Legislative Council.

Tuesday, 28th November, 1922.

	PAGE
Election Return, swearing-in of Member	1817
Questions: Narrogin School of Agriculture ...	1817
Machinery Inspection—1, Inspectors and fees; 2, Boiler files	1817
Motion: Mining Industry Taxation, withdrawn	1818
Bills: Dairy Industry, report	1819
Closer Settlement, 2R.	1819
Licensing Act Amendment, recom.	1832

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

ELECTION RETURN—METROPOLITAN-SUBURBAN PROVINCE.

The Clerk announced the return to a writ issued for the election of a member for the Metropolitan-Suburban Province, showing that Harry Boan had been duly elected.

Hon. H. Boan took and subscribed the oath and signed the roll.

QUESTION—NARROGIN SCHOOL OF AGRICULTURE.

Hon. H. STEWART asked the Minister for Education: Will he furnish a statement re Narrogin School of Agriculture, giving the number of full-time scholars in 1922, and showing, in groups—(a) the avocations followed by their parents; (b) the provinces in which the parents reside?

The MINISTER FOR EDUCATION replied: (a) Farmers, 28; soldiers' widows, 3; civil servants, 3; orchardists, 2; drapers, 2; miners, 1; labourer, 1; teacher, 1; shipping agent, 1; Judge's associate, 1; bank manager, 1; surveyor, 1; engineer and farmer, 1; surveyor's assistant, 1; engine-driver, 1; nurse, 1; foreman, 1; home duties, 1; State Children's Department, 1. (b) East Province, 20; South-East Province, 14; South-West Province, 6; Central Province, 3; South Province, 4; Metropolitan-Suburban Province, 3; West Province, 2.

QUESTIONS (2)—MACHINERY INSPECTION.

Inspectors and fees.

Hon. E. H. HARRIS asked the Minister for Education: 1, Will he submit a statement from the Inspection of Machinery Department showing—(a) the inspectors' names, including that of the Chief Inspector; (b) the number of boiler inspections made and the fees earned by each; (c) the number of machinery inspections made and the fees earned by each for each month of the six months ended 31st October, 1922? 2, The total amount earned by each inspector as compared with a similar period in the year 1920-21?

The MINISTER FOR EDUCATION replied: 1 and 2, A report from the Chief Inspector of Machinery to the Under Secretary for Mines, reads:—1, In reply to the minute of Hon. Minister for Education dated 23/11/22, I have had the information asked for collected and tabulated. 2. Mr. Harris' question is an unfair one as, without explanations, the information supplied in reply to it gives a wrong impression. 3. The Chief Inspector's duties consist of administrative work, checking, and generally supervising the work of the inspectors. He is not supposed to make personal inspections, and in any case he would have no time available for this purpose. 4. With regard to Inspector Gill (myself), during the period covered by the question, viz., 1st May to 31st October, 1922, I was engaged with the Chief Inspector framing the original regulations under the new Act, collecting information re first aid notes (see end of regulations), and preparing same, preparing new forms necessitated by the new Act. When regulations were gazetted, the instructions to inspectors had to be completely revised, and a set of new examination papers had to be made out to meet altered conditions re engine-drivers' certificates. I was subsequently engaged on preparing matters in connection with winding engine brake formulæ for a drawing for inspectors' use to secure uniformity in practice. Various objections were raised re the form of certain engine-drivers' certificates, and this involved a great deal of work. Much time was occupied by the Engine-drivers' Board, owing to alteration to certificates involving a rush of new applicants. The Chief Inspector of Machinery was absent through illness for two weeks, during which time I had to do his work. I had to visit Bunbury on a valuation for the Forestry Department, and had to do other special work for which fees were received, but which are not classified in returns, as no certificates were granted. On 18th September the Council disallowed the regulations. This meant a lot more work, redrafting regulations, etc., and compiling notes for the Minister for Education to enable him to reply in debate on regulations. I had to visit Kalgoorlie on engine-drivers' examination work. Towards end of October I was with Chief Inspector of Machinery in office for a week, taking over prior to his long service leave, which commenced 1st November. 5. During the same period in 1921, I was occupied in a special investigation, indicating engine, etc., at the Wonnerup Mill for Forestry Department. This took nearly a week. I had to visit Bunbury to report on useless gas engine at Returned Soldiers' Axe Handle Plant. Annual leave from 16th May to 29th May (inclusive). From 28th June onwards till the passing of the 1921 Act I was much occupied in assisting Chief Inspector of Mach-

inery in connection therewith. Engine-drivers' Board work also took up much time. 6. So that during the two periods under review, though I was very fully occupied in assisting the Chief Inspector of Machinery (it being quite impossible for him to have carried out his usual work and also all the extra work involved by the new Act without assistance), the number of inspections made and fees earned by me were very small. H. L. Gill, Acting Chief Inspector of Machinery. 24/11/22.

ANSWERS TO HON. E. H. HARRIS' QUESTIONS IN PARLIAMENT.

Question 1.

(a.) Inspectors' Names, including the Chief Inspector.

(b.) Number of Inspections of Boilers and Fees earned, six months ending 31st October, 1922.

	May.		June.		July.		August.		Sept.		October.	
	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.
		£		£		£		£		£		£
C. J. Mathews	...	...	...	...	...	...	...	...	...	...	...	...
H. L. Gill	...	...	1	...	...	...	6	12	2	10	...	...
J. Stone	47	...	62	48	1	...	45	78	34	96	8	43
E. P. Lee	27	26	29	33	23	76	27	74	31	79	43	93
R. J. Ross	8	15	33	36	32	74	12	46	39	97	10	45
W. Churchill	18	36	36	22	25	40	21	70	19	38	12	26
P. H. Wright	5	4	2	2	39	28	27	27	28	43	7	11
B. P. Jones	17	4	13	32	13	69	17	52	15	41	21	63
G. Moore	26	6	19	43	19	67	10	28	20	56	18	48
Totals	148	250	144	299	161	377	165	387	188	466	173	416

Total Inspections 974. Total Fees £2,195.

(c.) Number of Inspections of Machinery Groups and Fees earned six months ending 31st October, 1922.

	May.		June.		July.		August.		Sept.		October.	
	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.
		£		£		£		£		£		£
C. J. Mathews	...	...	...	...	...	...	...	...	...	...	...	...
H. L. Gill	...	...	30	23	1	1	14	17	...	...	...	...
J. Stone	8	...	51	21	7	...	32	17	17	1	20	6
E. P. Lee	28	1	21	5	21	6	25	14	11	5	25	8
R. J. Ross	117	40	80	21	24	5	24	13	106	35	72	13
W. Churchill	34	12	79	29	13	3	62	38	31	9	73	5
P. H. Wright	213	79	94	31	30	12	22	11	154	73	128	57
B. P. Jones	22	10	31	14	9	11	36	46	18	11	24	24
G. Moore	40	20	28	8	43	39	24	25	14	8	35	19
Totals	462	173	420	152	148	77	239	181	351	142	315	132

Total Inspections 1,935. Total Fees £857.

Question 2.

Total amount earned by each Inspector as compared with a similar period in the year 1920–21.

—	Six months ending 31st October, 1921.	Six months ending 31st October, 1922.	No. of Inspections.	Remarks.
	£	£		
C. J. Mathews	...	...	...	
H. L. Gill ...	123	70	55	
J. Stone ...	481	499	356	
E. P. Lee ...	404	415	300	
R. J. Ross ...	414	544	596	
W. Churchill	209	312	316	
P. H. Wright	...	378	749	Appointed an Inspector, 1st Feb., 1922.
B. P. Jones ...	381	411	236	
G. Moore ...	338	423	296	
D. F. Booth ...	219	...	...	Retired from Public Service 31st Jan., 1922
Totals ...	2,569	3,052	2,904	

Boiler Files.

Hon. E. H. HARRIS asked the Minister for Education: Will he lay on the Table of the House the files of the Inspection of Machinery Department relative to the inspection of boilers belonging to the Narrogin Butter Company, Buckingham Brothers, Barrymore, Palmerston-street, and the Sons of Gwalia G.M. Company (inspection under Section 30), files Nos. 1827, 581, 634, 1638, 4119, 4589, and 4309 respectively?

The MINISTER FOR EDUCATION replied: Yes. (The files were laid on the Table.)

NOTICE OF MOTION—MINING INDUSTRY TAXATION.

Notice of motion in the name of the Hon. J. W. Kirwan read—

That in view of the importance of mining to Western Australia and the heavy disabilities under which the industry is at present suffering, the Government should this session introduce legislation to effect the following taxation reforms:—(1) Provide, as in the case of the Commonwealth, that calls on mining shares in companies operating mines within the State be included among the deductions permitted in income tax returns. (2) Provide that the Taxation Department should recognise that as mining is a wasting asset, the basis of taxation on mining ventures should be different from that of more stable industries and commercial concerns, and that only those mining dividends be subject to taxation that are profits in excess of the amount of capital invested.

Hon. J. W. KIRWAN (South) [4.38]: The motion of which I have given notice advocates two reforms in the collection of taxation. There is a Bill before another place which presently will come before us, and if in the meantime

amendments be not effected providing for the reforms in my notice of motion, I shall have amendments drafted with a view to moving them here. The House will thus have an opportunity to discuss the reforms I suggest. At this stage, when all of us are anxious to get through the business of the House, I do not wish to prolong our proceedings by causing a repetition of discussion. I ask permission to withdraw my notice of motion on the understanding that members will have an opportunity later to discuss these matters.

Notice of motion by leave withdrawn.

BILL—DAIRY INDUSTRY.

Report of Committee adopted.

BILL—CLOSER SETTLEMENT (No. 2).

Second Reading.

Resumed from the 23rd November.

Hon. A. LOVEKIN (Metropolitan) [4.41]: I have been considering this Bill during the week end and I confess I have not been able to make up my mind as to the proper course to pursue with regard to it. On the one hand the land tenure of this State ought not to be abused. People ought not to be allowed to hold land in idleness to reap the unearned increment arising from the expenditure of the general taxpayer. Owners of land ought not to be allowed to keep lands in idleness, especially when those lands are adjacent to railways which at the present time require freight. As against that view arises the question of the sanctity of title. It is generally held that an Englishman's home is his castle. The man who has the title deeds to his land thinks—and rightly so—that he has something which is sacred to him. If we depart from that view we shall get into difficulties. If we, by Act of Parliament, direct a man to do particular things or to take a certain course with land which he holds under a sacred title, we may be told with much more force that a man should be compelled to do other things with regard to chattel interests. Recently Mr. Charlton, in the Federal Parliament, suggested that the bonds which the Government had issued bearing various rates of interest should have the interest reduced. That is one form of repudiation and of confiscation with regard to a chattel interest. If we, in connection with land interests, permit interference in the same way, I am afraid all faith will be gone as to the title of the people to their property. This is the difficulty with which I am faced: If I vote one way, I shall be voting for undue interference with a man's property rights. If I vote the other way, I shall be acquiescing in a man keeping his land in idleness. I wish to hear the arguments of members before I commit myself as to how I shall vote on the merits of the Bill. Having said that, I wish to draw the attention of the House to one or two clauses of the Bill which seem to make it what is known as a money Bill under our Standing Orders. Clause 6 is one instance, and it says—

> (2) Within three months after the service of such notice by the board, the owner may notify the board in writing of the owner's election either (a) to himself subdivide and offer for sale in subdivisions the land described in the notice in the "Gazette"; or (b) to pay land tax at such rate as Parliament may enact in respect of land declared to be the subject of this Act.

That clause is one which brings the Bill within the category of money Bills, inasmuch as the clause seeks to impose a tax. In another place it has been ruled that a Bill which says certain things are to be done from moneys hereafter to be appropriated by Parliament is a money Bill. Here we have the same principle. I submit that a clause which provides that certain costs are to be defrayed from moneys to be appropriated by Parliament is the same principle as a tax which may be enacted by Parliament. I do not wish to read too much, but the ruling of the Speaker in another place is supported by the dictum of Spencer Walpole in Todd's "Parliamentary Government in England," Volume 2, pages 186 to 191. I may read this paragraph—

> Of late years it has become customary to permit the introduction of Bills by private members, which, though not professedly in the nature of money Bills, do yet necessitate, to a greater or less extent, the imposition of new charges upon the people, the precise extent of which cannot always be estimated at the outset. These Bills have been either for the construction of certain public works, or for the establishment or encouragement of certain new institutions, or they have proposed to grant new salaries to officials to be appointed under the Bills, or to grant compensation or aid to individuals, or associations, for various causes assigned. But, whatever may be the precise object of these Bills, inasmuch as they establish grounds of expense, they are an evasion of the constitutional rule which forbids the grant of money by Parliament, except on the application of the Crown. In order to admit of the proposed grant without a direct violation of constitutional practice, Bills of this description invariably contain a clause to the effect that the necessary expenses to be incurred thereby should be "defrayed out of moneys hereafter voted by Parliament." The facility attending the introduction of such Bills has frequently induced Ministers themselves to take advantage of this mode of obtaining the sanction of Parliament to their legislative measures. Moreover, in certain circumstances, and with a view to facilitate the progress of public business, Bills of this class have even been permitted to originate in the House of Lords. While it is obvious that the introduction of such Bills by Ministers of the Crown is not open to the same objections as when they

are brought in by private members, yet it is most desirable that measures of this description should be subjected to careful scrutiny and that the probable expense they would entail should be duly estimated, and made known to the House by a responsible Minister, before it is called upon to sanction them. Where such Bills have originated with private members, they have, as a general rule, been productive of great abuse, by encouraging injudicious and extravagant expenditure. If the principle of the Bill obtains the sanction of Parliament, the faith of Parliament becomes pledged to the outlay involved, and Ministers are obliged to include, in future Estimates, distinct provision for it; and, when the particular grant that is required to carry out any such measure is brought forward in Committee of Supply, any objection to its principle is commonly met with the assertion that it is useless, if not unfair, to oppose it at this stage, inasmuch as Parliament has already agreed that the proposed expenditure ought to be incurred.

The writer goes on to say that there is a method by which this can be done. That applies to Clause 6 of the Bill.

Hon. J. Duffell: This is not a private member's Bill.

The PRESIDENT: Do I understand the hon. member is speaking to the second reading, or is he taking objection to the Bill?

Hon. A. LOVEKIN: On the second reading of the Bill, Sir. I am drawing the Minister's attention to Clause 6, which I am going to suggest he cannot submit to this House in this particular form, as it makes the Bill a money Bill.

The Minister for Education: This is not a question of a charge against revenue, and there is no question of an appropriation.

Hon. A. LOVEKIN: It comes within the Constitution Acts Amendment Act. The clause commits Parliament to a tax. The clause says so.

The Minister for Education: That has nothing to do with an appropriation by Parliament.

Hon. A. LOVEKIN: Is it not the same principle?

The Minister for Education: This Bill does not enact a tax.

Hon. J. Cornell: It will do so later on.

Hon. A. LOVEKIN: It commits this House and the other place to a tax, and if it commits Parliament to a tax it becomes what is known as a money Bill, and can only be introduced in another place and upon a recommendation by the Governor. I think that is clear. "Todd" goes on to say that Bills of this sort may be introduced by putting the clause which contains the imposition of the tax or the appropriation into italic type, and that then the clause is not considered by the Upper House as being part of the Bill. The same course is contemplated by our Standing Orders, No. 179 of which says:—

If any Bill introduced into the Council by the Government contains a clause by which, in order for the proper carrying out of the main objects of the Bill Consolidated Revenue is appropriated, or a charge is incidentally involved—

A charge is incidentally involved here.

such clause shall be printed in italic type, and shall not be deemed to form part of the Bill.

In "May" we find the same thing pointed out, that a clause of a Bill can be introduced in this way. If hon. members will turn to our Standing Order 212, they will see that this course is still further contemplated—

After the third reading, any clause printed in italics shall be struck out; but the fresh print of the Bill as transmitted to the Assembly shall contain such clause printed in erased type, and the same shall not be deemed to form part of the Bill.

Those two Standing Orders apply to the very Bill now before us. None of this goes to the merits of the Bill, and I do not want to take any technical objections which involve no substance whatever. I would suggest to the Minister, so as to put this matter in order, that Clause 6 be treated as if it had been printed in italics.

Hon. A. J. H. Saw: Would you permit that?

Hon. A. LOVEKIN: Yes. When we come to the third reading we can strike the clause out, as provided by practice, and put it in erased type. That will get over the difficulty. I draw attention to this for the reason that, knowing the ruling which has been given in another place on this point, or on a similar point——

The Minister for Education: It was a ruling given before the amendment Act of last session was passed, and has nothing to do with the case.

Hon. A. LOVEKIN: The Constitution Acts Amendment Act of last year, I submit, does not alter the position one iota. We have no right to impose any tax, or to recommend the imposition of any tax. That is the province of another place. I raise this point only because I do not want to see the Bill go down to another place and be ruled out of order there, as it must be ruled out of order unless——

The Minister of Education: Do you hold that this is a Bill imposing taxation?

Hon. A. LOVEKIN: Undoubtedly.

The Minister for Education: Read paragraph 7 of the last Constitution Acts Amendment Act.

Hon. A. LOVEKIN: I am quite aware of that paragraph. If the clause is put in italics, it becomes as if it did not exist, and then the Bill will not come within the scope of the Constitution Acts Amendment Act or anything else. I do not wish to see this House get a rebuff by sending down to another place a Bill which must be ruled out of order. At any rate, the responsibility is not mine. I am merely drawing the Minister's attention to the matter, and I think he would be well advised

if he adopted the course I suggest. On the merits of the Bill I have an open mind, and shall be guided by the arguments of hon. members who happen to know more about the subject than I do.

Hon. J. J. HOLMES (North) [4.58]: I had hoped that some of the agricultural members would have spoken on the second reading of this Bill. The measure does not affect the province I represent, and does not affect me personally.

Hon. H. Stewart: It affects your province indirectly, as regards security of tenure.

Hon. J. J. HOLMES: The Bill involves important principles, and as one of the 30 men sent to this Chamber to deal with each and every subject that crops up, I deem it my duty to place my views on the Bill before the House. First, however, I should like to refer to a few phrases contained in the speech of the Leader of the House when introducing the Bill which was shelved—

> Anything that would destroy security would imperil any industry which is based on the land and imperil the whole solvency of the State.

It is from that standpoint principally I propose to discuss this Bill. If my reading of the measure is correct, all freeholds throughout the State can be made subject to it. There is another point involved, the point raised by Mr. Lovekin as to whether this Chamber can initiate taxation.

The Minister for Education: Is he raising that point?

Hon. J. J. HOLMES: He did raise that point. If he did not raise it, I raise it now. If the Bill goes to another place in this form I am inclined to believe that the question will be raised there, and the Bill will be lost a second time. I do not desire to see the Bill lost; I want it discussed on its merits, and that is the reason why I have raised the point. Subclause 4 of Clause 6 does refer to appropriation of funds, and if we pass the Bill with that provision in it, there will be an obligation on the part of the Government to introduce a taxation Bill. If there is no legal obligation, why is that subclause included? It is put there to enable another place to initiate taxation.

The Minister for Education: On a point of order; I take it that the Bill is either in order or it is not, and I do not think it is in order for an hon. member to discuss that question under the guise of discussing the Bill. If hon. members wish to raise the point that the Bill is not in order, that point should be raised and discussed by itself. I submit it is not proper to discuss on the second reading the point of view as to whether or not the Bill is in order.

Hon. A. Lovekin: I did not raise a point of order; I merely drew the Minister's attention to the clause.

Hon. J. J. HOLMES: At any rate, I have no intention of pursuing that aspect any further.

Hon. A. J. H. Saw: You are not sure of your grounds.

Hon. J. J. HOLMES: I am, and also as to what will happen if the Bill goes to another place. I have already drawn attention to a statement made by the Minister when he introduced the original Bill, and on that occasion he suited his purpose to try to prove to the House that it was a harmless measure, and that it may or may not do a lot of good. When he taxed his ingenuity to prove how simple the measure was, he found himself somewhat in a corner and then quoted the legend, "The earth is the Lord's and the fullness thereof." At a later stage when he had to defend Clause 13, the Leader of the House told us that it would be a wicked thing to take land by force from a member of Parliament, and having so taken it, that the member of Parliament should lose his seat. When it suited the Leader of the House to make the Bill appear a harmless one, he did so. He was at his best on reaching Clause 13 and speaking on the necessity for it being in the Bill. Then he showed his hand by declaring that having taken the land by force from the member of Parliament, it would be wicked to compel that member to lose his seat. I propose to prove that the Bill is more vicious than the one which was first introduced, because the member of Parliament is not protected at all. Under the Bill we are now discussing, it is proposed to take the land by force, but when it comes to the payment for improvements there must be a contract with a member of Parliament, and having made that contract, the member is not protected by the amended Constitution. I can well imagine that a Government—not the present Government—being desirous of getting rid of a member of Parliament, putting the acid on him through the board, seizing his land, and compelling him to make a contract to sell his improvements; then the member would automatically lose his seat. I will repeat what the Minister said when introducing the first Bill, "Anything that would destroy security, that would imperil any industry, would imperil the security of the State." If anything will have the effect of destroying security, it is this vicious Bill. Does it not propose to take people's land by force? It is, in my opinion, a direct attack upon the pioneers of this country. People left the old land 70 or 80 years ago to pioneer this part of the world. My own people left Ireland because under the landlord system existing then, it was not possible for them to secure a home they could call their own. They came out here 80 years ago in order to get hold of something they could call their own. Unfortunately, however, my father and mother were never able to secure anything for their family of 10. Still, they came here and played their part. Hundreds of others did likewise, and what did they get? They got land and the generation here now are spending all they are able to on improvements, and the Government come along and dictate how the holders of these properties shall use the land. The Government want to compel these people to cut it up for sale, and having

put them to all that expense, if there should be no purchasers, the Government will say, "You can have your land back again." Is that likely to establish security in this country? I hardly think so. There is another point to which I wish to refer, and it is that the Bill is a direct attack upon contracts that have been fulfilled, while the man who has not fulfilled his contract, is allowed to go scot free. I suppose 90 per cent. of the people in the State who hold land have acquired it under conditional purchase conditions. These are men who have completed their contracts and have left the Agricultural Bank. They are the people who are going to be attacked under the Bill, while the men who have not fulfilled their conditions—and there are thousands of them who are clients of the Agricultural Bank—are not to be disturbed. The man who has freehold property, and who has complied with all the conditions will be the one to be attacked. The Bill provides for one set of conditions for the Agricultural Bank clients, and an entirely different set for the clients of the associated banks. Still another point to which I wish to draw attention. When the prices of agricultural products were high and the farming community had money available, and the Government were in need of revenue, the brilliant idea was conceived by the Government to give the conditional purchase holders discount if they paid up their obligations. I believe a certain number did forego their extension period and paid cash in order to secure their titles. Those people who went to the rescue of the Government and made their payments before those payments were due, will be brought under the Bill, while the man who hangs fire and perhaps does nothing, will escape from the provisions of the Bill. I suggest there is nothing to be proud of when a Government do that kind of thing. What would be said of private enterprise if they induced their clients to pay up, and having got possession of all the money and granted the titles, next introduced an Act of Parliament in order to victimise them? I know of my own knowledge that there are thousands of farms that are available for sale, and which the Government could buy at prices a good deal lower than those farms cost.

Hon. H. Stewart: Have they the power?

Hon. J. J. HOLMES: Let me read what was said by Mr. McLarty, the manager of the Agricultural Bank, and manager of the Industries Assistance Board, when giving evidence before the select committee appointed by this House in connection with the Closer Settlement Bill some 12 months ago. He said:—

> Personally, I fail to see any difference between compulsorily acquiring freehold land and compulsorily acquiring conditional purchase land.

Mr. McLarty says that if this Bill is going to apply to freehold land, in common decency it should apply to conditional purchase land, but it does not suit the policy of the Agricultural Bank. He was asked—

> At present the Government can only compulsorily acquire freehold land exceeding £5,000 in value, and that only for the settlement of discharged soldiers?

The reply to this question was—

> That is so. We have not yet had occasion to avail ourselves of that power. We have had far more land offered to us than we can deal with.

Here we have Mr. McLarty declaring that the power exists, and that there is more land than can be dealt with.

Hon. E. H. Harris: When was that stated?

Hon. J. J. HOLMES: On the 2nd February of the present year. Yet the Government, in order to give effect to a closer settlement scheme, to my mind three parts imaginary, propose to destroy security of tenure and the security of the State. To acquire land from people who are using it, and to hand it over to people from the other end of the world who do not understand the business, and then to spoon-feed them into prosperity, is not in my opinion a wise policy. Whilst we are bringing people here who do not understand the land conditions, and finding money for them, we are putting out the people who do understand the business. The people with the money will be leaving the State, and the people without it will be coming in. If we are not careful we shall before long have the biggest part of the agricultural industry locked up in one huge trading concern. The Government will be finding all the money. The people may be getting value for it or they may not. My experience teaches me that the only way to get people to give value is to get them personally interested. If they have money in a concern, although someone else may be supplementing it, they will put up a fight for their existence, as some have to fight to-day. On the other hand, if the Government find all the money, many of these people will no doubt continue to stay on the land whilst the Government money is available, but when the supply is exhausted, they will seek fresh fields and pastures new. The following evidence was given by Mr. McLarty:—

> There would be a large area of unutilised conditional purchase land along those railways?—Yes; within a distance of 12 miles; more conditional purchase than alienated land. That is especially so along the new lines. South of Bridgetown, for instance, the holdings would be practically all leaseholds. There would be very few large estates in those districts. I fail to see why a man with a large area of leasehold land unutilised should not be subject to the same conditions as the freeholder.
>
> For the sake of argument, take the case of a man holding 1,000 acres and cultivating only 200, the other 800 acres remaining uncultivated and unused. Would it be desirable for the Government to acquire the 800 acres?—I should not say

it would. The first thing to be decided is what is a reasonable area of arable land to allow a man in the South-West. I certainly do not think that any man who has the ambition and the means to be more than just a cocky knocking out a bare living, should be debarred from holding a larger area of land, so long as he is prepared to utilise it. In my opinion, it would be very unfair to restrict a man to 200 acres if he had the means and the ability to utilise more.

Do you know of any large areas alienated?—In some districts, yes. But if you got out a return showing estates over 4,000 acres, you would be surprised to find how few there are, unless you include coast lands purely of grazing value.

In the face of this evidence it would appear that some other power behind the throne has forced the Government to introduce this measure. Instead of encouraging people who know how to use land to share the responsibility of settlement, we are proposing under this Bill to deal differently with them than with any other section of the community. This seems to me to have emanated from the socialistic section of the community and not from the Government. If ever we reach the stage when we have extracted all the money we can out of the industry, and induced all the people we can to go on the land, financed by Government money, and we strike a bad time, the State will be found to be carrying practically the whole of the responsibility, instead of private enterprise taking its share of the bad with the good. If ever we get the agricultural industry tangled up in this way, we may anticipate very bad results. Our distance from the world's markets is a great handicap to our agricultural industry. The fact that we are 16,000 miles from the point of consumption is unfortunate. On top of this, we have a high protective tariff around Australia. The big ships that come to us have to travel 16,000 miles in ballast to take our products back 16,000 miles, and we are paying freight on those products not for 16,000, but for 32,000 miles. We have before us a Bill that provides for the extension of payments in connection with land settlement. This Bill was introduced last week. It was proposed to commence repayments at the end of the first five years. We now hear that it is not proposed to commence repayments for 10 years. We appear to have struck an obstacle that was not anticipated. Heaven knows what obstacles we shall strike in the future when the Government are trying to spoon-feed the people into prosperity. When the Minister introduced the first Closer Settlement Bill this session I was astounded to learn the magnitude of settlement that had been going on during the last few years. He said we were advancing anything from £30,000 to £50,000 a week in order to push on settlement. Surely Western Australia with all its obligations is already doing well in the matter of land settlement, and cannot be expected to proceed at any faster rate? I do not want it to be assumed that I am a croaker. The more I see of this country, the more I think of it. Within the last 10 years I have seen production from land that I did not think was worth a tinker's curse. With the application of science to agriculture, we are getting a good result. We want people to engage in our agricultural industry, who know something about the game, people who are putting some of their own money into it instead of working entirely on Government money. I am certainly doing what I can in this country in the way of backing my opinion. On the Lower Murchison with the caterpillar tractor, the roller, and other up-to-date appliances, marvellous results have been obtained. I am not asking the Government for assistance, and there are many others with me who are in the same position. They are satisfied to do things in their own way and do not want a lamp post to lean against. Now-a-days, it would appear that most people require a lamp post to lean against. If the Government are foolish enough to provide the lamp post, I do not blame people for taking advantage of it. The people who made this country did it without any assistance. People like yourself, Sir, battled away in the old days in order to build up something for themselves and their children. This Bill strikes at the very root of what they started out to accomplish. I would draw attention to the amendment of the Land Act that was before this House in order to clear up the intention of Parliament as regards pastoral leases. On that occasion all that was attempted was to get a clear and definite expression of the will of Parliament. Members rose in their places horrified to think that Parliament was going to repudiate anything that was done with regard to pastoral leases. I look round this Chamber to see if those members are equally horrified to find that under this Closer Settlement Bill we are not taking away leases, but freehold, that which was considered to be an 18 carat security. One of the clauses of this Bill provides that if an owner fails to take advantage of the Act within the prescribed time, the Governor may by notice in the "Government Gazette," declare that the land has been taken for closer settlement, and the land so taken shall by force of this Act, be vested in His Majesty. If that is not confiscation, I do not know what it is. True, it is provided that if the owner does not agree to sell his land at what is considered to be a reasonable price, he may retain it by paying three times the amount of land tax. When we come to arrive at the value of the land it is proposed that prima facie evidence as to this shall be the value shown in the income tax returns plus 10 per cent. Let us see how this would work out in the case of the Midland Railway lands, should these lands become subject to this Bill. This company has been pushed from pillar to post, and victimised, but this will be the last Act with regard to that company. The State and the Federal Government realised what an injustice had been done to the Midland Railway Company, and allowed them to assess their land at an exceptionally low value. Having

compromised in that way the State Government now say under this Bill, "That is prima facie evidence of the value of your land." Both Governments know that it is not prima facie evidence of value.

The Minister for Education: The State does not admit that any injustice has been done to the Midland Railway Company.

Hon. J. J. HOLMES: All right. If the Government want to buy that land to-morrow and cut it up they will maintain that the income tax returns provide prima facie evidence as to its value. The Government will then say, "We are going to take it by force." This sort of thing will never bring capital to the State, or give security of tenure to any land holder. If I could get my little bit out of the land and the State generally, perhaps I would not be inflicting my views upon Parliament this afternoon. I will give another illustration to show what will happen. We know that some people have interests in several different parts of the State. The Bill will apply to all divisions. We know that the Federal and State departments are out to get the last penny. Some have had a battle with the departments and have had to fight for what was deemed a fair value for their land. Sometimes the department fixed a valuation lower than that estimated by the owner, while in other cases their figures were much higher. Ultimately, however, an owner accepts the valuation of one to apply to the lot. The Bill will place the Government in this position, that where property is valued at a low figures they will be able to take it at that figure, plus 10 per cent.

Hon. G. W. Miles: But you can re-value your property!

Hon. J. J. HOLMES: A land owner cannot always be going around re-valuing his property. I know of an instance concerning a property in which I was interested. The Federal people told me they had put up the value by £1,000. I went into the matter and found that I could not raise any objection to the department's valuation and I paid the taxation accordingly. If the Government did not take that action but wanted to confiscate my land, they could do so under the Bill at the lower valuation. The land owner is not supposed to increase his own valuation.

The Minister for Education: Do you mean that they made you pay land taxation that should have been paid?

Hon. J. J. HOLMES: In that case, it was a town property and in the opinion of the Federal department, quite legitimately, the value of the property had been increased to the extent I mentioned. It was not for the owner to do that work. The department had agreed with the valuation in previous years. There was nothing wrong about the matter. When the Federal Department took up the attitude that the land in that particular district had increased in value, and estimated the increase at £1,000, and the owner looked into it and agreed to pay accordingly, there was nothing wrong about that transaction. If that had been country property, however, the State Government could have come along and confiscated the holding at the lower value. I do not propose to say any more. As hon. members have probably gathered, I am entirely opposed to the second reading of the Bill and, if given an opportunity, will vote against it.

Hon. V. HAMERSLEY (East) [5.33]: I sincerely hope that when the vote is taken on the second reading of the Bill, we will find that this measure will not secure a place on the statute-book. Last year we were told that, owing to the loss on the railways, it was necessary that people holding freehold land should develop their properties so as to increase production and thus help to make the railways pay. That was after the Government had been running the railways with the advantage of very much higher freight charges, after they had destroyed a great deal of business that had previously been done, and after something like a million pounds additional revenue had accrued to the railways. Despite this, however, the Government carried a smaller tonnage, a smaller number of people and ran a shorter train mileage. To do that, they employed 484 more men on the railways and, instead of the effect of the million pounds additional revenue for the year improving the financial position of the railways correspondingly, the loss was actually £100,000 greater than in the year before. If that was the result of Government control in that respect, what may we expect if they scare people into further development or persuade them to pay three times the land tax they pay at present? Some people seem to have an idea that owners of property are not paying land tax at the present time. After hearing Mr. Dodd's remarks, I came to the conclusion that he was of that opinion, when he referred to an earlier measure of the type before us. It is rather hard to find the difference between this measure and the one we had before us a week or two ago. I concluded, however, that Mr. Dodd thought there was no land tax paid at the present time. I can assure him that the present land tax is pressing very heavily on good bona-fide settlers here. They have the Federal and State land taxes, the municipal and road board rates, vermin rates, and water rates. All are based on the unimproved value of the land. The people who are paying those rates would not mind if the money collected were being expended judiciously, but, as we know, the various departments controlling Government funds extracted from the people, are not spending those funds in the interests of the public, or as judiciously as those who pay the land tax would spend it if it were in their possession. It is for that reason that I oppose any more of these onslaughts on some of the finest settlers Western Australia has ever had. The people who came here in the old days went through the greatest of hardships and bitter experiences. The hard trials they went

through can never be repaid by means of any value put upon their land by the Taxation Departments or on account of any benefit they will get from the operations of the board to be appointed by the Government under the Bill. Actions such as those contemplated in the Bill, will make a great many people feel that they cannot urge others with capital to spend, to come here and invest in properties. It is entirely to the land that we look for prosperity in Western Australia.

Hon. R. G. Ardagh: We got some of our prosperity from the gold mines.

Hon. V. HAMERSLEY: The Bill applies to all freehold land and the lands on the goldfields will be subject to the measure, just as much as freehold land in the city of Perth. There is nothing to prevent the board coming along and telling any individual that he is not using his city land in the best interests of the State, and ordering him to cut it up into smaller areas and to sell them. If the owner of a city property declines to do so, the Government, through the board, can take it away from him and cut it up, in the hope that, by some sort of special advertisement, they will realise some profit out of that land. There is nothing this board cannot do. The Minister, in introducing a similar measure last year, warned some of us that we were running a risk and we had better accept that measure, otherwise later on we might have a much more stringent Bill, in which case we would have a really good rousing land tax. I wish to inform the Minister that we have a rousing land tax already.

Hon. G. W. Miles: But that is a deduction from the income tax.

Hon. V. HAMERSLEY: There are many land owners who do not get an income from which to deduct the land tax. I am satisfied that if the Government want land, as Mr. Holmes pointed out, there is any amount of land for sale. There is a right and a wrong way of acquiring land. We have had no difficulty in acquiring land in the past. The repurchased estates have been very successful. At any rate, those I know of in the district where I live have been eminently satisfactory. They were voluntarily acquired after a threat made by a previous Government that similar action to this would be taken. At that time it was recognised that it would be a grave wrong and the Government decided to bring in legislation to enable them to repurchase land acquired in agricultural districts where, they thought, there was a demand for smaller areas for farming purposes. Quite a number of large estates were acquired, such as the Leake estate, the Gwambygine estate at York, and many others, without any form of taxation such as that suggested in the Bill. There is no reason why similar properties could not be acquired here. In my own district, I know of several properties which have been offered to the Government and which have been turned down without even having been inspected. I presume the Government are waiting for the Bill to be passed so that they can confiscate those properties. After the Government had decided not to buy some of these properties, on the ground that they were not worth the price asked for them, private individuals bought them. I feel that, if the Bill be passed and the board be appointed, the members of that board may be similar to those who are operating in connection with the agricultural industry on another board. If that be so, they will certainly harass the people who have freehold land and, perhaps, make a serious attempt to get their holdings at below their true value. It is well known in some districts that one or two people from the Eastern States have remarked recently upon the very low values put upon our lands, and they thought that there must be something radically wrong because the departmental officials have kept down the values. Land values must be low, while there is competition with the Government. The Midland Railway Company are always trying to sell their land. There are many private owners of land who find it impossible to sell their properties in competition with the Government. The Government offer terms up to 10 years, and certainly up to five years, during which period the purchasers are exempt from any payments. If a man buys land under conditional purchase conditions, he evidently possesses in the eyes of the Government something that is very much better than the title of the freeholds, which induced our forefathers to leave the Old Country to settle here, believing that their title was something of real value. To-day we are told that the freehold is nothing more than a scrap of paper. The Bill is unnecessary. We do not want repudiation of contracts. At one time many people believed that if the Labour Party got into power, they would not scruple to repudiate contracts. To-day we find it is the present Government from whom we have to fear such a thing. The Government are distinctly inclined to repudiate the value of those titles which in the past have been looked upon as sacred. The board are to be the nominees of the Government. We do not know what they will be paid, but presumably they will have good salaries. Indeed, to get men who thoroughly understand land values, it will be necessary to pay good salaries; and unless the board be composed of such men, the landholders will have no confidence in it. Through taxation, the people whose lands will be taken will have to pay the salaries of the board who take their lands. That in itself should be sufficient to condemn the Bill. Being the nominees of the Government, the board will have to do the Government's will. Any landholder who dares to oppose the Government in power will naturally expect to find his land amongst the first to be acquired; for the board will be sooled on to him. The board will be the creatures of the Government, for their appointment will be subject to the pleasure of the Government, and so they will have to carry out the Government's instructions. Under the Bill the board are to be paramount. In the past a man has looked upon his home

as his castle. That will no longer obtain. In future, whenever that board is travelling through a district, every landholder in the district will feel that he is running a grave risk of being told by the board that he must henceforth pay three times the land tax. The probabilities are that the men appointed to the board will not have been on the land themselves, and so will have no idea of the incidental hardships and struggles. Probably the board members will be officials. Already have officials done an immense amount of harm to the State. Settlers have walked off their land because the officials did not understand the trials and difficulties of the men under their control. Already we have fairly severe taxation, without this additional tax. Taxation in Western Australia is amongst the highest in the Commonwealth. Victoria, which has the lowest taxation, is attracting our population. People are leaving Western Australia and going to Victoria merely because the taxation there is lower than it is here. Many would like to take up land settlement here, were it not that they are afraid of precisely such measures as we now have before us. If the Government wish to acquire land, a sixpenny advertisement in the newspaper would bring under their notice more land than they could deal with during the next 12 months.

Hon. R. J. Lynn: And so for a shilling, presumably, they would get more than they could handle in two years.

Hon. V. HAMERSLEY: However, such a policy would not enable them to appoint this board, whose salaries will have to be paid out of the increased taxation. The Bill deals exclusively with freehold land. One clause provides that an owner, part of whose property is marked for acquirement by the Government, can demand that the whole of it shall be taken. In many instances one man has both freehold and conditional purchase land. The conditional purchase land is of use to him only because he can work it in conjunction with his freehold. I assume that if the Government were to acquire his freehold, they could not acquire his conditional purchase, and so he would be left with that land on his hands. Surely a man should be given the opportunity to get clean out of the country when the Government takes the best of his land, for after such an experience he is not likely to select any more land. If the Bill gets past the second reading, which I hope it will not, this provision ought to be amended in Committee. The Bill reminds me of that which was passed in Queensland, the passing of which had so injurious an affect on Queensland's credit in the Old Country. I assume the object of the Government is to persuade many owners of freehold to embark on serious development.

Hon. G. W. Miles: The Government are prepared to assist them in that.

Hon. V. HAMERSLEY: Up to the present the assistance has been given chiefly in the way of kicks, for the Government are competing with private enterprise. I cannot get men to go out and clear land. They say, "No, it is better that we should go to Newdegate, where we can get 13s. 6d. per day, and please ourselves how much we do." On many of these Government works the men are earning from 13s. to £1 a day, and do not work very strenuously. Therefore it is impossible for us to develop our lands and profitably sell our products on the world's market. We have to face the world's market, whereas the Government are employing hands from one end of the State to the other, and most lavishly putting in public works, in consequence of which we cannot get a fair deal. Queensland has passed also an Unemployed Act. Apparently it is to go hand in hand with a measure such as this before us. A dangerous section in the Queensland Unemployed Act gives power to the Governor in Council to compel a private employer to carry out certain developmental work if it is considered that the employer is unduly delaying its execution. I assume we are moving in the same direction; that when we have passed this measure and decided that owners of freehold land must develop it, we shall get another measure, similar to that of Queensland, speeding up the owner of the freehold in his improvements. We ought to insert a clause providing that the Government shall find the employees to carry out the work for the owners of unimproved freehold.

Hon. G. W. Miles: They are bringing in farm hands every week.

Hon. J. Mills: Have you seen any of them?

Hon. V. HAMERSLEY: Have you had experience of any of them? Another provision which will require amendment is that prescribing 30 days' notice, which is altogether too short.

Hon. G. W. Miles: It is not the notice at all; you can do what you like in the 30 days.

Hon. V. HAMERSLEY: I am afraid the hon. member is becoming a real Bolshevist. I have heard of very large areas in which the hon. member was interested and I thought he would be with me in trying to improve the Bill. Considering the high cost of carrying out the work required to develop the land and the scarcity of money, the people should be congratulated on what they have achieved under the most trying conditions. But not content with that the Government are trying to speed them up. The Bill cannot have any good effect. Any land required by the Government could be obtained by inserting a sixpenny advertisement in the Press or by putting into operation the two measures already on the statute-book empowering the Government to acquire land. It would be a shame to pass this Bill, because it would destroy the confidence of people who advance money for the development of property, and thus great harm would be done to the State.

Hon. F. A. Baglin: Did not this Bill receive the approval of the Country Party?

Hon. V. HAMERSLEY: I shall vote against the Bill.

Hon. G. W. MILES (North) [6.2]: I support the Bill. Some of the arguments advanced by members do not apply. Mr. Hamersley spoke about 30 days' notice. Clause 7

of the Bill provides that land owners who have not valued their land sufficiently high may amend their return within 30 days. There is no question of notice. Land owners who have thus undervalued their land have been defrauding the State and Commonwealth of revenue.

Hon. J. Cornell: And what have the State and Commonwealth been doing?

Hon. G. W. MILES: They might not have been carrying out their work as it should have been done. Mr. Hamersley also argued that the Bill would apply to city lands. That is not correct. The Bill is necessary if the Premier is to carry out his closer settlement scheme in the South-West division, and if the railways are to be made to pay.

Hon. J. Cornell: What estate is worth £40,000?

Hon. G. W. MILES: I am not an encyclopædia. If the Premier is to be given an opportunity to satisfactorily settle the people who are being brought here, the Bill should be passed.

Hon. H. Stewart: Give us some reasons for it.

Hon. G. W. MILES: The hon. member can have a say later. The Government are prepared to assist land owners to develop their properties by lending them money.

Hon. V. Hamersley: You try to get some.

Hon. G. W. MILES: The Government are borrowing millions for this purpose, and if land owners will not avail themselves of the money, the Government have a perfect right to seek power under a measure of this kind to compulsorily resume the land.

Hon. A. Lovekin: How much could I get?

Hon. G. W. MILES: As much as any other settler if the hon. member had a decent area of land. Mr. Hamersley spoke of a man having freehold land and a conditional purchase area alongside it. I do not think the Bill would apply to him. If he had both, he would doubtless be putting his land to proper use or, failing that, he would be holding too much land. An advertisement in a newspaper would not affect those land owners who wished to keep their land out of use. The Bill merely provides the machinery necessary to enable the Government to handle land which the owner will not develop or sell. Some members have expessed fear regarding the administration of the measure under another Government. There is protection against that in the last clause of the Bill.

Hon. H. Stewart: Are not you aware of any of the fundamental principles of legislation?

Hon. A. Lovekin: What is the object of restricting the duration of the measure?

Hon. G. W. MILES: If the measure operates satisfactorily, it can be extended. It has been our practice recently to insert a similar clause in numerous Bills.

Hon. J. J. Holmes: Wartime measures.

Hon. G. W. MILES: If members object to the clause relating to the duration of the measure, they can vote for its deletion.

The Minister for Education: If it were not in, they would want to put it in.

Hon. G. W. MILES: Quite so.

Hon. J. J. Holmes interjected.

Hon. G. W. MILES: I am not one-eyed. I have never said that the present Premier could not do anything. He has a policy for the South-West division, and I want to see a similar policy extended to other divisions. This Bill is necessary to enable closer settlement to be brought about in the South-West.

Hon. H. Stewart: Give reasons why the Bill is necessary.

Hon. G. W. MILES: I have given reasons. The Government are prepared to advance money to assist in the development of land and if land owners are not prepared to accept such assistance, the Government should have the right of resumption. I hope the Bill will pass the second reading.

Hon. J. A. GREIG (South-East [6.9]: I oppose the Bill because I consider it unnecessary. If it were necessary for the Government to have power to compulsorily acquire land, I would support them. There are two Acts on the statute-book, the Agricultural Lands Purchase Act and the Discharged Soldiers' Settlement Act, and unless it can be proved that the Government have not sufficient power under those two measures to acquire all the land they need, I shall oppose this Bill.

Hon. H. Stewart: On an equitable basis?

Hon. J. A. GREIG: The present Acts provided for resumption on an equitable basis.

Hon. H. Stewart: Do you think the Bill lays down an equitable basis?

Hon. J. A. GREIG: No. Section 12 of the Agricultural Lands Purchase Act Amendment Act provides that the Government may compulsorily acquire private land for the settlement of discharged soldiers or their dependants under the provisions of the Discharged Soldiers' Settlement Act, 1918. I ask members to note particularly the words "discharged soldiers or their dependants." Section 3 of the Discharged Soldiers' Settlement Act defines "dependant" as follows:—

> "Dependant" means the widow, or the parent, or a child, or ex-nuptial child, or an orphan brother, or an orphan sister of a deceased person who—(a) was a resident in the Commonwealth or the Dominion of New Zealand; and (b) was appointed as an officer or enlisted as a member of His Majesty's naval or military forces or of the naval or military forces of the Commonwealth or the Dominion of New Zealand for service outside the Commonwealth or the Dominion of New Zealand; and (c) has served outside the Commonwealth or Dominion of New Zealand with any of such forces, if such dependant was wholly or in part dependent upon the earnings of such deceased person at any time during the period beginning twelve months before his appointment or enlistment, and ending with —(i) the termination of his appointment, or his discharge; or (ii) his death, in any case where (whether before or after the termination of his appointment or his dis-

charge) he has lost his life directly or indirectly in or in connection with the present war.

Then the Act defines "discharged soldier" and it goes further and provides—

> The Minister may extend the above definition to include any person who, not being or having been resident in the Commonwealth or the Dominion of New Zealand, was appointed as an officer or enlisted as a member of the naval or military forces of the United Kingdom or of any of His Majesty's Dominions, and has been on active service in the said war, and has received his discharge and is resident in the Commonwealth.

Hon. R. J. Lynn: The Government have that power now?

Hon. J. A. GREIG: Yes.

Hon. R. J. Lynn: Then why object to this Bill?

Hon. J. A. GREIG: The Government have all the power they need, and we should not pass another measure which will merely have the effect of creating a paid board and staff and running up expense in order to do what can be done under existing statutes. As Mr. Hamersley remarked, if the Government put a shilling advertisement in the newspaper, they would receive hundreds of offers of estates for sale at probably the cost of the improvements plus the amount of rent and taxes paid. Many people along the Great Southern and in the South-West are anxious to sell their holdings in order that they might be able to go out and settle on new lands. The Government repurchased some estates 10 or 12 years ago, but they remained on the hands of the Government until a few years back when they were got rid of to soldiers after the price had been reduced. Had there been no war and no returned soldiers, the Government would have had some of those estates on their hands to-day. If the Government repurchased any number of estates under a measure of this kind, they would have much of the land on their hands for years to come. It is cheaper to build new railways and open up new lands than to repurchase old estates. We have hundreds of thousands of acres of wheat-growing land with an assured rainfall, and it would be much cheaper to run railways out another 80 or 100 miles than to repurchase estates.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. A. GREIG: Before tea I was saying that, in my opinion, it was much better to build new railways to open up new lands than to repurchase existing freeholds. I consider that settlers would have a much better chance of making good on new lands, by reason of having lower overhead charges there than on repurchased estates. Our Government policy has been very liberal indeed. The Government value the land at, for the sake of argument, 10s. per acre, and ask the purchaser to pay interest on that 10s. for 20 years, whereupon he gets the land for nothing. That is a very different proposition from paying interest on repurchased estates, as well as the cost of the land itself. I have failed to find the large estates supposed to be existing in this State, and supposed to be detrimental to the best interests of the people. We are told that they exist alongside the railway lines, and are not being worked. I have failed to find any appreciable number of estates which could be cut up for closer settlement with advantage to the new settler and to the Government as a business proposition. Under this Bill the Government need not take the whole of an estate, but can take merely a part, which would be the better part, the original holder being left with the inferior land.

Hon. A. J. H. Saw: It is just the opposite.

Hon. J. A. GREIG: Then I stand corrected.

Hon. J. J. Holmes: That was amended in another place.

Hon. J. A. GREIG: Under this measure the owner can be called upon to survey at his own expense, and sell the land when subdivided. But if he does not succeed in selling, the cost of the survey remains. The Bill is unnecessary in view of the Agricultural Lands Purchase Act of 1918, which provides a much better method of acquiring estates. Section 14 of that Act provides:—

> The Minister may, with the approval of the Governor, offer to purchase the land, and if, after an offer to purchase has been made, it appears to the Minister that no agreement for sale can be come to, the Minister may, with the approval of the Governor, acquire the land compulsorily under this Act.

Under the soldier settlement scheme, I believe, the Government have during the last 20 months settled about 1,400 soldiers, soldiers' dependants, and Imperial Service men. I understand there are about 1,000 ex-soldier applicants waiting for land. If the Government exercise their powers under the Agricultural Lands Purchase Act and acquire the necessary area for those 1,000 applicants, it would allow a corresponding area of Crown lands for others who are not soldiers. The Agricultural Lands Purchase Act has been in existence since 1918, and under Section 25 of that Act the Government have had the following power:—

> If any land compulsorily acquired under this Act is not disposed of to discharged soldiers within two years after the termination of the present war, such land may be thrown open for selection under the provisions of the principal Act without restriction as to the class of selectors.

The Government could have exercised that power, and if the land was not settled by returned soldiers, it could have been made available for other settlers. I know citizens who have recently taken up blocks on repurchased estates. My fear is that if this Bill becomes law it will tend to drive away investors from the country. I do not think we should do anything to interfere with freehold tenure: that is one thing which the Britisher through all time has valued. Particularly ought the principle to be respected

in a country where we have millions of acres of Crown lands awaiting development. Had we used up all our Crown lands, I would be prepared to agree to stringent legislation of this nature for the purpose of securing additional population. But if the Government would use the money which they intend to devote to the purposes of this Bill in applying science to our poor lands and sand plains, they would reap a great deal more production directly and a thousand times more indirectly. Many of the old estates are being worked in the manner which is considered best by their owners, and I do not like Government interference with private business unless the people concerned are doing something detrimental to the interests of the country as a whole. In my opinion, the holding of large estates to-day is not detrimental to the general public. Even with a little further railage it would be better for the new settlers to go on Crown lands. The Government will be able to give more assistance to settlers on new lands. I admit Western Australia is a difficult country to settle. We have to construct many miles of railway in order to reach good patches. Still, a great deal of our third-class country will, with scientific treatment, prove good grazing country and good country for growing oats. Mr. Miles said the Bill was required to develop the South-West, but he did not make clear to me in what way it was required, and why the South-West could not be developed without it. I believe it is to-day costing the Government £27 per acre to clear some country in the South-West, and just over the fence, in the next paddock, the old settler is clearing for £7 per acre, because he has had time to do his job. He ring-barked the country 20 years ago, and he allowed bush fires to go through it, and now the trees are dead and the roots are rotten. Such land can be bought at a cost of £7 or £8 per acre.

Hon. J. J. Holmes: Cleared?

Hon. J. A. GREIG: No; but with the dry timber on it. If the Government could compulsorily purchase that country at £7 per acre, and clear it, and sell it to settlers for £27 per acre—the present cost of clearing—they would make a profit out of the old settler towards clearing green country. Surely Mr. Miles does not want the Bill for that purpose. Old settlers who had a hard battle in years gone by should be allowed to reap the advantages now accruing to them. I have every respect for those old settlers. Many of them are now prepared to sell at less than the cost of their lands and the improvements. The old settlers deserve well of Western Australia. The Bill provides for a board to determine whether the holder of land is using it to the best advantage. If we carry such legislation, can we object to some future Government declaring that Boan Bros. or Foy & Gibson are not running their businesses as they ought to, and that therefore the Government will appoint a board to say how Mr. Boan or Messrs. Foy & Gibson shall manage their businesses, and that if those proprietors will not follow the advice of the board, the Government will take their businesses from them? Or possibly some future Government might consider that the "West Australian" newspaper was not being run in the best interests of Western Australia.

Members: No.

Hon. J. J. Holmes: That is the paper which ran the Government into this Bill.

Hon. J. A. GREIG: The Government might bring in a Bill declaring that the "West Australian" should be run in a different fashion, and that if it was not run in that different fashion the Government would acquire the business of the "West Australian" Newspaper Company.

The PRESIDENT: I am afraid the hon. member is getting away a little from the subject of the Bill.

Hon. J. A. GREIG: I am only trying to show, Sir, what this Bill may lead to. If the present Government, a National and Country Party Government, introduce this measure, can they object to some future socialistic Government going a little further along the same lines? I am concerned with the policy involved.

Hon. A. J. H. Saw: I do not know about the policy. It is country interests you are defending.

Hon. J. A. GREIG: I am thinking of the new settlers, the men who are to go on the repurchased estates. I know of a very fine property near Beverley repurchased some 12 years ago, when land was cheap. That property remained on the hands of the Government, and eventually was allotted to returned soldiers.

Hon. H. Stewart: After being written down.

Hon. J. A. GREIG: Some of the returned soldiers on that estate are complaining bitterly to-day that they cannot pay the overhead charges, the interest and the rent. The same thing applies in the case of nearly every repurchased estate in Western Australia.

The Minister for Education: We were just told that they had all been successful.

Hon. J. A. GREIG: I know that many have not been successful. Deputations have waited on the Minister for Lands and asked for further reductions on behalf of the soldiers because none of them could stand up against the prices. Quite a number of them had very little experience when they took up the land and they have had a very hard battle. I intend to oppose the second reading of the Bill.

Hon. A. BURVILL (South-East) [7.47]: I am opposed to this Bill for several reasons. I do not believe in the whittling away of the freehold tenure of land. When a man has entered into an agreement to take up a property under conditional purchase conditions, he should be given the opportunity to carry out his agreement, and at the end of it, he should receive his title. Then the Government should not be permitted to come in and take the land from him under certain conditions. The individual is aware that he has rates to pay, Federal and State land tax, and

that the latter is likely to be increased, but it never entered into his calculations that a measure was ever likely to be passed that would enable the Government to step in and confiscate the land. I am in accord with the principle that a man who is holding land and not utilising it, should be forced to do so.

Hon. A. J. H. Saw: You like the principle, but you do not like the application.

Hon. A. BURVILL: The land should certainly not be confiscated. There are plenty of means by which the holder could be made to use his land. He could be taxed into using it. Then again this is class legislation purely and simply. The Bill stipulates that only country lands shall be taken, and that if a man wishes to keep the land he has, he must pay treble the tax. But town lands have been overlooked altogether. A board is to be appointed for the purpose of determining the unutilised and unproductive land. There should be no difficulty whatever in arriving at such a determination in regard to land in the town, but in connection with country land too much latitude is to be given to the members of the board, two of whom are to be Government officials and the other a local man. The Bill in its present form is dangerous to freehold tenure and will make a man with money very careful about selecting land in Western Australia.

Hon. G. W. Miles: Would you be in favour of an unimproved land tax?

Hon. A. BURVILL: Most decidedly. Mr. Greig has already pointed out that there is an Act already in existence by which we can acquire land for returned soldiers and their dependants. That Act has created a precedent which should not be taken any further than it goes at the present time. It was caused by the conditions arising out of the war. Something had to be done in a hurry, and land was taken compulsorily in order that returned soldiers who desired to settle on the land should be provided with properties to work. Now that new railways are being built, there is no need for the Government to go to the extent to which they propose. I am decidedly under the impression that it would be far better for the Government to spend money in constructing new lines through Crown lands than to buy estates. According to the Bill, the estates to be acquired may be those which are only partly utilised. So that even if the Government did acquire such properties it would be necessary for more clearing to be done on them. It would thus be expensive for the new settlers. Would it not be far better for the Government to spend that money in opening up new country with railways? However, that matter need not be stressed. The proposal is to bring unused land into cultivation, and if it is intended to do this by means of taxation, town lands as well as country lands should be brought within the scope of such a proposal. There is another matter with which I do not agree and it is that the three members of the board are to be permitted to decide what land shall be acquired. It will be a simple matter for them to decide, so far as the unused land is concerned. But when it comes to land that is partly used, the proposition will be a difficult one. I do not profess to know much about wheat or sheep lands, but I do know something about the lands of the South-West. There are also members here who do not know much about the South-West, but who are familiar with wheat and sheep lands. So that I fail to see how we are going to get three officials who will be able to judge fairly and accurately, so far as all the classes of land are concerned. It is likely that they will do more harm than good. They may decide that certain land should be acquired for closer settlement, and it may ultimately be discovered that that particular land was not suitable for closer settlement but for sheep, and vice versa. I have known of instances where, on the advice of Government officials, land has been cultivated for wheat when it was only suitable for sheep, and when the owner should have had perhaps another 1,000 acres in order to succeed. Such instances may occur under the Bill. Not only will an injustice be done to the man whose land will be taken from him, but also to the man who has settled on the land on the advice of a board which may not be composed of competent men, possessing thorough local knowledge. I desire to see unused land brought into a state of cultivation, but as the Bill is framed I intend to oppose it.

Hon. F. E. S. WILLMOTT (South-West) [7.55]: I do not like this Bill. I never did like it. I have always pointed out that in my opinion what is sauce for the goose is sauce for the gander. We find under this measure it is proposed to deal with only freehold lands in the country, and that those lands will be dealt with by a board who have, in their wisdom, decided that the owners have not made proper use of the properties. Then, if the owners do not like the proposals to be put before them, the Government may exercise certain powers given to them under the Bill. I take it for granted that capable men will be appointed on the board. But even should they be capable men, will they be better judges of the possibilities of estates than those who own them? There are palpable instances where land is held in idleness for the unearned increment.

Hon. G. W. Miles: That was the case with the Peel estate.

Hon. F. E. S. WILLMOTT: Does the hon. member know what he is talking about? He has not investigated that matter or he would know that the Peel estate was offered to the Government—62,000 acres of it—for 9s. an acre. The Government turned down that offer because the inspectors said the land was not worth it, and that so long as it was held by private individuals they would have to pay rates and taxes and the Government would thus get something out of it, whereas if the Government took it over the inspectors

did not know how it could be turned to profitable account. Now let us see where all these vacant lands are. We have heard a lot about land in Pinjarra being held in huge areas. What are the facts? The great McLarty estate about which so much is said, consists of 1,700 acres, and there are four people who are making a living out of it. These settlers have 400 acres each. Are we going to deprive those settlers of their areas, so as to cut them up?

The Minister for Education: Were there only 1,700 acres all told?

Hon. F. E. S. WILLMOTT: Yes, at Pinjarra, but there are grazing lands along the coast. These cannot be cut up because they are unsuitable for cultivation purposes.

Hon. J. J. Holmes: The land is on the sea beach near Rockingham.

Hon. F. E. S. WILLMOTT: Would the hon. member like to see that cut up into small areas? When the South-West Development League held a meeting at Fremantle, I had occasion to go through the files, and found that the large estates between Bunbury and Pinjarra existed only in the minds of some people.

Hon. G. W. Miles: In your own province there are large areas held by people. If they were cut up, settlers could make a living on 200 acres.

Hon. F. E. S. WILLMOTT: My province is as large as the British Isles. I have not come to it yet. The estates beyond Pinjarra have nearly all been inspected, offered to the Government, and turned down.

Hon. G. W. Miles: The Government will not be resuming them.

Hon. F. E. S. WILLMOTT: Then where will they start resuming? There are no large estates around Busselton. The largest is held by the Premier, and that is under 3,000 acres. When as Honorary Minister I wanted him to resume it, it could not be done because it was held by a member of Parliament.

Hon. J. J. Holmes: We were told we could do so.

Hon. F. E. S. WILLMOTT: At that time it could not be done.

Hon. A. Lovekin: The file shows that the Premier said he would not allow the Minister to resume it.

Hon F. E. S. WILLMOTT: I do not suppose he would. If it were worth £5 an acre and he had sold it for 10s. an acre, what would the public have said? They would have looked for the nigger in the wood pile, no matter how honest the wood pile might be. If this Bill is to serve any useful purpose, so far as the southern end of the State is concerned, it must include conditional purchase land. In his evidence before the select committee early in the year, Mr. McLarty says—

> Personally I fail to see any difference between compulsorily acquiring freehold land and compulsorily acquiring C.P. land. There is no difference in principle.

We have had far more land offered to us than we can deal with. In the Lands Department it will be found that hundreds if not thousands of estates have been offered to the Government and turned down.

Hon. J. J. Holmes: That evidence was given in February of this year.

Hon. F. E. S. WILLMOTT: Yes. Does the hon. member disagree with it?

Hon. J. J. Holmes: No.

Hon. A. J. H. Saw: Were those estates offered at their assessment value plus 10 per cent.?

Hon. F. E. S. WILLMOTT: They were offered at most reasonable values. If Dr. Saw would go through the files he would have his eyes opened. In many instances the inspectors have reported that the land was worth the money asked, but why was it not purchased? The Government had more land than they could handle.

Hon. H. Stewart: Why was not the soldier settlement kept up to date? Why is there a surplus of applicants?

Hon. F. E. S. WILLMOTT: It is a difficult matter to take a man without a penny, put him on the land, and expect him to pull through. Take the business owned by Mr. Boan.

Hon. A. Lovekin: Is the hon. member in order?

Hon. F. E. S. WILLMOTT: I am in order.

The PRESIDENT: Order!

Hon. F. E. S. WILLMOTT: Jones may come along with the object of purchasing the business and Mr. Boan, as a philanthropist, will say, "How much money have you got?" Jones says he has none, but Mr. Boan says, "I will put you into my business, which is worth with stock £450,000. Pay me 8 per cent. from to-day and go on with the game." Where would Jones end?

Hon. J. J. Holmes: Minus the stock.

Hon. F. E. S. WILLMOTT: And the hon. member would be minus his interest in the business. The same principle applies to the settlement of people on repurchased estates. The land is over-capitalised, the settlers have no money of their own, and they are expected to make a success. Mr. Greig has referred to the writing down of estates. The Yandanooka and the Avondale estates were both written down. Is there a better estate in Western Australia than Yandanooka?

Hon. H. Stewart: Are the men on it doing well?

Hon. F. E. S. WILLMOTT: That was cut down to an enormous extent. It makes me shudder to think of the amount.

Hon. A. J. H. Saw: Was it bought at its assessment value?

Hon. F. E. S. WILLMOTT: The estates at Narra Tarra were cut down by thousands of pounds.

The Minister for Education: Is that not an argument against that method of acquiring estates?

Hon. F. E. S. WILLMOTT: Against that we have members pestering Ministers because the settlers on these estates cannot make a living. We have to be very careful whom we put on this high-priced land. Land may be acquired and handed on to the settler at

£12 an acre. He may take up 200 acres, representing a capital of £2,400. If he is a smart stock dealer he may get through, but most settlers are anything but that.

Hon. J. W. Kirwan: Those people are not looking for land.

Hon. F. E. S. WILLMOTT: Many people can grow produce but cannot market it successfully. That is one of the principal aspects of farming. The evidence given by Mr. McLarty, and my own knowledge of the south, causes me to say without fear of contradiction that there is not one large estate in that part of Western Australia. The land we should be acquiring, because it is fairly adjacent to existing railways, is conditional purchase land south of Bridgetown.

Hon. J. J. Holmes: It will never become freehold under this Bill.

Hon. F. E. S. WILLMOTT: Who would be such a blithering idiot as to clear his title under these conditions? If he did he would find the sword of Damocles hanging over his head ready to stiffle him the moment the title was clear. So long as it remains C.P. land and the title is in the Titles office, he is safe. The land is not freehold land and the owner can go on for ever under C.P. conditions, unless an Act is passed to alter his position.

Hon. J. Ewing: Could you not amend this Bill?

Hon. F. E. S. WILLMOTT: I would not try to amend it. If the Minister likes to introduce a clause embracing all classes of land in the State, I shall be with him. That would be a fair proposition. Town lands, suburban lands, pastoral leases and all classes of lands should be treated alike. The Government have no right to select one section of the community, the freeholder in the South-West division, and say they will deal with his land alone, leaving other landholders to go free.

Hon. J. J. Holmes: He is the only man who is fulfilling his obligations to the State.

Hon. F. E. S. WILLMOTT: Freehold lands were bought under the laws of the country. Those that were purchased during comparatively recent years have been improved by their owners. They have paid the necessary rent, and the land has been passed by the inspectors showing that the conditions of the Act have been carried out. In spite of this the Government single out these people, who have borne the heat and burden of the day, have pioneered the State, have sweated on their land and struggled along with it, in order to make a home for their children.

Hon. A. J. H. Saw: They have not sweated so much.

Hon. F. E. S. WILLMOTT: The pioneers of this country were faced with many difficulties. I was once on an estate which was 90 miles from a port, and it was necessary to freight produce by steamer another 200 miles to Fremantle. Are we going to fasten upon people of that description, and let others go free? Is the owner of city property, who gets so large an unearned increment, to be let off? One man may put up a building costing £40,000 adjacent to a vacant block owned by another man, and the value of the vacant block immediately increases. We should not tax thrift. If the Leader of the House likes to make the measure all-embracing, along the lines I have suggested, no one would have any reason to object to it. As it is, I must oppose the second reading of the Bill.

On motion by Hon. J. Cornell debate adjourned.

BILL—LICENSING ACT AMENDMENT.

Recommittal.

On motion by the Minister for Education, Bill further recommitted for the consideration of Clauses 2, 6, 12, 16, 18, 20, 21, 24, 33, 34, 54, 63, 64, 71, 76, 78, 80, 82, 83, 93, 101, 105, 116, 126, 131, and 135, as reprinted in draft of Bill, as amended in Committee.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 2—Amendment of Section 5:

Hon. H. STEWART: I move an amendment—

That, at the end of the clause, the following words be inserted: "And is further amended by adding an interpretation of the word 'meal' after that of 'local option vote' as follows:—'Meal' means soup, fish, entree, joint, sweets, or cheese and bread, partaken of in a room set apart for the purpose, but does not include any of those things provided in the bar of an hotel or licensed premises."

Hon. J. Duffell: What about tooth picks?

Hon. F. E. S. Willmott: Good God, I have not eaten so much in a month!

The CHAIRMAN: Order! The hon. member must not use language like that.

Hon. F. E. S. Willmott: I beg your pardon, Mr. Chairman.

Hon. H. STEWART: It is only reasonable that an interpretation of "meal" should be included in the Bill. The definition is one that will not work any hardship to those in the trade. There is no provision in the Bill for the supplying of meals except at times when they are reasonably required.

Hon. F. E. S. Willmott: You want to bar counter lunches.

Hon. H. STEWART: I mean that the counter lunches will not be regarded as meals.

The MINISTER FOR EDUCATION: I wish Mr. Stewart would tell us exactly what sections of the Act he intends his amendment to apply to. If he merely means it to apply in a general way to meals, I think we have already done sufficient to cover the point by giving the licensing court authority to deal with meals and charges. If there is any other application intended by the hon. member, I wish he would refer to the particular

sections. At present I do not see any necessity for the amendment.

Hon. H. STEWART: Owing to the state of the Bill and the numerous amendments, I have not had time to look through the new print of the Bill that has been placed before us. In the circumstances, I am not in a position to draw attention to particular clauses. I do not see that the Minister is justified in asking me to particularise the sections. He might have suggested that the further consideration of the clause should be postponed.

Hon. A. J. H. SAW: I will vote against the amendment. Under it a meal will mean soup and bread, or cheese and bread. It is better to leave the interpretation of "meal" to the licensing court rather than commit ourselves to so meagre an interpretation as is contained in the amendment.

Hon. J. CORNELL: I agree with Dr. Saw. The definition of "meal" in the amendment boils itself down to cheese and bread. I cannot see any necessity for the amendment.

Hon. H. STEWART: Several clauses will be affected by the amendment, but at this stage I am not prepared to specify them. Why should we leave the interpretation of "meal" to the licensing court? The minimum requirements in respect of food should be provided in the Bill. Many people would not go to the bar of an hotel.

Hon. J. Cornell: Under your amendment they would get bread and cheese.

Hon. H. STEWART: I know an instance in which such a person got only plain bread, and that at an exorbitant price.

The MINISTER FOR EDUCATION: I cannot see that the hon. member is subjected to any hardship in being asked to point out where this amendment is to apply. The licensing bench is entitled to interpret "meal." It would be unreasonable for people arriving at an hotel at 11 p.m. to demand soup and entrees. If the amendment means that the licensee can give them plain bread and cheese and nothing more, it is useless.

Hon. H. Stewart: I do not mean that.

The MINISTER FOR EDUCATION: Will the hon. member tell us what he really does mean? As I see it, the amendment means that the licensee can satisfy the provision by supplying bread and cheese as a meal.

Hon. H. STEWART: It is not easy to provide a definition of "meals." At a late hour the licensee should not be compelled to provide more than cold meat and bread. I have endeavoured to provide for bread and one other suitable commodity.

Hon. J. Cornell: Why not make it read "bread and cheese or something better"?

Hon. H. STEWART: Certainly that would possess the virtue of simplicity. It would be of benefit if we could arrive at a suitable definition of "meal within the meaning of the Act."

The MINISTER FOR EDUCATION: I have discovered one case to which the amendment would apply. Clause 117 prescribes that in any club on a Sunday no liquor shall be sold except to bona fide lodgers or members of the club being served with a meal during prescribed hours. Thus, under the amendment, bread and cheese could be supplied in the reading room between 6 p.m. and 9 p.m. and liquor supplied to all sitting around, for the bread and cheese would then be a meal.

Hon. A. LOVEKIN: Section 94 of the principal Act provides that a licensee must supply a person with food, liquor, refreshment and lodging. Clause 75 amends that section and provides that the licensing court may prescribe the hours during which meals shall be obtainable; and where the court is satisfied that any licensee is not genuinely catering for the requirements of the public, the court may prescribe tariffs for meals and it shall be the duty of the licensee to provide meals as prescribed, if so required. That is sufficient, and therefore the amendment is unnecessary.

Hon. J. DUFFELL: As the Leader of the House has pointed out, it is positively out of all reason that a member of a club should be able, between 6 p.m. and 9 p.m. on a Sunday, to demand a meal of bread and cheese and——

Hon. H. Stewart: The amendment reads "or" not "and." Can you not read English?

Hon. J. DUFFELL: We are only wasting time with the amendment.

Hon. A. J. H. SAW: This is a most dangerous provision, because, if a publican or club supplied cheese or soup and bread, liquor could also be supplied at any hour. If a man applied for a meal for which a stipulated charge of, say, 2s. 6d. was made by the licensing board, he could be charged 2s. 6d. for cheese or soup and bread. On the other hand, the publican might supply all the things mentioned, and cheese and bread as an alternative for sweets. Surely it would be much better to allow the licensing board to define what would reasonably meet the requirements of the travelling public and what a meal is. Otherwise, if a case were brought before the court, the court could say whether the licensee had met the legitimate requirements of the customer at the hour.

Hon. H. STEWART: How members can place so many interpretations on the amendment passes my comprehension. I stated definitely that the intention was to make the position clear in the interests of the licensee as well as of the traveller.

The Minister for Education: He could supply sweets and bread.

Hon. H. STEWART: That would be better than dry bread for which 3s. 6d. has been charged.

Hon. A. J. H. Saw: Why not bread and jam?

Hon. H. STEWART: The Committee seem to be getting considerable entertainment out of it.

Hon. A. J. H. Saw: It is more than the traveller would get.

Hon. H. STEWART: I still think that the principle of my amendment is right. I am

sorry that the intelligence of the Committee cannot evolve a correct interpretation.

Amendment put and negatived.

Clause 6—Repeal of Section 18:

The MINISTER FOR EDUCATION: When the Bill was previously before us, Mr. Stewart was instrumental in getting inserted Clause 6 providing for the repeal of Section 18 of the principal Act. He pointed out that Section 18 provided that in the case of a disagreement, the opinion of the chairman should prevail, and said that was inconsistent with the proposed new Section 20a providing that in the case of disagreement where only two licensing magistrates were present, the application or matter should be adjourned. The Act, however, may be in force before Section 20a operates. The Act will come into operation from and after a date to be fixed by proclamation. Therefore I propose to make a slight alteration to cover the position. I move an amendment—

> That the word "repealed" be struck out and the following inserted—"amended by inserting at the commencement thereof the following words—'subject to the provisions of Section 20a.'"

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

Clause 12—Amendment of Section 32:

Hon. H. SEDDON: I move an amendment—

> That the following words be added to the clause:—"No person shall use for fortifying wine any spirit which has not been kept for at least three years in wood."

I understand that in some cases good wine is fortified by using raw spirit which contains certain injurious chemical substances, and that these injurious substances do not occur in old wine.

Hon. J. DUFFELL: Attention was directed to this matter last week, when I pointed out that it would be almost impossible for a vigneron to keep wine in wood for three years. To pass the amendment would result in the industry receiving a serious setback.

Hon. J. CORNELL: Heretofore the Health Department have not come into this matter; in future they will do so. I am prepared to trust the Health Department to see that decent wine is sold rather than accept an abstract proposition like the amendment.

Amendment put and negatived.

Clause put and passed.

Clause 16—Amendment of Section 36:

The MINISTER FOR EDUCATION: I move an amendment—

> That in line 6 "two gallons" be struck out and "one gallon" be inserted in lieu.

This amendment is bound up with two or three others. Persons have been trading under one-gallon licenses doing a wholesale trade as wine and spirit merchants, just as brewers in the past operated under a two-gallon license. We have done away with the two-gallon license and substituted therefor a brewer's license. It is certainly desirable that we should now make a distinction between the wholesale and retail trade under the wine and spirit merchant's license and the gallon license, for two reasons. One reason is that the holder of a gallon license selling retail pays his license fee on his purchases, while the holder of a wine and spirit merchant's license makes a return of his sales to unlicensed persons. If we have confusion between the wholesale and retail licenses, I do not see how this matter of fees can be adjusted. There is a further reason. I propose later to move another amendment. It is the desire that there should be no increase of licenses except in the manner provided by the Bill; but I am sure it is not anyone's intention that there should be no increase in wine and spirit merchants' licenses or brewers' licenses. It is not the intention of Parliament that those people who at present have such licenses shall continue to enjoy them and that it shall at the same time be practically impossible for anyone else to get a license to sell wholesale. For that reason we propose to make a clear distinction between the wholesale licenses and the retail licenses. As in the past wine and spirit merchants have been trading wholesale under the one-gallon license, it is provided that they shall be permitted to continue selling in one-gallon quantities. The purpose of the amendment is to make the quantity which can be sold wholesale one gallon instead of two gallons.

Hon. H. STEWART: Our leader's attitude is most interesting, especially in view of the stand he took when voting against a similar proposal in connection with the sale of tobacco. I wish he had shown his bona fides by stating that these were wholesale licenses.

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

Clause 18—Brewer's license:

The MINISTER FOR EDUCATION: I move an amendment—

> That after "person," in line 3, insert "or the representative of a person," and strike out of the last line "licensee's."

In practically all cases, breweries are the property of companies, and their affairs are conducted by managers. The manager should be the person responsible, and he is not the person carrying on the trade or business, but is the representative.

Hon. J. J. HOLMES: Is a person a company, or a company a person?

The Minister for Education: Yes.

Hon. J. J. HOLMES: I understood a company had neither body, soul, nor spirit. Under our land legislation a company has no existence.

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

Clause 20—Amendment of Section 44:

The MINISTER FOR EDUCATION: This refers to sale of Western Australian wine by vignerons without a license. I move an amendment—

That the first three lines be struck out, and the following inserted in lieu:—"Section forty-four of the principal Act is amended by substituting for paragraph (b) of subsection (1) the following paragraphs:—(b) Being the occupier of a vineyard of not less than five acres of vines in full bearing, sells on such vineyard, in quantities of not less than one reputed quart bottle at any one time, wine manufactured by such person; or (c) Being the occupier of an orchard of not less than five acres, sells on such orchard, in quantities of not less than one reputed quart bottle at any one time, cider or perry manufactured by such person."

The clause has been redrafted to meet what I take to be the wish of the House. By this means we get over the difficulty, to which attention was drawn by Mr. Kirwan, in regard to differentiating between the products of different States, and prevent the owner of a vineyard buying the grapes of other people to turn into wine, and provide that advantage shall be taken of the clause only by bona fide vignerons. I have had correspondence on this subject from the Western Australian Wine Growers' Association.

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

Clause 21—Amendment of Section 45:

The MINISTER FOR EDUCATION: I move an amendment—

That the following proviso be added to Subclause 1:—"Provided also that a brewer's license or a spirit merchant's license may be granted for premises not licensed prior to the 31st day of December, 1922, to authorise the sale of beer or liquor (as the case may be) to persons licensed to sell liquor, or to registered clubs or State hotels, but not to other persons or by retail."

The object of this new proviso is to make it possible for additional wine and spirit merchants' licenses and additional brewers' licenses to be granted. It was never intended by Parliament that those now holding such licenses should continue to hold them while nobody else should be allowed to hold them.

Hon. G. W. MILES: Does the proviso mean that the holder of the license could not sell one gallon?

The MINISTER FOR EDUCATION: He could not sell it except to a person who has the license to retail. He could not sell to the general public.

Hon. G. W. MILES: But does not that conflict with the amendment just made in Clause 16?

The MINISTER FOR EDUCATION: We do not propose under this Bill to take away any privileges anybody has at present. On the question of new licenses we say that we will not, except as provided by the Bill, allow new retail licenses, but that we will not prohibit the granting of fresh licenses for wholesale sales.

Hon. H. STEWART: I just want to comment on the interesting attitude of the Minister. One night last week he took up the attitude that the wine and spirit merchant's license was wholesale, and he used that as an argument against a proposed amendment. Then he adopted part of the proposed amendment. To-night he makes the limit of the wholesale license one gallon, and inserts a provision which renders it very doubtful what will be the position with regard to the two licenses.

Amendment put and passed.

The MINISTER FOR EDUCATION: I move a further amendment—

That in Subclause 4 after "inquiry," line 1, there be inserted "to be held after the expiration of fourteen days from the publication of the petition."

The object is to notify the public of applications for new licenses.

Amendment put and passed.

Hon. H. SEDDON: I move an amendment—

That the following proviso be added to Subclause 5:—"Provided that no new license shall be granted in the area defined whereby the number of licensed premises in a district shall exceed one for every 500 electors."

That is in accordance with the Royal Commission's report, and would prevent the issue of a larger number of licenses than exist at present. It would check any tendency to introduce new licenses.

Amendment put and negatived.

Clause, as amended, agreed to.

The MINISTER FOR EDUCATION: I move an amendment—

That in lines 1 and 2 the words "repealed and a section is inserted in place thereof as follows" be struck out and the following be inserted:—"is amended by inserting in Subsection 3 thereof after the words 'licensed house,' the words 'is not provided with or'; and a section is inserted in the principal Act as follows:—49A."

It is intended to provide that existing buildings shall not be interfered with until 1927, and the section as it stands will apply to new licenses.

Amendment put and passed.

Hon. J. A. GREIG: I move an amendment—

That at the end of paragraph (c) of Subclause 4 the words "and mosquito net to each bed" be added.

For the last two years I have had to carry a mosquito net about with me when I have

travelled through the country. In Queensland every first class hotel provides a mosquito net. The amendment will not involve any great expenditure on the part of licensees.

Amendment put and negatived.

Clause, as amended, agreed to.

Clause 33—Fees for licenses:

The MINISTER FOR EDUCATION: I move an amendment—

That in line 4 after "premises" the words "or paid or payable by or to the licensee for liquor sold or supplied" be inserted.

Others pay on the liquor sold; therefore to complete it, it is necessary to insert these words. They will cover both classes of license.

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

Clause 34—Assessment of fees of returns of liquor purchased:

The MINISTER FOR EDUCATION: When the Bill was previously before the Committee Mr. Lovekin secured the insertion of Subclause 14. It is necessary to add words to this clause to complete it. With the addition of the words I suggest, the subclause will read—

Nothwithstanding anything in this section contained but subject to Subsection (6) no liquor upon which the percentage fee has already been assessed or paid shall be liable to a second or subsequent assessment or payment under this section.

Amendment put and passed.

Hon. H. SEDDON: I move an amendment—

That the Legislative Assembly be requested to strike out the words "five pounds per centum," in Subclauses (1), (2), (3) and (4), and insert "the prescribed percentage"; and to insert a subclause, as follows: (14) The Governor may by regulations from time to time prescribe the rate or percentage at which annual license fees are to be calculated under this Act, but so that, as nearly as may be, such rate or percentage shall be fixed at such a figure each year that the net resultant revenue will, in the opinion of the Auditor General, suffice to reimburse the Government of the State the expenses incurred by it during the preceding financial year for the upkeep of gaols, inebriate institutions, hospitals, and other establishments so far as such expenses have been incurred or increased directly or indirectly by reason of the existence of drunkenness in the community.

The CHAIRMAN: I cannot accept the amendment. It is out of order.

Hon. H. SEDDON: On what grounds?

The CHAIRMAN: It increases the burden upon the people, and there is no limit to what it may be.

Hon. H. SEDDON: That has to be determined.

The CHAIRMAN: That is my ruling.

Clause, as amended, agreed to.

Clause 54—Determination of board to be final:

Hon. A. LOVEKIN: I move an amendment—

That in Subclause 2 the following words be added: "Or by a licensing court having jurisdiction prior to the passing of this Act.

I take it all licensing courts will cease to exist when the board is appointed, but the licensing laws of the country ought to be continuing. Whilst the board may have power to re-hear any matters that have previously been determined by it, power should also be given to enable it to re-hear any matter that has been determined by its predecessors. The last licensing court did many improper things. It closed residential hotels and left open wine shops, which are a greater menace to the community than the worst drinking hotel one could get.

The MINISTER FOR EDUCATION: The hon. member cannot be serious. We have heard a great deal about the wickedness of retrospective legislation, but this is about the limit. There is no appeal from the decision of the licensing court, and in any event the time would long have passed for an appeal. The hon. member now proposes to allow the board to reinstate licenses which have been taken away by the licensing court under the local option poll.

Hon. J. A. Greig: Would any hotel closed by the local option poll be re-opened?

The MINISTER FOR EDUCATION: Only by the creation of a new license.

Hon. J. A. GREIG: Some of the places which have been closed should be re-opened.

Amendment put and negatived.

Clause put and passed.

Clause 63—Majority for carrying proposal:

Hon. J. J. HOLMES: I move an amendment—

That the proviso be struck out.

When this clause was before the Committee there was a division of equal numbers, and you, Sir, gave your casting vote in favour of the proviso. The vote on prohibition means that two intemperate persons have the same voting strength as three temperate persons. My objection to the proviso is that it may lead to the stuffing of the rolls, and to its being more difficult for the advocates of prohibition to get the 30 per cent. poll that is required.

Hon. A. Lovekin: Who is going to stuff the rolls?

Hon. J. J. HOLMES: It was shown in Queensland that thousands of people less than were in the State were on the rolls. If, for instance, Mr. Boan had required a 30 per cent. poll before he could be elected, he would not

have been sitting in the Chamber to-night, for he only obtained a 26½ per cent. poll.

Hon. A. J. H. Saw: And Mr. Panton would have been here because the minority rules.

Hon. J. J. HOLMES: Under the three-fifths proposal there is no hope of prohibition ever being carried. In any event we have gone far enough, as a House of review and of equity, when we allow three people the same voting strength as two. Another factor that operates against prohibition is that the Federal Parliament controls the imports of liquor.

Hon. A. Lovekin: The temperance people do not agree with you.

Hon. J. J. HOLMES: We have no right to put this sting into the tail of the clause, and say that 30 per cent. must vote for the proposition. On the second reading only six speeches were made, and 5½ of these, because one member spoke partly in favour of prohibition and party the other way, were opposed to the Bill. The remaining members gave a silent vote.

Hon. G. W. MILES: I hope the amendment will be defeated. The arguments used by Mr. Holmes should convince the Committee of the necessity for retaining the proviso. When we speak about a bare majority we should remember that in Monday's paper there was a report referring to the engineers' strike.

The Minister for Education: What has that to do with the question before the Chair?

Hon. G. W. MILES: The instance was quoted by Mr. Holmes for the advocacy of the deletion of the clause and this cuts the other way as well. In that statement it was said that the organisation had no power to commence a strike except on the decision of the members by three votes to two and that no settlement could possibly take place unless it was carried by three votes to two.

Hon. A. J. H. SAW: I intend to vote for the deletion of the proviso and I support Mr. Holmes in the view he has expressed. The clause is the most undemocratic I have ever heard of, and I trust that those who have the word "democracy" so often in their mouths will vote for its deletion too.

Hon. A. Lovekin: Is 30 per cent. not a minority vote?

Hon. A. J. H. SAW: We have provided that no alteration shall be made unless it has the full force of public opinion, by retaining the three-fifths majority provision. The proviso under discussion will simply mean that the electors who do not go to the poll may have the effect of determining the issue against three-fifths of those who took the trouble to go to the poll. The House might have gone to the extent of saying that unless 20 per cent. of the voters were against prohibition, prohibition would come into force. That would have been more logical than to say that when we get a three-fifths majority in favour, their opinion is not to prevail. The issue of prohibition will not be decided in Australia but in America, and if prohibition is a success there, neither a provision for a three-fifths majority of the electors nor a provision for a 30 per cent. poll will deter the electors from insisting upon prohibition. I am totally opposed to Parliament saying that people who do not trouble to go to the poll, are to sway an election against the express wish of a huge majority of those who do got to the poll.

Hon. A. BURVILL: I am in favour of the amendment, and Mr. Miles in quoting the case of the union, put up a strong argument in favour of it. I am in favour of the retention of the clause, but will not vote as I have paired with Mr. Hickey.

Hon. A. LOVEKIN: Those who support Mr. Holmes want to take an unfair advantage of the position. It is all very well for those who are in the towns, but there are thousands who are living in the country who cannot go to the poll on such a question as this. It is those people who, in a case like this, should be protected by Parliament and they should be counted——

The Minister for Education: With the minority?

Hon. A. LOVEKIN: I think they should be. After all, 30 per cent. is a minority vote.

Hon. J. A. GREIG: I support the deletion of the subclause because it is not sporty. I am not too sure that the provision for the three-fifths majority is a sporting proposition but, at any rate, both sides have an equal opportunity of going to the poll whether they live in the country or in the towns. It is not sporting to say that three of one side must be equal to two on the other. The man who votes for the retention of the 30 per cent. poll, is not acting in a sporting way at all.

Hon. F. E. S. WILLMOTT: If Mr. Greig's remarks are true, I am not a sport. I take prohibition very seriously and if it is carried by a few people at a small poll, then I am afraid the law will be broken because people who are deprived of their beer against their will, will defy the law. If we insist on taking beer away in those circumstances from people who want it, then we will be up against the biggest trouble this State has ever seen. I have given so much consideration to the Bill that I have actually dreamt about it. I dreamt the other night that prohibition had been carried by a small section at a small poll. When the Government of the day endeavoured to enforce it, there were serious riots throughout the State. People rose and demanded their beer. They got their beer and wiped out the prohibitionists. In my dream I went to Karrakatta and saw a number of graves which, the caretaker informed me, were those of the prohibitionists. I noticed the headstones.

The CHAIRMAN: I think the hon. member is out of order.

Hon. F. E. S. WILLMOTT: I am prophesying what will happen. You know, Mr. Chairman, that Pharoah had a dream and he had to get Joseph to interpret it. It may be that my dream will come true. On some of the headstones I read the names of some

of my friends. On one, for instance, was: "Here lies the body of J. J. Holmes."

The CHAIRMAN: Order! The hon. member had better not proceed along those lines.

Hon. F. E. S. WILLMOTT: Just as you like, Mr. Chairman. I was determined to raise my voice in an endeavour to prevent, on the recommittal of the Bill, the Committee arriving at a decision which might lead to such fearful happenings in Western Australia. If prohibition is not carried by a large majority, it will never be enforced. Personally I am somewhat inclined to agree with Mr. Holmes. Prohibition can never be made effective, owing to Federation, unless the whole of Australia goes dry. To attempt to enforce prohibition in one State would create tumult, riots, and disturbances of an unparalleled description. Surely we do not want anything like that. In any such drastic measure as this, the decision must be carried by a vast majority if the law is to be enforced.

Hon. H. BOAN: Save one or two instances, the subject of prohibition did not crop up at all during my election campaign. I told my electors, or some of them, that in my opinion prohibition should be carried by only a very substantial majority. A bare majority might easily become a minority within a few days after the poll. We have to remember some of the isolated cases which might arise under prohibition. I remember a death which occurred on the Great Western Railway when a glass of spirits might have saved the victim. He was a staunch teetotaller, travelling over from Melbourne. It was a particularly hot day, and he became seriously indisposed. I suggested a glass of spirits, but he would not touch it. He died a few miles this side of Kalgoorlie. Under prohibition, no matter how ready he might have been to accept relief, a glass of spirits, even to be used medicinally, would not have been available. I certainly think prohibition should be carried by only a substantial majority.

The MINISTER FOR EDUCATION: The substantial majority desired by the hon. member is provided in the clause which requires a three-fifths majority. If asked to interpret the dream which Mr. Willmott had, I should interpret it this way—take more water with it. I do not see how a snatch vote could occur when the poll is to be taken only once in every five years. In my opinion it would be wrong to take the poll on the day of a general election, wrong to confuse the great political issues at a general election with a prohibition poll.

Hon. G. W. Miles: Why have you changed your mind?

The MINISTER FOR EDUCATION: I have not changed my mind.

Hon. G. W. Miles: You were one of the Government which put up the clause in another place.

The MINISTER FOR EDUCATION: I do not attach the least importance to the amendment, because I do not think it will apply either way. A poll taken only once every five years is bound to get a bigger vote than has been suggested. Even the local option poll, in which not much interest was taken, resulted in over 50 per cent. voting. The retention of this provision only irritates people, without giving any good result, and therefore it ought to come out. Mr. Miles asked why I have changed my mind. I have not changed my mind. When this question was discussed in the Assembly it was admitted that the retention of the three-fifths majority and the dropping of the 30 per cent. poll was a reasonable compromise. It was accepted without a division. I think it is a reasonable compromise and, although I do not think it will make the least difference whether it be in or out, I am going to vote it out because I know it is a source of irritation to many people.

Hon. H. SEDDON: It must be evident to everybody that there will be no likelihood of a snatch vote in respect of prohibition. The question is daily assuming greater proportions. Both sides will concentrate on the effort to bring their supporters to the poll, and so the poll is bound to be a heavy one. As for enforcement, I do not think that need worry us, for the majority of the people of Western Australia are law abiding, and while those wedded to drink may for a time attempt to do a little smuggling, that will assuredly die out.

Hon. F. A. BAGLIN: Had I been here the other night the division would not have been an equal one, for I would have voted for the retention of the 30 per cent. poll. Dr. Saw says this is a democratic proposal. I do not know whether the hon. member is an authority on what may be democratic. Certainly he was not returned by the democracy of his province. If there be a blot on the democracy of this State, it is the franchise for this House. The Minister proffered a lame excuse when he said he would vote for the proposal because the provision for a 30 per cent. poll would cause some irritation.

Hon. G. W. Miles: He promised a ladies' deputation that he would vote that way.

The Minister for Education: Nothing of the sort.

Hon. F. A. BAGLIN: Mr. Seddon said there need be no fear of a snatch vote. That being so, why the objection to the provision for a 30 per cent. poll? It is manifest that the opponents to a 30 per cent. poll expect that the poll will be a small one. The most undemocratic provision in the Bill is that for a three-fifths majority. A bare majority with compulsory voting would give us the representative voice of the people.

Hon. J. A. GREIG: If the provision were for 30 per cent. of the people in the State, I should have no objection to it. At an election at Narrogin one of the candidates secured 475 absentee votes, and of those 450 were from men working on the trans-line. They had never seen Narrogin, but they were put on the roll as having worked at Narrogin. It shows how a roll can be stuffed.

Hon. J. CORNELL: When last the question was before the Committee I voted for

the three-fifths majority, having regard to the importance of the question to be decided. When it came to the 30 per cent. poll, however, I thought it was going too far. In future the State as a whole will vote on this question. We who like our little tot and wish to retain it must assist to work up sufficient enthusiasm to beat the other side. There may be inducements to keep people away from the poll and thus defeat the object.

Hon. G. W. Miles: They cannot do that.

Hon. J. CORNELL: If 29 per cent. of the electors went to the poll and voted unanimously, could they carry it? If 48 per cent. voted, 29 per cent. for prohibition and 19 per cent against it, the prohibitionists would lose. Mr. Potter is absent for a reason over which he has no control, and I have agreed to pair with him.

Hon. J. M. MACFARLANE: I have all along been against prohibition, not because I have any liking for drink, but because prohibition, if thrust on the community, is likely to bring about a set of evils worse than those of a controlled trade. America for the past three years has been under prohibition, and the other day I saw in one of the picture gazettes photographs of a U boat mounted as a swift runner with swivel guns to chase sea boot-leggers. I am convinced that it is more a question for education than for violent action such as prohibition would be. I voted for the three-fifths majority because I considered vested interests should not be destroyed by a simple majority. We have discovered, however, that anti-liquor people, having no sympathy with Labour, allied themselves with Labour at the latest election, making the liquor question alone their politics. I intend to change my vote and support the 30 per cent. poll, because I am satisfied the anti-liquor people would cast aside all politics and do things which do not conform with fair play.

Hon. J. A. Greig: Give them a fair Bill and they will not bring that matter up at election times.

Hon. J. M. MACFARLANE: They are making liquor the sole question. Though my sympathies lie with their aspirations, I cannot support them to the extent I would have done.

Hon. J. J. HOLMES: I agree with the Minister. When we take a poll, there will be sufficient excitement to secure a fair vote. My principal objection to the 30 per cent. vote is that the roll may not be compiled as it should be, and the greater the amount of stuffing, which I have no doubt will be done, the greater will be the difficulty of getting 30 per cent. of those on the roll to the poll. I am satisfied that Mr. Miles knows the proposal is wrong. Regarding Mr. Macfarlane's statement, I think Mr. Boan said he was in favour of a majority.

Hon. H. Boan: A substantial majority.

Hon. J. J. HOLMES: Is not three-fifths a substantial majority? If I am correctly informed, Mr. Boan on the hustings expressed himself in favour of a majority, but to say that 30 per cent. of those on the roll should be compelled to vote in favour of the proposal, is not right. Twenty-nine per cent. may vote in favour of it and 28 per cent. against it, giving a 57 per cent. vote, and that would be of no avail, because of this pernicious proviso. I repeat that two intemperate persons can carry the same weight as three temperate persons, but not satisfied with that, members insist on putting a sting in the Bill by providing that 30 per cent. of the electors must vote in favour of the proposal. If the Committee carry this, they will live to regret it. The people in the trade will live to regret it, because the harder the boomerang is thrown, the harder will it rebound. The more severely we deal with the electors, the more irritated they will be, and the sooner will there be a clamour for further reform. If I were interested in the trade, I should beseech members to strike out the 30 per cent. provision.

Hon. H. STEWART: Weather conditions may interfere with the poll, and if 29½ per cent. of the people voted in favour of prohibition, it would be insufficient. I feel with Mr. Holmes that we should adopt equitable and sound principles. This measure is trebly loaded. Those who have been supporting the trade have had no scruple as regards protecting the position of the trade. I am led to the conclusion that those who seek reform, among them the Government, have sacrificed not only reform of the trade but also substantial revenue. They have given up the substance and got nothing but the shadow. If the proviso is knocked out, there will be provision for the substantial majority in which Mr. Boan believes.

Hon. J. Cornell: Mr. Boan's campaign has been freely mentioned.

The CHAIRMAN: I think it is rather out of order.

Hon. J. CORNELL: As one in charge of Mr. Boan's campaign, I desire to say that those who favour prohibition never sought to ascertain Mr. Boan's views, but simply brought out an opponent to him.

Hon. H. BOAN: I was determined during my campaign to impress those to whom I spoke with the knowledge that I was in favour of a decisive majority. I do not think the three-fifths attachment necessary. We should have something easily understandable by the people. I have had no idea of forcing my sentiments with regard to prohibition down the throats of other people, and I am rather surprised to find it is such a burning question. I support the Bill.

Hon. J. MILLS: I move an amendment on the amendment—

That the words "For the proposal," in the last line, be struck out.

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

Ayes	..	..	7
Noes	..	..	13
Majority against		..	6

AYES.

Hon. H. P. Colebatch	Hon. H. Seddon
Hon. J. J. Holmes	Hon. H. Stewart
Hon. J. Mills	Hon. J. A. Greig
Hon. A. J. H. Saw	(*Teller.*)

NOES.

Hon. R. G. Ardagh	Hon. A. Lovekin
Hon. C. F. Baxter	Hon. J. M. Macfarlane
Hon, H. Boan	Hon. G. W. Miles
Hon. J. Duffell	Hon. E. Rose
Hon. V. Hamersley	Hon. F. E. S. Willmott
Hon. E. H. Harris	Hon. F. A. Baglin
Hon. J. W. Kirwan	(*Teller.*)

Amendment on the amendment thus negatived.

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

Ayes	7
Noes	13
Majority against ..	6

AYES.

Hon. H. P. Colebatch	Hon. H. Seddon
Hon. J. A. Greig	Hon. H. Stewart
Hon. J. J. Holmes	Hon. A. J. H. Saw
Hon. J. Mills	(*Teller.*)

NOES.

Hon. R. G. Ardagh	Hon. A. Lovekin
Hon. F. A. Baglin	Hon. J. M. Macfarlane
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. J. Duffell	Hon. E. Rose
Hon. V. Hamersley	Hon. F. E. S. Willmott
Hon. E. H. Harris	Hon. H. Boan
Hon. J. W. Kirwan	(*Teller.*)

Amendment thus negatived.

Hon. J. A. GREIG: I move an amendment—

> That the following new paragraph be added to stand as (c):—"Any liquor remaining in the hands of a licensee after 14 days shall be confiscated and become the absolute property of the Government."

In the event of hotels being closed by prohibition, unless there is such a provision as I now suggest, licensees will be able to sell until perhaps the close of the year, and then at the end of that period they may have on hand some days' supply of liquor. There is nothing to say what shall become of that supply of liquor. I am doing this in the interests of the licensees themselves.

Hon. J. Duffell: Would you like the Government to confiscate anything that belonged to you?

Hon. J. A. GREIG: I desire to give them 14 days in which to get rid of the liquor, to send it out of the State.

Hon. J. Mills: They may want it for their own consumption.

Hon. J. A. GREIG: I do not want them to have it for that purpose.

Hon. J. Mills: You would have no say in that.

The MINISTER FOR EDUCATION: The amendment may or may not be a good one, but I do not think the hon. member should say he was suggesting it in the interests of the licensees, because it would certainly hurt the licensees.

Hon. H. Stewart: Will the Minister tell us what will be the position under the Bill if prohibition is carried?

The MINISTER FOR EDUCATION: It will not be possible to sell liquor. I have no doubt that if prohibition comes along we should have quite a lot of difficulties to face.

Hon. J. MILLS: If prohibition comes about at the beginning of the year, licensees will continue the sale of liquor until the end of the year. Does Mr. Greig mean to say that the publicans and the merchants will not be able to regulate their supplies? Of course they will.

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

Ayes	2
Noes	18
Majority against ..	16

AYES.

Hon. H. Seddon	Hon. J. A. Greig
	(*Teller.*)

NOES.

Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. C. F. Baxter	Hon. A. Lovekin
Hon, H. Boan	Hon. J. M. Macfarlane
Hon. A. Burvill	Hon. G. W. Miles
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. Cornell	Hon. A. J. H. Saw
Hon. J. Duffell	Hon. F. E. S. Willmott
Hon. V. Hamersley	Hon. F. A. Baglin
Hon. E. H. Harris	(*Teller.*)
Hon. J. J. Holmes	

Amendment thus negatived.

Clause put and passed.

Clause 71—No compensation:

Hon. A. LOVEKIN: The Committee carried a proviso that if any funds remained to the credit of the compensation fund, they might be applied for the purpose of compensation as the board might determine. I propose to re-cast the clause without altering the meaning. I move an amendment—

> That all the words after "When" in line 1 be struck out and the following inserted in lieu:—"Section 59 of this Act becomes operative, any surplus moneys then to the credit of the compensation fund shall be distributed as may be determined by the board amongst licensees who have contributed to such fund and who have been deprived of their licenses under Part VI. of this Act."

The MINISTER FOR EDUCATION: I opposed the proviso when the hon. member introduced it, because I thought and still think the time to decide the destination of any money which remains in the compensa-

tion fund, will be when the occasion arises. I quite admit that the amendment reads better than the clause, but I have this objection, that the clause as it stands sets out clearly that anyone deprived of a license under a prohibition poll shall not be entitled to compensation. Under the new wording, it looks like the thin edge of the wedge to pay compensation.

Hon. A. LOVEKIN: Nothing of the sort suggested by the Minister is intended. I recast the clause because the wording would not do credit to us. I am not responsible for the three lines of the original clause, but if the Minister wishes to emphasise the fact that compensation is not to be paid, the clause could be recommitted later or the Minister might agree to report progress now.

Progress reported.

House adjourned at 11.3 p.m.

Legislative Assembly,

Tuesday, 28th November, 1922.

	PAGE
Questions: Taxation, Newman v. Commissioner ...	1841
Railway accommodation, Jarnadup to Bridgetown	1841
Bills: Jarnadup-Denmark Railway	1841
Companies Act Amendment, 2R., com. ...	1864

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

QUESTION—TAXATION, NEWMAN *V.* COMMISSIONER.

Mr. STUBBS (for Mr. Angelo) asked the Premier: 1, Has he read the "Daily News" article of the 31st ultimo, headed "Walk In! Walk out! Sales," wherein an announcement was made by the Federal Commissioner of Taxation to the effect "that in accordance with a judgment of the High Court in the case of Newman *v.* The Commissioner of Taxation of Western Australia, he intends to cancel all assessments made up to the 30th June, 1921, and refund the tax paid"? 2. Does he intend to cancel all assessments made by the State Commissioner on walk in, walk out sales of station properties and refund the tax collected on those sales? 3, Is he aware that applications for refund to the Commissioner have been refused if they were made more than twelve months after date of payment?

The PREMIER replied: 1, Yes, the information has appeared in the principal newspapers of the Commonwealth. 2, Yes, where applications have been received and the law allows. Many assessments have already been cancelled and refunds made. 3, Yes, the Commissioner must carry out the provisions of Section 62 of "The State Land and Income Tax Assessment Act, 1907," which provides that the Commissioner shall not certify for any refunds under this section unless the claim is made within a year of the date on which the tax was due.

QUESTION—RAILWAY ACCOMMODATION, JARNADUP TO BRIDGETOWN.

Mr. J. H. SMITH asked the Minister for Mines: 1, Is he aware that women and children travelling on Monday night's train from Jarnadup to Bridgetown arriving 2 a.m. in the morning are not allowed to remain in carriages? 2, Does he know that as it is impossible to get accommodation at that hour, the women and children have to sit on platform or walk about till daylight? 3, Will he issue an instruction for the people to have the use of the compartment until 7 a.m.?

The MINISTER FOR MINES replied: 1, Yes. 2, I am advised that the hotels and boardinghouses cater for these passengers, who can obtain accommodation if they require it. Alternatively the ladies' waiting-room is available for women and children. 3, No. Shunting operations are commenced at 4.30 a.m., and in the interests of safety, passengers could not be permitted to occupy the carriages whilst train working operations are in progress.

BILL—JARNADUP-DENMARK RAILWAY.

Second Reading.

Debate resumed from 23rd November.

Hon. P. COLLIER (Boulder) [4.37]: The question of land settlement has been so prominent in recent months, that it is not surprising we should have a Bill for the construction of an additional mileage of railway, even though the construction of lines authorised in recent years has lagged far in the rear. There are many factors in connection with railway construction, particularly in respect to a line of this character, which should be carefully scrutinised before securing the sanction of Parliament. I doubt if this railway is necessary at present. Further, I question very much whether the Government are in a position even to commence the construction of this railway within the next 12 months. Something like 228 miles of railway have been authorised in recent years. Of this mileage 120 is under construction, and 108 has not yet been commenced. It does seem to me there is something wrong with the policy which asks Parliament for authority to construct new lines, involving the expen-