have no hesitation whatever in saying that the farmer, in addition to all the other concessions he gets, should not have the concession of being allowed to use crook scales.

Mr. Willmott: He does not want to do so.

Hon. R. H. UNDERWOOD (Honorary Minister): The farmer, if he is selling by retail, should be compelled to give weight.

Mr. George: Certainly.

Mr. Thomson: Does not the farmer want to be protected, too?

Hon. R. H. UNDERWOOD (Honorary Minister): Is not he being protected under this Bill?

Mr. Thomson: That is what we want.

Hon. R. H. UNDERWOOD (Honorary Minister): He is protected in this way: that when he goes into a store to buy goods he gets the proper weight that he is paying for. The proposition that is being put up is most extraordinary. It

seems to me that it is impossible to introduce into this House any subject whatever without raising dark suspicions of there being another attempt to impose some burden on the producer. We cannot touch any subject without a cry being raised that the poor struggling farmer is to have another burden placed on his shoulders. In point of fact, the farmers have over and over again asked for this measure.

Mr. Griffiths: Quite right.

Hon. R. H. UNDERWOOD (Honorary Minister): The position is that when a farmer brings his load of wheat into a siding, the wheat buyer has a scale there and the farmer has to accept the weight according to that scale.

Hon. J. Mitchell: Not very often.

Member: Yes, on the outback sidings.

Hon. R. H. UNDERWOOD (Honorary Minister): We are protecting the farmer in seeing that those scales are right. Not only when he buys will the farmer get correct weight, but when he sells he will also have correct weight, on the buyers' scales. If that is placing a burden on the farmer that he will feel so much, then the farmer must be a weak, wobbly thing.

Mr. Griffiths: Who made that assertion?

Hon. R. H. UNDERWOOD (Honorary Minister): Hon. members opposite. Now, just a word or two regarding the police. As I stated when introducing the Bill, it has been found that the municipalities do not carry out the existing Act in anything like a proper manner. That is to say, some municipalities have attempted to do so, whilst others have made no attempt at all. Again, in introducing the Bill I pointed out that dishonesty in the weight of goods is the same as dishonesty in pocket picking or burglary, and is, therefore, really a matter for the police to look after. The member for Nelson (Mr. Willmott) has suggested that we will not have sufficient police in the force to carry out this work.

Mr. Willmott: In the country districts.

Hon. R. H. UNDERWOOD (Honorary Minister): All I can say is that if we find our police are overworked—and

I confess they are right up to one hundred pounds steam pressure at the present time—if we find that the police cannot carry out all their duties, it simply resolves into a question of providing more police. At the present time the police have a great number of duties to perform, and I realise fully that to place this additional work upon them will, in some districts, make their labours more than they can properly perform. In such a district we shall have to provide an additional officer. At the same time there are many districts where the existing police staff can do this work in addition to that which they are actually doing. I do not think there is, or will be, any difficulty generally in regard to the police carrying out this work. The hon. member for Subiaco has suggested that there is not sufficient protection given in the Bill to people buying stuff over the counter. He admits it is a very difficult proposition to legislate upon, but the protection we propose in the Bill is that the person selling the stuff shall have a correct machine for weighing and correct weights, and then, if the buyer has not sufficient intelligence to see that the tea and sugar bushranger does not use sleight of hand, he is protected fully. I do not think, so long as we provide correct scales and weights, there is much to fear about people giving short weight when served over the counter. My experience of people is that they are fairly sharp of eye, and if a trader attempts to knock the scale down, or uses other methods, he is soon detected, and the people would leave the shop. I do not think there is anything further to reply to. I will be pleased indeed to hear the discussion on the various clauses in Committee. I do not for an instant think that the Bill is perfect, and I will be glad to have the advice of hon. members when the measure reaches the Committee stage.

Question put and passed.

Bill read a second time.

In Committee.

Mr. McDowall in the Chair; Hon. R. H. Underwood (Honorary Minister) in charge of the Bill.

Clause 4—Transfer of Standards:

Mr. B. J. STUBBS: I move an amendment—

That the following words be added to the clause:—"At a valuation to be agreed upon."

It is very unfair to those municipalities who went to the expense of procuring copies of the standard weights and measures at a cost of £30 a set, to have to hand them over without compensation. It is only right that the Government should compensate them. These weights and measures would be useful to the Government, and therefore the Government should pay for them on taking them over.

The PREMIER: It seems to me that the amendment is out of order, because it imposes a charge on the revenue. I do not think it can be accepted.

Hon. J. D. CONNOLLY: Though I am in accord with the amendment, we must not forget that some of these weights and measures were supplied by the Government, and it would not be altogether fair to ask the Government to buy them back; although there would not be much harm in it. In 1871, the then Government supplied the Perth Corporation with standard weights and measures.

Mr. George: Did they not pay anything for them?

Hon. J. D. CONNOLLY: No. After that copies were added to them. That only applied to the city of Perth. The City has administered the Weights and Measures Act ever since, at a pecuniary loss. It was as a *quid pro quo* that they were given the standard weights and measures on their agreeing to administer the Act. I would suggest that the clause be left out altogether if the amendment is not in order.

The CHAIRMAN: I must rule the amendment out of order.

Mr. B. J. STUBBS: In that case, I move an amendment—

That the clause be struck out.

The CHAIRMAN: The hon. member can vote against the clause. The question is "That the clause stand as printed."

Hon. R. H. UNDERWOOD: Hon. members seem to forget two points. In taking over this work, the Government

are relieving the various municipalities of a distinct expenditure. If the Bill is not passed, the municipalities will continue to do this work at their own expense, and will get nothing for the weights and measures.

Hon. J. D. Connolly: What about the fines and penalties they recover?

Hon. R. H. UNDERWOOD: The fines and penalties do not compensate the municipalities for their outlay in obtaining them.

Hon. J. D. Connolly: You cannot say that.

Hon. R. H. UNDERWOOD: The hon. member cannot contradict it. The other point is that the work will be done for the same people with the same scales. It will only be shifting the expense on to the Government and getting the work done better. The clause follows the New South Wales Act, and, as we have been informed by the deputy leader of the Opposition, anything that is good for New South Wales will do for us.

The MINISTER FOR WORKS: It is all very well to say that the local authorities are getting something taken from them. I have had as much to do with local authorities as any hon. member, having had experience of them for 20 years, and I am certain that all will be only too pleased to be relieved of the difficulties which they have experienced in regard to weights and measures.

The Premier: All except Subiaco.

The MINISTER FOR WORKS: The local authorities have entirely failed to carry out the Weights and Measures Act, not only in Perth, but in every part of the State, and surely at such a time as this hon. members do not desire to take from the Exchequer money which the public have already paid into it through a local government, and charge the same person who has already paid an increased cost for the privilege of having his weights inspected. That is what will happen if the clause is struck out. It would be detrimental if the Commissioner of Police, when administering the Act, was compelled to buy new standards for the purpose of carrying out the provisions of the measure. If these machines

are suitable they should be placed at the disposal of the Commissioner of Police.

Mr. ALLEN: I intend to vote against the clause. I hope we are not going to resort to confiscation in order to obtain possession of these testing machines on which the municipalities have expended ratepayers' money. To take these machines without compensation is nothing short of confiscation. I remember that on one occasion the city council had £600 on their estimates for the purchase of these machines. We should not encourage this policy of confiscation. If the Government require these machines they should pay for them. The proposal is not an honest one.

Mr. B. J. STUBBS: The argument of the Minister for Works is seen to be absurd when applied to the relative position of the State and Commonwealth. He claims that, because these machines have been paid for by the people, to ask the Government to pay the municipalities for them is asking the people to pay a second time. Just consider the same argument in relation to the taking over by the Commonwealth of State public buildings. These machines were purchased by the municipalities for the purpose of carrying out an Act of Parliament, and have been extensively used to that end. To take away those machines without compensation is to reverse the policy of the Bill, which is to prevent dishonest traders taking advantage of purchasers. It is a very unfair position and, as the Premier has refused to allow the consideration of a reasonable amendment, I appeal to hon. members to vote against the clause.

Hon. J. MITCHELL: The dozen or so municipalities that have done their duty have expended about £1,000 on these machines, which the Premier now says are to be taken away from them. The municipality of Northam, for instance, can do the work just as well, if not better, than the Government.

The PREMIER: Let me explain to the member for Subiaco that I did not prevent him from moving his amendment. It was ruled out of order. I have no objection to the amendment.

Mr. Taylor: You were not taking any risks.

The PREMIER: Members have been using extravagant language in speaking of confiscation and dishonest practices on the part of the Government. It must be remembered that half the revenue of the municipalities is made up of subsidies paid to them by the Government. Members overlook the fact that a municipality is merely a deputed form of government, and that its powers can be taken from it at any moment.

Mr. Allen: They do the work gratuitously.

The PREMIER: The fact remains that the appliances in question were purchased partly by money subscribed by the Government.

Mr. George: And the rest came from ratepayers.

The PREMIER: The Bill provides that the cost of making inspections throughout the State shall be taken from the municipalities and placed on the Government. That being so, it is not asking too much that the appliances for doing the work held by the municipalities shall be handed over to the Government. Under existing conditions only about a dozen municipalities have attempted to carry out the Act and protect the purchaser. We now propose to do the work, and all we ask for are the appliances used in connection with that work and which the municipalities will now have to scrap. Yet hon. members call it confiscation.

Mr. Male: So it is.

The PREMIER: The language of the member for Subiaco (Mr. B. J. Stubbs) is almost as extravagant as one would hear on the Esplanade.

Mr. B. J. Stubbs: Or at a football match.

The PREMIER: We should be reasonable. The municipalities have not suggested that we should compensate them for taking over something which will be useless to them after we have relieved them of the work. They ought to be glad of the opportunity for getting rid of something which they cannot properly administer.

Mr. ALLEN: The Premier has emphasised the fact that these testing machines were purchased with money supplied by the Government. We are also told that not more than 12 municipalities have attempted to give effect to the existing Act. It seems to me that those other municipalities, who have not invested ratepayers' money in the purchase of these machines, are to get off better than those who have done so. It is by no means certain that these testing machines will have to be scrapped, for it is quite possible that there is a market elsewhere.

Mr. TAYLOR: The Premier is scarcely correct when he states that these testing machines were paid for in part by grants from the Government. Be that as it may, why do the Government give subsidies to municipalities? Is it not for maintaining all the roads without charging the Government any rates?

The Premier: Nonsense.

Mr. TAYLOR: That is the position taken up by the Government. Every other person living in a municipal area is rated, and on those rates the affairs of the municipality are conducted by the local authority, while the Government—

The Premier: Who are the Government?

Mr. TAYLOR: The clause says all these machines are to be handed over to the police. That is getting pretty close to the Government. If the Government had been taxed in respect of their property similarly to the ratepayers in these municipal areas and, over and above that, had subsidised the councils, there would be some argument in support of the contention that these purchases were made from the subsidies. If the purchases were made from the subsidies, the councils had to maintain the roads past Government property out of other rates which the Government did not contribute. Under the clause, these municipalities must hand over all such appliances to the Commissioner of Police. It has been suggested that they might sell them before the Act comes into operation, but to whom could they sell them? These articles would have no value to a secondhand dealer, but they would be worth something to the Gov-

ernment, and if the Government desire to act fairly towards those councils who have complied with the laws of the land, they should recompense them.

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

Ayes	..	..	..	17
Noes	..	..	..	21

Majority against .. 4

AYES.

Mr. Angwin	Mr. Munsie
Mr. Carpenter	Mr. Nairn
Mr. Foley	Mr. O'Loughlen
Mr. Jas. Gardiner	Mr. Scaddan
Mr. Green	Mr. Thomas
Mr. Heilmann	Mr. Underwood
Mr. Hudson	Mr. Walker
Mr. Johnson	Mr. Rolton
Mr. Mullany	(Teller).

NOES.

Mr. Allen	Mr. Plesse
Mr. Connolly	Mr. Robinson
Mr. Cunningham	Mr. Smith
Mr. George	Mr. B. J. Stubbs
Mr. Gilchrist	Mr. Taylor
Mr. Griffiths	Mr. Thomson
Mr. Hardwick	Mr. Veryard
Mr. Harrison	Mr. Wansbrough
Mr. Hickmott	Mr. Willmott
Mr. Lefroy	Mr. Male
Mr. Mitchell	(Teller).

Clause thus negatived.

[The Deputy Speaker took the Chair.]

Progress reported.

BILL—SALE OF LIQUOR REGULATION.

In Committee.

Resumed from the 26th August. Mr. McDowall in the Chair; the Attorney General in charge of the Bill.

Clause 3—Districts:

The ATTORNEY GENERAL: Taking it for granted that members favour taking the vote on the lines indicated and of voting by divisions, I mentioned during the second reading debate that the Government intended to take the vote on the occasion of the Federal referenda being taken because, on that day, we can be sure of a large number of people visiting the booths, and of the vote being obtained

at less expense. It has occurred to me that it would be more effectively done if in addition we used the districts of the Federal voters and rolls. An objection was raised to the cost of taking this poll. If we can fix our licensing district polling places as the divisions where polling shall take place and use the same date and the Federal rolls, the cost instead of being something like £3,000, will not be £500. At a time like the present we want to practise economy. Therefore I shall submit several amendments which will make the licensing districts coterminous with the Federal electorates. Before the last Redistribution of Seats Bill, the licensing districts were included in the Federal electoral divisions. We altered the Assembly electorates, but still retained the old licensing districts. Therefore if we take the Federal electorates, they will be coterminous with our licensing districts, and there will be no difficulty as regards an over-lapping of the rolls. With very few alterations to the Bill as printed, we can make absolutely certain of the areas covered by the licensing districts and get them into uniformity which will enable us to use the Federal rolls and save the expense of bringing our own rolls up to date. I move an amendment—

That in line 3, "districts" be struck out, and the word "subdivisions" inserted in lieu.

It will be necessary to recommit Clause 2 to alter the definition of "electoral district" to include the Federal subdivisions.

Hon. H. B. LEFROY: The explanation of the Attorney General must appeal to hon. members. These alterations in regard to subdivisions cannot make any great difference to the Bill. I am sure the House will approve of the amendment.

Hon. J. MITCHELL: So far as economy is concerned, the hon. member is quite correct. I would point out that legislation of this kind is merely of an emergency nature. If that is so, the whole of the people of the State should vote as one. If it is good and necessary that Perth people should economise, it

is good and necessary that people on the goldfields, in the agricultural districts, and in the North-West should also economise.

The Premier: That is for them to decide.

Hon. J. MITCHELL: It is for the Premier and his colleagues to decide, without reference to the people at all. The Government have shirked their responsibility, and they want to shirk it further. We know that the goldfields will not stand any other test than this one. They know that if the whole State voted as one they would be included in a reduction of hours. The Premier has done this because of the influence of goldfields members and goldfields people.

The Premier: Is it not possible that if the vote of the goldfields was given collectively, there would be no reduction at all? I think that is why you want them included, as well as in the interests of your brewer friends.

Hon. J. MITCHELL: Nothing of the sort. I have no brewer friends.

The Premier: You are on the side of the trade.

Hon. J. MITCHELL: Unlike the Premier, I do not take my instructions from anyone in this matter. If the Premier had not arranged for these four divisions he would never have brought down the Bill. The House should recognise that the law applied to one portion of the State should also be applied to the whole of the State. I hope the House will agree to a referendum being submitted to the whole of the people, and not to the people as in four districts.

Hon. J. D. CONNOLLY: I do not see the necessity for Clause 3. We have already on the statute-book an Act, which we shall shortly be asked to re-enact, of a similar nature, namely the Licensing Continuance Act, which provides for the closing of hotels in cases of emergency during war time.

The CHAIRMAN: The amendment I have before me is to strike out the word "district" with a view to inserting "sub-division." I can give a certain amount of latitude to members in speaking in

favour of or against this amendment, but cannot allow the hon. member to go into every subject connected with the Bill.

Hon. J. D. CONNOLLY: I wanted to show that there is no necessity for districts or subdivisions.

The Premier: You must comply with the Standing Orders in this Chamber. Never mind about the latitude you had in another place.

Hon. J. D. CONNOLLY: The Chairman is in charge of the Committee and of the Premier. The State should be treated as a whole. If the Bill is made to apply to one district or subdivision the measure I have already referred to will deal with that. A measure of this kind, which is local option for a certain time and in certain cases, should apply to the whole State. I intend to vote against the amendment and the whole clause.

The ATTORNEY GENERAL: I am surprised at the remarks of some hon. members in the face of the vote affecting local rights in another measure. When it is one measure keep it to ourselves and within ourselves, and do not consider the whole of the people of the State. When it comes to local option itself, community of interests must be ignored and we must take the whole State as one electorate. They won't apply that principle in another case. The hon. member himself was a member of the Government which passed the Licensing Act, which was for all time.

Hon. J. D. Connolly: There is a difference between that Act and this Bill.

Hon. J. Mitchell: It is a non-party question. I never believed in divisions.

The ATTORNEY GENERAL: In Part 5 of the Licensing Act of 1911, relating to local option and consulting the people, the following appears:—

The vote of electors under this part, that is to say, a local option vote, shall be taken in every district in or before the month of April in the year 1911.

The Act goes on to say that the vote having been taken, the result of the vote shall be given effect to within the district. It is not provided that it shall apply in the whole State. It is a question of decision by the majority. It is absurd to try and put a vote like this to the whole State,

where community of interest is not at one. It is not democratic to allow the whole of Perth to be governed by the goldfields, or *vice versa*.

Mr. HEITMANN: What interests are you considering in dealing with this question?

The ATTORNEY GENERAL: We are considering the metropolitan interests, the mining interests, the North-West interests, and so on.

Mr. HEITMANN: How do you apply them to the consumption of liquor?

The ATTORNEY GENERAL: We are taking as a principle that every community has a right to say how it shall be affected by legislation in the matter of the liquor traffic. The principle applied under a local option vote I should like to see applied to all grave public measures affecting the common weal. It is inconsistent for those hon. members who passed the 1911 Act to object to a vote under the system now proposed.

Mr. GEORGE: The inconsistency under this particular clause comes out in this way. The Bill is said to be rendered necessary in order to induce every section of the community to be economical during war time. Where would consistency come in if two of the four subdivisions provided for declared that they would make no alteration in the time of closing, and the other two declared in favour of 6 o'clock? From what the Attorney General has stated, I can see some justification for the four subdivisions. But, on the argument of economy, I contend that the same economy should be exercised by all classes of the community in all portions of the State. There should not be the possibility of having, for instance, a wet district in Kalgoorlie and a dry district in the metropolitan area. If the principle proposed by the Government is good, why not apply it to every other proposal including taxation proposals? The clause is illogical.

The CHAIRMAN: The arguments of the hon. member are directed to the principle of the clause, and not to the amendment moved by the Attorney General.

Mr. HEITMANN: The amendment moved by the Attorney General affects the whole principle of the clause; and if

we are not permitted to discuss that principle now we shall not have an opportunity of doing so at all.

The CHAIRMAN: The principle of the clause can be discussed after this amendment has been disposed of.

Mr. TAYLOR: The word "districts" in line 2 does not correspond with the word "districts" in line 3 of the clause.

The CHAIRMAN: Is the hon. member speaking to the question?

Mr. TAYLOR: Yes.

The CHAIRMAN: The hon. member is speaking on line 2.

Mr. TAYLOR: I am dealing with "districts" in line 2 by way of reference. That word is totally different from the word "districts" in line 3. Hon. members have said that if "districts" in line 3 is struck out, "districts" in line 2 should be struck out as well. Now, we desire to discuss the merits and demerits of subdivisions, and we are unable to do it unless the Attorney General's amendment is withdrawn for the present.

The CHAIRMAN: If you can get the Attorney General to do that, well and good. Otherwise, I must restrict you to the discussion of the amendment.

Mr. MALE: I understood the Attorney General to say that it would be more economical if "subdivisions" were substituted for "districts." Has any arrangement been made with the Federal authorities to have this referendum taken at the same time, and in the same buildings, and with the same officers, as the Federal referenda? If not, I fail to see where the economy would come in.

The ATTORNEY GENERAL: I am in communication at the present time with the Federal authorities on the point. On a previous occasion they generously met us in this respect, and permitted it; and I have no expectation that they will refuse us the privilege on the present occasion. Even if they should do so, however, it would still be advantageous for us to select the day they have chosen for their voting, if we take our old grouped licensing districts as polling places, and if we use the Federal rolls—which, by purchasing copies, we can do without asking the permission of the Federal authorities. By

these means, even if the Federal authorities would not meet us in the matter, we could still save a large proportion of the expense, provided this amendment be carried. I have, however, every reason to believe that the Federal authorities will do for us on this occasion what they did for us when the last local option vote was taken.

Amendment put and passed.

On motions by the ATTORNEY GENERAL, "Fremantle" was inserted after "North" in line 1 of paragraph (1); also "Swan" and "Leederville" were struck out and "Balkatta, West Subiaco, Maylands" inserted.

On motion by ATTORNEY GENERAL, paragraph (2) was amended by the insertion after "Boulder" in line 1, of the word "Dundas," and a comma in place of the hyphen between "Brown Hill" and "Ivanhoe" in line 3.

The ATTORNEY GENERAL: I move a further amendment—

That in paragraph (3) the words "Avon, Pingelly, Moore, Narrogin and Wagin" be struck out and "Swan" be inserted and that a comma be inserted between "Murray" and "Wellington."

Hon. H. B. LEFROY: Will the Attorney General state whether these places he proposes to strike out are included in the licensing district of Swan?

The PREMIER: Avon becomes part of the old Northam seat, Pingelly part of the Beverley seat, and Narrogin part of the Wagin seat. We do not require those places because we are taking the old district before the redistribution.

Amendment put and passed.

On motion by the ATTORNEY GENERAL paragraph (4) was amended by striking out "Kimberley" and inserting "Onslow, Broome, Derby, Wyndham."

Hon. J. MITCHELL: The Attorney General said that Ministers in 1911 believed in dividing the State into districts. Since that time I have had considerable correspondence with New Zealand, and I believe it is an absolutely wrong principle to divide the State into districts for a purpose of this kind. We should not

take a vote in connection with an emergency matter of this kind except for the whole State.

Mr. Hudson: Why did not Parliament itself deal with this matter?

Hon. J. MITCHELL: If this is a matter to induce the people to practise economy it should apply to everyone in the State. There can be no argument favouring a difference in the time of closing in the various parts of the State.

Mr. Munsie: That is your opinion.

The Attorney General: You want one section of the community to coerce another; you want a big vote in one centre to swamp the rest.

Hon. J. MITCHELL: The Attorney General will find in Clause 4 all the machinery necessary to enable him to take this vote.

Mr. GILCHRIST: I take this opportunity, the first I have had, of heartily congratulating the Ministry on this measure. There is no clause which I feel so inclined to support as the one under discussion for the division of the State into districts for the purpose of taking a referendum. It has been asserted that the purpose of this Bill is to compel people to exercise economy and to conserve their resources. If that is the sole reason for the measure I would have preferred to see the House take the responsibility upon its own shoulders and decide at what hour the hotels should be closed. But I agree with the Premier that this measure will probably be a permanent one, and for that reason I think that the people should take upon themselves the responsibility of saying whether the hotels should be closed as early as other houses of business.

The Premier: You are becoming a democrat.

Mr. GILCHRIST: I have never been anything else. I am glad the Government have decided by this measure to give a minority the right to its opinions. The member for Mt. Margaret (Mr. Taylor) said the measure was not democratic, that the wider the area the more democratic

the decision, and that the narrower the area the more conservative the decision. Then why not think imperially and ask the Imperial Government to make a decision on this matter to which all parts of the Empire will gladly bow? The ideal, of course, is that we should give the smallest community the right to do as it pleases; but that ideal cannot be reached, and therefore it is well that the State should be divided up, so that we shall have a community of interests deciding this matter. There is a greater community of interests between London and Perth than between Kalgoorlie and Perth. The people of Perth have, by their surroundings, opinions more in common with the people of London than with the people of the goldfields. The people of the agricultural districts are more settled, and many live out from the towns and so away from the means of obtaining liquor at all hours, and as a result they view this question from a standpoint different from that of either the people of Perth or the people of the goldfields. The people of the goldfields have a bohemian point of view distinctly different from that of the people of Perth on this and other social questions, and it is quite unfair that a largely preponderating vote on the goldfields against reduction should be allowed to override the decision of a fairly sound majority which no doubt will be given for reduction of hours in the metropolitan area. Therefore I will vote for the retention of the clause.

MR. HEITMANN: We heard from the Minister no reasons why the State should be divided into districts, beyond the assertion that there was a community of interests as between certain towns and certain districts, and that it was not right that the people in Perth should outvote the people in Kalgoorlie or *vice versa*. Carried to its logical conclusion, the Minister's contention that the minority should be heard suggests that everyone should do as he likes. Why should a town like Kalgoorlie govern the people of a town like Cue, 400 miles away? It is not easy to see what

the Minister had in mind when he arrived at his determination of community of interest between the people in those centres. If the Minister was thinking of climatic conditions I would like to know where is the community of interests between Geraldton and Banbury, while if he had in mind industrial conditions, where is the community of interests between Geraldton and the farmers in the hinterland? Possibly the Minister gave consideration to the consumption of liquor, for which in some instances there would be certain justification. In any case the Minister has not vouchsafed us any explanation, and I see no reason why the vote should not be taken over the whole of the State. In this event the people of Perth would, perhaps, govern those of Kalgoorlie, and if they are in a majority I do not see why they should not do so. If the people of Perth can do without liquor after 8 o'clock, there is no injustice in asking the people of Kalgoorlie to do the same. It verges on the ridiculous to say that the dining car on the Kalgoorlie express should be open while passing through one district and closed while traversing another. After all, the Bill has been brought in with a view to encouraging people to conserve their finances, the necessity for which is just as evident in Kalgoorlie as in Perth, or in Albany as in Geraldton.

MR. O'LOGHLEN: The last hon. member has stressed too much the contention put forward by the Attorney General as to community of interests. I do not think there is much community, and I do not know that any very grave objection would be made if the whole of the State were taken as one district. It is in the application of the measure where the difficulty would arise. The hon. member has contended that if the people of Perth in a majority vote in favour of a radical reduction to, say, 6 o'clock, the people of the goldfields should submit to the majority vote. It may be all right as a general principle, but we are introducing an experimental piece of legislation. By an Act of Parliament we are going to

break the whole community off an established custom; we are taking them out of the beaten track.

Mr. Smith: We may get them bushed.

Mr. O'LOGHLEN: It would be no new experience to the hon. member. In a measure like this we have to recognise that unless we bring about a gradual reform we are up against a mountain of difficulty. It is going to be an extremely difficult problem to police this measure. It would not be fair for the people of Perth to say that the people in the tropical North-West should close up at 6 o'clock. It would be an encouragement to the people of the North-West to fracture the law. No one believes that if 6 o'clock was carried as a result of a vote the people of the North-West would obey it. Why not carry something with a reasonable chance of being effective?

Mr. Gilchrist: They would obey it just as well as the Sunday closing edict is obeyed.

Mr. O'LOGHLEN: As regards the rigid enforcement of the liquor laws, the present position is a farce.

Mr. Heitmann: It is a matter of administration.

Mr. O'LOGHLEN: Recently I travelled over the greater part of South Australia, where hotels, by an overwhelming majority, are to be closed at six o'clock. The people in the country districts voted in favour of six o'clock, while those in the metropolitan area, by two to one, favoured 11 o'clock closing. In the country one might reckon two votes in each hotel, but in the metropolitan area there might be a dozen employees in each hotel, and they and their friends helped to swell the 11 o'clock majority. The reason why many moderate drinkers voted for 11 o'clock closing in Adelaide was that the conditions were so entirely different in the country. The difficulty before the South Australian Government is that they do not know how to make provision to give effect to the vote taken. According to the vote, hotel bars must be closed at six o'clock, but a licensee will be able to sell soft drinks in the billiard room and he will be obliged to keep the whole of

the house open for the accommodation of country visitors.

Mr. Heitmann: So he should be.

Mr. O'LOGHLEN: If we take a vote over the whole of the State, we shall land ourselves in the same difficulty.

Mr. Heitmann: You have not shown the difficulty.

Mr. O'LOGHLEN: The South Australian Government are reluctant to proceed because they think they will be doing an injustice to the overwhelming majority in the metropolitan area.

Mr. Thomson: I thought you favoured giving heed to the will of the people?

Mr. O'LOGHLEN: Yes, but if the Kalgoorlie people decided on 10 o'clock closing and the Perth people on six o'clock closing, would it be fair to compel the goldfields people to fall into line with the greater number in Perth when they ought to have their own choice?

Mr. Heitmann: It would hit both ways.

Mr. O'LOGHLEN: Would the hon. member think it fair that the people in the North-West should fix the hours for their own district?

Mr. Heitmann: No.

Mr. O'LOGHLEN: No harmful result will follow the adoption of the four divisions.

Mr. Heitmann: You want to show that beneficial results will follow.

Mr. O'LOGHLEN: We can only be guided by experience, and we have experience of the difficulty which is confronting the South Australian Government through taking a vote over the whole of the State.

Mr. Hudson: Why put Esperance with Cue?

Mr. O'LOGHLEN: I am not stressing the point of view of community of interest.

Mr. Heitmann: Will you classify the towns and take them?

Mr. O'LOGHLEN: What valid objection can there be to making these districts coterminous with the Federal electorates, and thereby save expense, even if Esperance votes with Cue. Perhaps the

fairest plan would be to take a vote in every electorate. Then one would vote wet and another dry, and people in a dry district would merely have to step over the boundary to get a drink.

Mr. Thomson: That will happen now.

Mr. O'LOGHLEN: If it does, it will be to only a limited extent and we cannot expect to make the measure perfect. I spoke to over 20 members of the South Australian Parliament and the general opinion was in favour of districts because the decision could then be given effect to. The people of the metropolitan area have put up a fairly good claim that they have been coerced into taking this step, and there will be a simmering of dissatisfaction which may lead to revolt against so radical a change. Closing at eight or nine o'clock would represent a gradual reform but to clip five hours off the day's trading would constitute a sudden reversal which would make the City very dismal indeed.

The Premier: No.

Mr. O'LOGHLEN: I hope members will enjoy the comforts and pleasures which will follow in the train of such a sudden reform. I support the proposed divisions.

Mr. ALLEN: I support taking a vote of the State as a whole for reasons advanced by the Attorney General. This is what is termed war emergency legislation and other such legislation has been applied to the State generally. If it is necessary to economise and conserve our resources, and put an end to extravagant expenditure on useless intoxicants, it is equally necessary for every district in the State. I cannot see what argument can be adduced for dividing the State into districts. If it is possible to trade in some districts for longer hours than in others, one section of the community will be treated unfairly. Under war emergency legislation, all should be put on the same footing.

Mr. B. J. STUBBS: Several members have argued that if it is necessary to curtail the hours in one portion of the State, they should be curtailed throughout the State. The fact of taking a vote in dis-

tricts will not prevent the curtailing of hours all over the State.

Mr. Thomson: It is possible to create an anomaly.

Mr. B. J. STUBBS: I have no fear that one district might force another to trade longer hours, but one district might strongly favour six o'clock closing and, if the vote were applied to the State as a whole, the people might be prevented from making that reduction in hours.

Mr. Heitmann: It cuts the other way.

Mr. B. J. STUBBS: But it would not do the harm. If the people in the metropolitan area favoured six o'clock closing and those in other parts of the State supported 11 o'clock closing, it would be unfair to compel the people in the metropolitan area to adopt 11 o'clock because a majority had decided upon that hour.

Mr. Allen: Is not it as necessary for them to economise as for us in the metropolitan area?

Mr. B. J. STUBBS: And under the proposal to divide the State into districts there is nothing to prevent it, but if they have no wish to economise, they have no right to prevent us from economising.

Mr. Male: You should compel them to.

Mr. B. J. STUBBS: No fairer system of districts could be devised than that embodied in the Bill. It has been said that men on the goldfields desire a drink when they leave their work, but that argument is not used in other parts of the State. There is a vast difference between the agricultural districts and the metropolitan area and goldfields districts, because in the former case public houses are mostly far apart. The adoption of districts will not interfere with the vote. Some members contend that the community of interests does not suit them, but at least three of the districts proposed are considerably larger than the State of Victoria and some of them are even larger than New South Wales. In my opinion the divisions proposed are likely to prove the most satisfactory to the people.

Mr. THOMSON: I support a referendum being taken over the whole of the State. Where the State is cut up into districts we shall have a line of demarcation, and perhaps some gentleman will

obtain a license, it may be a State hotel license just over the border, and make it a good paying proposition. I do not wish to cast any reflection on the Attorney General.

Mr. Munsie: That could not happen with the present State hotels.

Mr. THOMSON: If just over the border of a district which had voted for the early closing of hotels existed another hotel in a district which had declared in favour of 11 o'clock, would it be supposed that a man who wanted a drink would not cross the border and get what he wanted? At Claremont, under the bona fide traveller's regulation, any man living in Perth can get a drink there by travelling in the train.

Mr. B. J. Stubbs: The principle cannot apply here, because the districts are too large.

Mr. THOMSON: It is quite possible that it will happen. Seeing that this is a war emergency Bill it could apply to the whole people. If it is necessary that economy should be exercised, one section of the community only should not be asked to exercise that economy.

The Minister for Mines: This measure may prevent economy in one particular section.

Mr. THOMSON: I must oppose the clause if the State is to be divided into four districts.

Hon. H. B. LEFROY: I should like the Government to have dealt with the question under the Act in existence, but if the House had desired that this should be done they could have opposed the second reading of the Bill. The House has agreed on the voices, however, to the passing of the second reading of the Bill. That being so, it appears to me that the House has agreed to the principle of the measure, which is that the State shall be divided into districts for the purpose of carrying out the provisions of the Bill. The taking of a local option is already provided for in our licensing laws. Under the Bill before us there is a probability of this being made general. We shall get the opinion of the community as to the hour at which licensed premises shall

be closed, and there is a probability of this being made permanent. For that reason, I prefer to see the State divided into districts, and so prevent the possibility of one portion of the State coercing another portion, but if we do not pass this clause the Bill will be useless. I am desirous of seeing some alteration made, if the Government are not prepared to make use of the Act now in operation.

Mr. GREEN: The arguments used this evening against allowing the different districts to discriminate in regard to closing hours show a determined opposition to the democratic spirit. The block vote in any country has never been democratic. For the people of, say, the metropolitan area, to say to the people of Marble Bar that they shall close their hotels at such-and-such a time is in direct opposition to democratic government. If this portion of the Bill is struck out, I shall feel inclined to vote against every other clause in it. Men who live on the goldfields after a hot day's work must have a drink of some sort. In the metropolitan area, however, where the air is surcharged with moisture and altogether different from the goldfields, the same necessity for a drink does not arise. It is unfair and absurd that the thickly populated metropolitan area should be able to dictate to any other portion of the State on a question of this kind. Whilst there will be division on the coast, there will be no division so far as Marble Bar, Kalgoorlie, and districts like that are concerned, and members will wreck the whole idea of the Bill if they persist in their attitude.

Mr. HEITMANN: It seems that it is being held over members as a sort of threat that if they do not pass this clause the Bill will go by the board. The hon. member for Moore (Hon. H. B. Lefroy) must have known that the principle of the Bill is not that of the cutting of the State up into districts. It is a question of whether we should give the people the right to speak on the closing of hotels. If we do strike out this clause, that principle remains. Behind the members from the goldfields there is a desire to placate that particular part of the country.

The Attorney General: A very unfair insinuation.

Mr. HEITMANN: I do not feel unfair. The idea of saying that a man in Kalgoorlie requires more beer than the workman in Geraldton is ridiculous and farcical.

Mr. Green: You would not say that if you were representing Cue.

Mr. HEITMANN: I have never been prevented from saying what I thought, no matter what the considerations might be, nor have I ever advocated a course which I did not believe in because perhaps my districts favoured it. The hon. member for Kalgoorlie (Mr. Green) said that it was almost necessary for men in that centre to have a drink. What about the miner in Collie?

Mr. Green: The conditions are altogether different.

Mr. HEITMANN: If the hon. member objects to Kalgoorlie being controlled by Perth, does he not also object to Kalgoorlie controlling Laverton or Kanowna? As regards Collie, I suppose we should follow the example of the present leader of the Opposition when introducing his famous Redistribution of Seats Bill and add Collie to the goldfields districts. If it is not fair that one large district or town should govern a small one, then we must look for community in the size of the towns, and let towns of, say, 5,000 inhabitants and over vote together, and small towns vote together. The member for Kalgoorlie (Mr. Green) said that climatic conditions should almost alone be considered, but they have not been considered in the drafting of this clause. The question is one for the people as a whole to decide.

The ATTORNEY GENERAL: There seems to have been a wrong assumption as to this clause from the very commencement. First of all, it is assumed that we of this Committee are dealing with the destinies of the people in this respect. The argument has been used that if a thing is good for one part it is good for all parts, and, therefore, let all have it. But that is not the point. We are trying to get the voice of the people

as to the hour of closing. I am not at all with those who argue that drink may be good for one man in one part of the State and bad for another man in another part. Every man knows my conviction that drink is an evil everywhere. But this is not a Bill to deal with that evil. This is a Bill to afford the people an opportunity of indicating their wishes in regard to the lessening of the evil. As I informed hon. members in my second reading speech, an assurance had been given to the deputation which waited on the Premier and myself, and in fact to the whole community. The original request made was that the 1914 legislation should be put into force and the hotels closed. This Bill is a response to the deputations and the public meetings at which the desire was expressed that the voice of the people should be heard on the question.

Mr. Heitmann: We all admit that.

The ATTORNEY GENERAL: Then, what harm can there be in the various sections of the people speaking each from their own standpoint? It will be admitted that there are different standpoints.

Hon. J. Mitchell: Yes. Albany and Geraldton, for instance.

The ATTORNEY GENERAL: The metropolitan area can have one standpoint, and the agricultural districts can have another, and the mining districts a third. Although I admit that the provision which I ask the Committee to carry is by no means perfect, yet I claim that it is as perfect as I can conceive it. My only purpose has been to do justice to the whole of the State, to its divided interests and communities and characteristics and habits. We have got as near to the ideal as we can in the conditions we have made; and in doing this we are, I claim, carrying out the principles of democracy. I never understood democracy as implying coercion. Democracy is compatible with individual and local liberties. A democracy that is synonymous with tyranny and coercion would be to me repulsive. The member for West Perth (Mr. Allen) said that I used the argument that I desired economy to be practised by the people, and he said that

the object of the measure was to enable the people to practise economy at such a time as this. I agree that that is so, and it is all the more reason for having districts. There is a possibility that, if we provide for districts, some of those districts will vote for shortening the hours of sale, while there is also a possibility that the whole of the State voting as one might keep the hours as they are. The point is that, if we cannot accomplish a shortening of hours all over the State, we should by all means seek to secure it in some districts. It is only for the people to speak and in their choice we shall have an absolute reflex of the conditions of the country.

Hon. J. MITCHELL: We can only call this gerrymandering.

Mr. Bolton: You ought to know.

Hon. J. MITCHELL: Was there ever gerrymandering equal to this? This division has been provided to satisfy the goldfields members.

The Attorney General: That is false and you know it.

The CHAIRMAN: The hon. member must withdraw that remark.

The Attorney General: I will withdraw that but substitute another remark and it is that what the hon. member said is absolutely incorrect and he knows it.

Hon. J. MITCHELL: These divisions are wrong. I believe that the whole State should vote as one and members should deal with the question in the interests of the whole of the State. But that is what they will not do. Why cannot they deal with this measure from the point of view expressed by the Attorney General when he introduced the Bill? He said that it was because of economy that the Bill was needed. It is necessary to economise but that economy is needed in all the areas of the State.

Mr. MUNSTIE: During the second reading of the Bill I said that I would support it provided two principles were contained in it. One was the clause that we are now discussing that the people be allowed to vote in separate districts, and the other that the provision applied to clubs as well. The member for Northam seems afraid that we are working from

the standpoint of having districts contained in the Bill, because we believe that Kalgoorlie will vote for 11 o'clock closing. I believe when the vote is taken in Kalgoorlie there will be an overwhelming majority for a reduction in hours. No vote of mine will allow the people in the metropolitan area to say what time hotels shall close in Kalgoorlie if I can get the people on the goldfields to say that for themselves. The Minister in introducing the Bill got nearer to democracy than he would have done if he had allowed the State to vote as a whole. It seems to me remarkable to hear hon. members prate about democracy, and that we are going further away from democracy by cutting up the State into districts; yet the same gentlemen talk of the undemocratic method of the election of senators. I trust that the division into districts will be maintained. If districts are cut out I will vote against the Bill altogether.

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

Ayes	..	..	..	21
Noes	..	..	..	15
				—
Majority for	..	..	..	6
				—

AYES.

Mr. Angwin	Mr. O'Loghlin
Mr. Carpenter	Mr. Robinson
Mr. Collier	Mr. Scaddan
Mr. Foley	Mr. Smith
Mr. Gilchrist	Mr. B. J. Stubbs
Mr. Green	Mr. Taylor
Mr. Harrison	Mr. Thomas
Mr. Johnson	Mr. Underwood
Mr. Lefroy	Mr. Walker
Mr. Mullaney	Mr. Bolton
Mr. Munstie	(Teller).

NOES.

Mr. Allen	Mr. Mitchell
Mr. Connolly	Mr. Nairn
Mr. Cunningham	Mr. Piesse
Mr. George	Mr. Thomson
Mr. Griffiths	Mr. Veryard
Mr. Hardwick	Mr. Wansbrough
Mr. Heltmann	Mr. Male
Mr. Hickmott	(Teller).

Clause thus passed.

[The Deputy Speaker resumed the Chair.]

Progress reported.

BILL—MINES REGULATION.

Bill withdrawn.

Order of the Day for second reading read.

The MINISTER FOR MINES (Hon. P. Collier—Boulder) [10.53]: I move—
That the Bill be withdrawn.

I may explain that by an oversight the wrong title has been given. It is not the title of the Bill I wish to introduce, which provides for an amendment of the Mines Regulation Act, 1906. I therefore desire to withdraw the Bill with a view to introducing one, with the correct title, to-morrow.

Question passed; the Bill withdrawn.

House adjourned at 10.54 p.m.

Legislative Assembly,

Wednesday, 1st September, 1915.

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

PAPERS PRESENTED.

By the Premier: Further report by the Auditor General on State trading accounts under the Trading Concerns Act for the year ended 30th June, 1915.

By the Attorney General: Report of the Senate of the University for the year ended 31st December, 1914.

By the Minister for Works: 1, By-laws of the Cue-Day Dawn roads board. 2, By-laws of the Darling Range roads board (special roll for loan pool).

QUESTION—STATE TIMBER DEPOT, METROPOLITAN AREA.

Mr. O'LOGHLEN asked the Premier: 1, Have the Government yet decided to establish in the metropolitan area a timber depôt for the sale of surplus scantling firewood and coal? 2, If no such step is proposed, why do the Government hesitate to patriotically push local products?

The PREMIER replied: 1, No. 2, Depôts will be opened as soon as it is found desirable to do so.

QUESTION—COLLIE COAL.

State Metropolitan Depot.

Mr. O'LOGHLEN asked the Premier: 1, Is he aware that coal importers are charging at the rate of £3 12s. a ton for imported coal for domestic use and £2 8s. per ton for Collie coal? 2, Is he also aware that coal costs at the pit's mouth in Collie about 11s. per ton? 3, Seeing the advantages to be derived by both the consumers, the miners, and the State railways, from an increased use of Collie coal, will the Government set apart a metropolitan depôt where householders can get their supplies at a reasonable rate; such depôt to be controlled by the railway or some other department?

The PREMIER replied: 1, No. 2, Yes. 3, The establishment of a depôt for the retail of Collie or other coal is a matter for the coal companies or local suppliers.

IMPORTED COAL AND STATE STEAMERS.

Mr. O'LOGHLEN asked the Premier: 1, Is it a fact that the steamers "Kwinana" and "Gorgon" left about the same time recently on a North-West trip, the