

## STANDING ORDERS SUSPENSION.

*Close of Session.*

The PREMIER (Hon. Sir James Mitchell—Northam) [12.40]: There are two Bills that I wish to get upon the Notice Paper for to-morrow. One is to provide for the continuation of the nine to nine clause in the Licensing Act, and the other is in connection with the rate of interest to be paid on loans as from the end of December. It will be remembered that we fix the rate of interest for each year. I find I will have to ask the House to suspend the Standing Orders to permit of these two Bills being placed on the Notice Paper for to-morrow.

Mr. SPEAKER: The time for giving notice has passed. It is necessary to suspend so much of the Standing Orders as to enable these Bills to be placed on the Notice Paper for to-morrow.

The PREMIER: I move—

That so much of the Standing Orders be suspended as to allow of the introduction of Bills or motions without notice.

Question put and passed.

## BILLS (2)—FIRST READING.

1, General Loan and Inscribed Stock Act Amendment.

2, Sale of Liquor Regulation Act Continuance. Introduced by the Premier.

## BILLS (2)—THIRD READING.

1, Closer Settlement.

2, Industrial Arbitration Act Amendment. Transmitted to the Council.

*House adjourned at 12.48 a.m. (Thursday.)*

## Legislative Council.

Thursday, 22nd December, 1921.

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The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

## ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the undermentioned Bills:—

1, Courts of Session.

2, Perth Hebrew Congregation Lands.

## MINISTERIAL STATEMENT—GRAIN BILL.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.3]: With the permission of the House, I desire to make a brief statement to clear up what I am sure was purely a misunderstanding, but something which, without explanation, might appear to be other than it was. During the debate on the Grain Bill I read to the House what purported to be a copy of a memorandum written by Mr. Lovekin, and handed by him to Mr. Basil Murray. This copy had been handed to me by Mr. Murray. Mr. Lovekin pointed out that the copy was inaccurate in that it contained a reference to Clause 19 of the Bill, whereas no such reference was included in his memorandum. At the time I was entirely at a loss to understand how the error could have arisen. I have since received an explanation from Mr. Murray in which he points out that I was, quite inadvertently, in some way responsible for the error. Mr. Murray called at my office with Mr. Lovekin's memorandum. He was only in my office for a moment. He read the memorandum through, and he reminded me that when he read it I suggested to him that probably Mr. Lovekin meant the schedule with Clause 19 by which the House

had already amended the method of paying rent. Mr. Murray says that he made a pencil note of my remark, and that when he handed Mr. Lovekin's memorandum to his typist to copy, his typist copied it with the pencil note inserted. He then returned the original to Mr. Lovekin, who subsequently handed me the copy in good faith. There can be no question that the memorandum written by Mr. Lovekin did not contain any reference to Clause 19. I have no hesitation in accepting Mr. Murray's explanation as to how the mistake arose. This makes the position of Mr. Lovekin, in moving to strike out Clause 19, quite consistent with the memorandum that he sent to Mr. Murray.

#### STANDING ORDERS SUSPENSION.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.6]: With the permission of the House, I move—

That until the adjournment of the House over the Christmas holidays so much of the Standing Orders be suspended as is necessary to enable Bills to be taken through all stages at one sitting, and messages from the Legislative Assembly to be taken into consideration forthwith.

I submit this motion in view of what I believe to be the general desire of hon. members that we should now despatch merely that business which it is essential should be dealt with before the end of the year, and that we should resume as early in the new year as may be suitable to hon. members. If this motion is carried I do not intend to make any use of it except in regard to four Bills, the passage of which is necessary before the 31st December. The first of these Bills is what is known as the 9 to 9 provision of the Licensing Act. Without that on the 1st January, the hours for the opening and closing of hotels would automatically revert to 6 in the morning and 11 at night. The second is a one-clause Bill continuing the operations of the Industries Assistance Act until the 31st December, 1922. The third is a Bill to continue the operations of the General Loan and Inscribed Stock Act, passed last session, until 1922. Without that Bill, which fixes the maximum rate of interest at 6½ per cent., we should on the 1st January revert to the position under which the maximum interest is 5 per cent. It is well known to hon. members that the raising of a loan is contemplated in January, but we do not know in what period in January our advisers may recommend this to be done. The only other Bill I propose to ask members to pass under the authority of this motion is a Supply Bill for the month of December.

Hon. J. Cornell: What about the Prices Regulation Act?

The MINISTER FOR EDUCATION: These are the only Bills I propose to ask members to deal with under this method. Any other Bill that may come forward will have to take its course.

Hon. J. Cornell: Does not the Prices Regulation Act lapse at the end of the month?

The MINISTER FOR EDUCATION: Partially, but not in regard to wheat and the products of wheat. That may be considered when the House meets again.

Hon. J. W. KIRWAN (South) [3.10]: I would suggest to the Leader of the House that the Bills to which he has referred should be distributed as soon as possible, and that members should not be asked to wait to see them until they have been actually introduced. It is awkward for us to understand the import of a Bill, even if it is a Bill merely to re-enact a measure already passed, when we are asked to pass it through all stages in a few minutes. If we had a few minutes in which to digest a Bill, it would greatly safeguard the position.

Hon. J. CORNELL (South) [3.11]: I have no desire to oppose the motion, for I recognise that the measures mentioned by the Leader of the House must be passed before the end of the year. There is another measure which should also be re-enacted before the end of the year, but evidently it is not the intention of the Government to do so. I refer to the Prices Regulation Act. Some hon. members may say this is not wanted. I am aware that a Bill passed this session perpetuates in some small degree the operations of the Prices Regulation Act, but I for one think we should have something to say about it even if it is at the grave-side of the measure.

Mr. PRESIDENT: I do not think the hon. member is in order in discussing the merits or demerits of any measure on this motion.

Hon. J. Duffell: Do you think it should be considered?

Hon. J. CORNELL: I am prepared to let it go if the Minister does not think fit to bring it down, and I do not think any other hon. member can do so. I should like to know if the board is going to continue to draw fees for administering only a small portion of the Act.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [3.12]: I assure Mr. Kirwan I will do my best to meet his wishes, but up to the present only one of the Bills I have mentioned, namely the Bill to continue the Industries Assistance Act, has been dealt with by another place. That will be forwarded to us directly, and I will have copies circulated as soon as possible. The 9 to 9 Bill is only now being prepared, for it is only during the last day or two that the necessity for it was recognised. The reason why the measure mentioned by Mr. Cornell is not included in the list I have given is that I do not propose to ask the House to deal with any highly contentious matter without time being given for its due consideration. It is the intention of the Government to introduce certain proposals and we can deal with them when they come before us. I

do not propose to ask the House to deal with highly contentious matters in this way.

Question put and passed.

The PRESIDENT: I certify that the motion is passed by the necessary absolute majority of the Council.

#### STANDING ORDER (No. 274) SUSPENSION.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.15]: I desire to move without notice—

That Standing Order 274 be suspended during the present sitting to enable a motion to be brought forward discharging a member of the select committee on the Land and Income Tax Assessment Amendment Bill, and appointing another in his place.

It appears that Mr. Lynn finds it necessary to leave the State; and another hon. member has agreed to act in Mr. Lynn's stead. If this motion is carried, I shall submit a further motion accordingly.

Hon. J. DUFFELL (Metropolitan-Suburban) [3.16]: I find it somewhat difficult to assent to the Minister's motion at this stage. Speaking on this very Bill a few days ago, I intimated my view that in the interests of the House and of the country generally the measure should be referred to a select committee, and that the select committee should comprise men seized of the views and wishes of the various sections of the community. When Mr. Lynn's name was mentioned, I thought it imperative that he should be a member of the select committee for the purpose of bringing forward for consideration the views of the larger taxpayers of the community. Not having any knowledge of whom it is proposed to substitute for Mr. Lynn, I feel some difficulty in supporting the present motion. Any measure affecting the taxing of the community requires the closest scrutiny and the fullest consideration. For that reason I trust that the name of Mr. Lynn's successor to be submitted by the Leader of the House will be the name of a member prepared to call evidence, if necessary, from that section of the community with regard to which Mr. Lynn's name was originally suggested.

The PRESIDENT: I think the hon. member's remarks might be made on the subsequent motion that Mr. Lynn be discharged and another member appointed in his place.

Hon. J. DUFFELL: May I point out, Mr. President, that I do not know who that other member is going to be. If I did know I might object.

The PRESIDENT: The hon. member could not object at this stage.

The Minister for Education: If the hon. member does not like my nominee, there can be a ballot.

Hon. J. DUFFELL: When the select committee was suggested by me, it was my desire that the committee should call evidence, and that we should have on the committee the best men the House can nominate to bring to bear their knowledge on the Bill.

Question put and passed.

The PRESIDENT: I certify that this motion has been passed by an absolute majority of the whole Council.

#### SELECT COMMITTEE, LAND AND INCOME TAX ASSESSMENT AMENDMENT BILL.

##### *Change of Member.*

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.18]: I move—

That Mr. Lynn be discharged from further service on the select committee appointed to report upon the Land and Income Tax Assessment Amendment Bill, and that Mr. Hamersley be substituted in Mr. Lynn's place.

Hon. J. DUFFELL (Metropolitan-Suburban) [3.19]: I second the Minister's motion.

Hon. V. HAMERSLEY (East) [3.20]: The select committee, I understand, have already arranged that there shall be no evidence called. I was a party to the reference of the Bill to the select committee, but on the understanding that the select committee should obtain the benefit of expert evidence. The House itself is perhaps not in a position to deal with the Bill as effectively as outside experts would be. Unless I learn that the report which has reached me concerning the non-calling of evidence is erroneous, I am not disposed to serve on the committee. I do not know that my going on the committee will result in the reversal of a decision already taken by the committee. If the decision of the committee is as has been reported to me, I would rather not go on the committee.

Hon. A. LOVEKIN (Metropolitan) [3.22]: When I moved that the Bill be referred to a select committee, I suggested to the Chamber that it would not be necessary to call evidence other than the informal evidence of the departmental heads.

Hon. J. Duffell: Informal?

Hon. A. LOVEKIN: Yes; to chat over the Bill. The object of the select committee was to see if we could bring into line the Federal legislation and our own, having regard to the fact that an agreement has been come to between the Commonwealth and the State under which we shall have only one set of returns. As there is now Federal legislation—and it was only the other day that we received copies of the final Federal measure—we want to see if we cannot bring the measures into line. That, I take it, is all the select committee were appointed for. If

we are to take evidence, we shall have a very long task, for we shall have to consider the whole incidence of taxation, a matter which I personally do not think comes within the purview of the committee. Moreover, I myself could not give the necessary time. As a matter of fact, I fail to see of what value the evidence we could get would be. Recently a Federal Royal Commission has been sitting on this very question, and a number of gentlemen who, it has been suggested should give evidence before the select committee have already given evidence before that Federal Royal Commission. The committee has been approached to call Mr. Waugh; but he, I understand, gave voluminous evidence before the Royal Commission, and we have that evidence available. The Pastoralists' Association, through Mr. Noble, also expressed a desire to give evidence before the select committee; and we also have that evidence available in the Federal Royal Commission's report. We have had the same objections brought up in a number of ways during the last two or three years. For instance, a committee of the Chamber of Commerce was appointed on the subject; and the whole question of the Land and Income Tax Assessment Act was gone into with both Mr. Owen and Mr. Whitely. In fact, all the points which can be brought up are well known. The Taxpayers' Association have issued a lot of literature in one form and another on the subject, and I cannot conceive that there is anything new to be brought up which cannot be very well submitted in the form of a memorandum to the attention of the select committee.

Hon. J. Duffell: That is only your view of it.

Hon. A. LOVEKIN: I say that is my view. I may be wrong. If the select committee are to call evidence, I would not be able to give the necessary time on the committee, because I have already put in a considerable amount of time on other committees. I am not prepared at this stage to embark on an inquiry lasting three or four weeks, as this inquiry must last if the select committee are to call any evidence. Therefore I suggest to hon. members that the select committee keep within the purview of what was originally intended; that is, to see how far we can synchronise the Federal and the State legislation, without going into the incidence of taxation at all. We have quite enough work to do without going further. Take even the clause which was stressed before the Federal Royal Commission, the averaging clause.

Hon. V. Hamersley: The Federal inquiry has nothing to do with our State legislation.

Hon. A. LOVEKIN: That clause is wanted in order to—

The PRESIDENT: I point out to hon. members that I am perfectly willing to permit Mr. Hamersley and Mr. Lovekin to make

personal explanations with regard to their position, but that the question before the House is the discharge of Mr. Lynn from acting on the select committee, and the appointment of Mr. Hamersley to the select committee. Mr. Lovekin, as chairman of the select committee, may proceed in explaining for the benefit of Mr. Hamersley what the committee are doing.

Hon. A. LOVEKIN: Mr. Colebatch is chairman of the select committee. I am a member of the committee, and, as Mr. Colebatch has already spoken—

The PRESIDENT: I thought the hon. member was chairman.

Hon. A. LOVEKIN: I am just pointing out to Mr. Hamersley that no amount of evidence called can help us to frame a satisfactory averaging clause.

Hon. Sir Edward Wittenoom: But evidence can show you how to frame it.

Hon. A. LOVEKIN: Surely it is rather a matter for quiet consideration, than for the calling of a lot of conflicting evidence, which would probably lead us off the track. I am, of course, only one member of the committee; but the attitude I take is that we should sit round the table with the departmental officers and see how far we can synchronise State and Federal legislation, in view of the agreement to which I have referred. If there is to be a lengthy examination of witnesses, as there must be if we once begin, I do not think I can afford to give the necessary time to the inquiry.

Hon. Sir EDWARD WITTENOOM (North) [3.26]: I do not know whether I should be out of order in making a few remarks.

The PRESIDENT: The question before the House, I would remind hon. members, is the discharge of Mr. Lynn from further service on the select committee, and the appointment, in his stead, of Mr. Hamersley. The scope of the inquiry or anything of that sort has at this stage nothing to do with the question.

Hon. Sir EDWARD WITTENOOM: Mr. Hamersley having made certain remarks with regard to the calling of evidence, I do not know whether I would be out of order in making any remarks on that point. Mr. Hamersley said he would accept appointment on the select committee under certain conditions. He may like to know what the views of the House are on that matter.

The PRESIDENT: I scarcely think so. I take it that Mr. Hamersley made his remarks with a view of eliciting information as to what the select committee are doing. That information has been supplied by Mr. Lovekin.

Hon. Sir EDWARD WITTENOOM: May I make one more remark, that I think Mr. Hamersley is perfectly right in his attitude. If the select committee are not going to hear any evidence at all, I think it would be perfectly right not to go on with the committee.

Hon. V. HAMERSLEY [3.28]: Mr. President—

The PRESIDENT: Does the hon. member wish to make a further personal explanation?

Mr. HAMERSLEY: I presume that if this motion is agreed to, I shall have to go upon the committee.

The PRESIDENT: That will be so.

Mr. HAMERSLEY: I make the condition that I will go on the committee only if the taxpayers are to be given an opportunity of being heard. As I understand the matter, an expert inquiry has been made by the Commonwealth Government, and undoubtedly exhaustive information has been obtained by that means. But I realise that the people whom we are sent here to serve are coming under the control of a department of the State, and that they would at least like to have their side of the question put up. It is well known that from time to time there have been clashes between those in charge of the Taxation Department and those who have to pay the taxes. I want the House to understand the position it has got into through appointing this select committee.

Hon. H. STEWART (South-East) [3.29]: I rise to speak in support of the motion. I hope Mr. Hamersley will go on the select committee. In supporting the motion, I believe I am expressing the views of other members of the select committee, and also those of a large section of this House. Mr. Miles has expressed the same wishes as Mr. Hamersley with regard to the calling of evidence. If Mr. Hamersley goes on the committee, he may modify the attitude which some members of the committee now take up. In any case, if he finds the position on the committee is unsatisfactory from his standpoint, the remedy will be in his own hands.

Hon. A. H. PANTON (West) [3.31]: As one of the select committee, I think I should make a personal explanation. The discussion is leading us into a position which makes it necessary that some explanation should be made to the House. If Mr. Hamersley goes on the committee with the intention, as suggested by Mr. Stewart, of doing certain things, he will have the option of leaving the committee. So far as I am concerned, I want the House to understand that I went on the committee on the assurance that the investigations of that body would involve only short sittings so that we could get an interpretation of some of the clauses of the Bill.

Hon. Sir Edward Wittenoom: That is what I was coming to.

Hon. A. H. PANTON: If it is intended that the committee shall call evidence from anyone who desires to appear before the select committee, I say candidly that I have not got the time to devote to the work and I shall withdraw.

Hon. Sir Edward Wittenoom: We want an explanation of what is in the Bill.

Hon. A. Lovekin: "Hansard" reporters will be wanted for the work as well.

Hon. A. H. PANTON: If Mr. Hamersley in coming on to the select committee, does so with the intention of altering the opinion of members on a question which has already been decided, he cannot alter my mind. I will not continue on the committee.

The PRESIDENT: In those circumstances the hon. member must vote against the motion.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.32]: The intention regarding the select committee was made clear in the date fixed for bringing up the report. It was stated at the time that the appointment was for a short period and that the committee would simply have to meet for an hour or two so that they could present a report showing what the clauses of the Bill meant and thus save discussion. It is very unusual for a Minister to serve on a select committee. I agreed to serve on a previous select committee on the understanding that we were merely to look into the matter and report at an early date. That was done. I agreed to act on this select committee on a similar understanding. If the select committee intend to take evidence and go into the whole policy of taxation, I shall have to ask to be relieved from the work of the committee.

Hon. H. Stewart: It was only intended to do that, as it affects the Bill.

Question put and passed.

On motion by the Minister for Education, the time for bringing up the report was extended till Tuesday, 3rd January.

#### QUESTION—LIME, LAKE CLIFTON, AND DONGARRA.

Hon. J. W. HICKEY asked the Minister for Education: In connection with the answers given by the Minister to my questions, will he reply to the following:—1, Who told him that supplies of lime for fertilising are available at Waroona? 2, Would it not be possible for him, with little trouble, to obtain from the company, who are lessees of the concession, a definite reply as to the amount of lime for fertilising purposes which they have sold? 3, Is it not a fact that if reasonable arrangements could be made for sea carriage by small steamers or sailers, lime from Dongarra could be delivered at Bunbury at about the same price as or less than the lime from Waroona costs at that port?

The MINISTER FOR EDUCATION replied: 1, The company. 2, Fifty tons of lime have been supplied to farmers to date. Many inquiries are now being received by the company re March delivery, to which replies are being sent that the company is prepared to deliver in March. 3, I cannot say.

## LEAVE OF ABSENCE.

On motion by Hon. J. Cornuell, leave of absence for six days granted to Hon. J. Dodd (South) on the ground of ill health.

## JOINT SELECT COMMITTEE—FEDERATION AND THE STATE.

Interim report adopted.

Hon. J. W. KIRWAN (South) [3.35]: I move—

That the interim report presented by the joint select committee appointed to prepare for the Federal Convention be adopted.

The report of the joint select committee was submitted to the House a few days ago. It was very short and was read to hon. members. Briefly it sets out that the work of the committee has been of a somewhat far-reaching nature, seeing that they have been asked to inquire into the results of the Federal compact upon the State and to suggest amendments to the Federal Constitution in the interests of Western Australia. It has been necessary to study the Federal Constitution, and also some Federal legislation and administration bearing on the affairs of Western Australia. This work has been of such a heavy nature that it has been impossible for members to devote to it the time they would have liked while Parliament has been in session. In their interim report, the joint select committee suggest that as their functions will terminate with the close of the present session, the members of that committee should be appointed a Royal Commission in an honorary capacity so that they may continue their investigations and bring forward a report as soon as possible. In view of the fate of the Federal Convention Bill in the Federal Parliament, a Federal Convention, if held at all, will not be held for a year or perhaps for two years. Whatever may happen as to the holding of the Convention, or whether the Federal Parliament decide to recommend that certain amendments be made to the Constitution, which amendments will be submitted to the people of Australia by way of referendum, I think it is absolutely certain that in the near future some endeavour will be made to amend the Federal Constitution. In such circumstances, it is extremely desirable that the people of Western Australia should be in possession of the case for the State. Furthermore, I understand that, as a result of what has been done in this State, similar committees have been formed in some of the other States where they are now engaged upon work of this nature. For these reasons, I think it necessary that the work of the select committee should be continued.

Hon. J. EWING (South-West) [3.39]: I second the motion. The committee owe a

good deal to Mr. Owen who has worked so successfully in getting information to put before members of that body. I trust the results of the committee's work will be beneficial in the interests of this State.

Hon. A. SANDERSON (Metropolitan-Suburban) [3.40]: When the select committee was appointed, it was commonly believed that a genuine attempt at any rate, was to be made in Melbourne to call a Convention together. We will give the Federal Government the fullest credit; but everyone knows now that that Convention has gone by the board. What are we going to do now?

Hon. J. Cornuell: Disband!

Hon. A. SANDERSON: I do not want to put it so crudely as that. I want to ask some questions. In the first place, we cannot appoint a Royal Commission and I do not know whether the Leader of the House is in the position to-day to give the considered opinion of the Government on this point.

The Minister for Education: Yes.

Hon. A. SANDERSON: Then we shall be able to hear what the Minister has to say on that point. As far as the country is concerned, we have this aspect to consider: Without a convention, what is the use of the report of the committee?

Hon. J. W. Kirwan: An attempt may be made to amend the Federal constitution.

Hon. A. SANDERSON: As I am in agreement, in a large measure, with Mr. Kirwan, I do not want to say anything that may distress him. But I think that the public, who are really the only ones to be considered in this matter, should clearly understand what is going on. Whether this Royal Commission is appointed or not, we have to remember that the Government appointed an individual to go into this very question.

The Minister for Education: And he is the expert with the committee at the present time.

Hon. J. Ewing: And he is doing good work.

Hon. A. SANDERSON: We are all trying to do good work. I put this aspect to the country: Is this not simply a political question, political in the best sense of the word? Is it not a party question, if hon. members like to put it that way?

Hon. A. H. Panton: It will be made a party question if the Federal Government send it down.

Hon. A. SANDERSON: Since the select committee was appointed, one of the most important parties in the political life of Australia—the Australian Labour Party—has definitely made up its mind as to what it is going to do. However, we can hear what the Leader of the House has to say during the course of this debate. It all shows, however, that this question has become extraordinarily difficult and complicated. If we could be sure of the bona fides of the different parties, it would be different.

Hon. J. W. Kirwan: It should not be a party question.

Hon. A. SANDERSON: I will not pursue that aspect, but I call the attention of the electors of Western Australia to the fact that as far as we can understand what has gone on in Melbourne, this aspect has not been treated with the consideration—I want to put it in the mildest way possible—that we should expect.

Hon. J. Duffell: It has not been taken seriously.

Hon. A. SANDERSON: Whether that is so or not, the smaller States have not been treated as they should have been.

Hon. A. Lovekin: Let us get out of it all!

Hon. A. SANDERSON: These interjections are highly interesting, showing the different points of view held by various members. I will assume that the Government will agree to a Royal Commission being appointed and in the circumstances, I wish the Royal Commission every success in its work.

Hon. J. DUFFELL (Metropolitan-Suburban) [3.44]: As one of those who have taken the greatest interest in this question, and who were interested in the appointment of the joint select committee to go into the details regarding the treatment Western Australia has received at the hands of the Federal Government, I naturally came to the conclusion that the Commonwealth Government were in earnest when they proposed to call together the Federal Convention. The next chapter in the story is that the Federal authorities laid down certain lines whereby every State in the compact could be represented at that Convention. We find that Western Australia is treated rather unfairly. The views expressed by the Federal Government did not coincide with those held by members of Parliament in Western Australia, with the result that this Parliament let the Federal authorities know that they were not in accord with them. The Leader of the Federal Parliament then stepped in, and now there is to be no Federal Convention, notwithstanding that the various State Parliaments have in the meantime appointed select committees to secure information which would enable the States' representatives at the Convention to place the views of the various States in a concise form. The Bill has now been withdrawn, and the matter has ended for the time being. Our joint select committee now propose that they shall be converted into a Royal Commission in order that they might continue their labours while Parliament is out of session. I am prepared to give that select committee every credit for sincerity in their endeavours to get the necessary information to place before the Western Australian representatives at the Federal Convention when it takes place, which is scarcely likely to be this year, but which may be next year or sometime or never. When the Convention does meet, it is just possible the information which the proposed Royal Commission will have acquired will be obsolete, and so of no assistance to the Western

Australian representatives. Whilst I appreciate the suggestion of the hon. member, I think the House will be well advised to inform the select committee that no good purpose could be served by converting it into a Royal Commission. With all due respect to the members of the select committee, I will vote against the motion.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.50]: The hon. member is not over generous in his recognition of the large amount of work the select committee has performed in a voluntary capacity, nor of the work which they will continue to perform in the same capacity if they are converted into a Royal Commission. It is the intention of the Government to act in accordance with the suggestion of the select committee and provide for their conversion into a Royal Commission. I do not entirely agree with Mr. Sanderson when he says that this is a purely party question. A few weeks ago we discussed in this House and in another place a resolution dealing with this matter and protested against the proposals of the Prime Minister in regard to the Convention. No party spirit was then shown; every party in both Houses unanimously took the view that the interests of the State were being attacked and that they were prepared to defend them. The Senate contains at the present time practically only one party, but I venture to think that House would be sharply divided on this question, not from the party point of view, but from the point of view of those representing small States as against those representing large States. I cannot help feeling disappointed at the action of the Prime Minister in regard to the convention. The convention was clearly promised but the Prime Minister seems to have kept the word of promise to the ear while breaking it to the heart. But even if the matter is to be decided by the Federal Parliament, it will be equally necessary that the position of Western Australia should be submitted to that Parliament in the clearest and most complete manner. And not only to that Parliament, but to the people—because if that Parliament passes laws to amend the Federal Constitution, those laws, before they come into effect, will have to be approved by a referendum of the people, by a majority of the people voting, and by a majority of the States, that is to say, by four States out of the six. So not only when the matter is before the Federal Parliament, but when at a later stage—because there is going to be an amendment of the Constitution and a very difficult fight for the small States to retain their 25s. per capita grant from the Commonwealth and for Western Australia and Tasmania to establish their rights to a continuance of their special grants—all these matters will have to be fought out; and when the Federal Parliament is done with it, the people will have to vote on it; and from the point of view of its reference to the people it is highly de-

sirable that Western Australia's case should be set out fully and completely, and I believe this committee are doing the right thing in their endeavours to have it so set out.

Hon. J. Duffell: Will you still retain Mr. Owen's services to the committee?

The MINISTER FOR EDUCATION: Certainly, whatever assistance the committee desires, will be afforded.

Hon. J. Duffell: At some cost to the State.

The MINISTER FOR EDUCATION: The hon. member suggests it will be a cost to the State, meaning Mr. Owen's salary. That is a matter of a few pounds per week, for the life of the proposed Royal Commission, perhaps £100 or more. But there is involved in this question the very continuance of Western Australia as an independent State; not hundreds of pounds, but millions are involved, for unless Western Australia gets a fair deal, it seems to me the financial position of the State will become impossible. Therefore, we cannot, for the saving of the salary of one man, do anything that will make it more difficult for the committee to complete the case for the State. I support the motion, and I intimate that it is the feeling of the Government that the committee are doing good work and that the completion of their report is necessary.

Hon. J. CORNELL (South) [3.55]: When the motion for the appointment of the select committee was before the House I remained silent, believing then, as I still believe, that it was an intrusion on the rights of the electors. The Commonwealth Constitution is the work of the people by referendum, and it will be the people, and not the State Parliament, who will alter our Constitution, if it is to be altered. Whether or not we ever have a convention, no pressure by the State Parliament will bring it about, because it is for the Commonwealth Parliament to say. I am convinced that no convention will be held until such time as the people of the Commonwealth, through the ballot box, demand it. The greatest smoke screen ever thrown out in the political history of Australia was thrown out with the introduction of the Bill for the convention. The Prime Minister may not have been in accord with the Bill, but he left it in the hands of the House, and the House treated it as a joke. It was a case of "Their troubles about the States." When we have an amendment of the Constitution, with or without a convention, it will be influenced by the party element. The party with the greatest political machinery, the Labour Party have definitely laid down what they want and, being interpreted, it means unification. No recommendation by this House will alter that. Again, on what basis will the proposed convention be elected? Assuming that the State's representatives are elected by the people, those representatives will be respon-

sible, not to the State Parliaments, but to the people.

Hon. A. Sanderson: You seem to forget that the Western Australian delegates to the last convention were elected, not by the people, but by Parliament.

Hon. J. CORNELL: The delegates to the proposed convention ought to be elected by the people. If they are elected by the people, they will certainly do their best to impress the convention with the views they put to the people when contesting the election. It is accepted that the Constitution is overdue for amendment, but I am satisfied that we can only secure a convention by altering the personnel of the Federal Parliament. If this occurred at the next elections and the Labour Party were returned to power, their proposals are as clear as day, and they would be in duty bound to put them into operation. If this occurred, there would be no necessity for a convention, and all this time devoted to inquiry would have gone for naught. If the commission present a report, what will happen? Will any of their decisions bind members?

Hon. A. Sanderson: Certainly not.

Hon. J. CORNELL: They certainly will not bind the Labour Party, who are definite in their policy. Then what are we going to do—appear at the bar of the convention or hand the report over to our representatives and say, "This is our case, do what you like with it"? The question of amending the Federal Constitution is one for the people alone. Practically all the information which will be gathered by the Royal Commission could be gathered by the departmental officers or by Mr. Owen himself. Then, if a report is received, will the House be permitted to amend it? Would not there be a conflict of opinion here? What utility would there be in such a report? As an elector of the Commonwealth I take a view totally different from my view as an elector of the State and as a member of this House. I do not view the question from the standpoint of whether it will injure Western Australia. In the spirit inculcated into members of the A.I.F., I would ask whether the proposals would benefit Australia as Australia and not a particular corner of the Commonwealth.

Hon. G. W. Miles: If it will be a benefit to the State, it will be a benefit to Australia.

Hon. J. CORNELL: It may not be.

Hon. G. W. Miles: It is more likely than not.

Hon. J. CORNELL: To convert the select committee into a Royal Commission will involve some expense.

Hon. A. Sanderson: Why?

Hon. J. CORNELL: The evidence will have to be reported and I understand that the "Hansard" staff are paid special fees for reporting Royal Commissions.

Hon. A. H. Pantoun: No, they are not.

Hon. J. CORNELL: I believe members of the select committee would be prepared



to act in an honorary capacity as a Royal Commission, but it is not fair to ask its members to do in the recess practically the same work as they do when Parliament is sitting. A Royal Commission has power to incur expenditure, which power a select committee does not enjoy. The select committee has done good work, but it should now be allowed to lapse.

Hon. A. H. PANTON (West) [4.5]: I feel that I am in a somewhat invidious position. Mr. Kirwan has presented a report to which I am a party, but at present I find myself in an altogether different position from that which I occupied when I accepted a seat on the select committee. At that time the party in which I hold a fairly high position had not decided what they really wanted as regards unification. Since then I have been to a conference in Brisbane where concrete proposals regarding the amendment of the Constitution were laid down. I am heart and soul with the decision of the conference and, as a member of the Labour Party, I propose to put up a fight to give effect to the decision of that conference.

Hon. J. Ewing: Does that mean unification?

Hon. A. H. PANTON: There is no doubt about that. I now find myself a member of a select committee appointed to prepare the case for Western Australia and yet, irrespective of what case is put up, I am in duty bound, and propose, to put up a fight for unification as agreed to by the Australian Labour Party.

Hon. G. W. Miles: You should not have gone on the committee.

Hon. A. H. PANTON: This position has arisen since my appointment. When I was in the Eastern States, it was common knowledge that there would be no convention. I travelled with members of Parliament representing all parties and I did not meet one who was of opinion that a convention Bill, even if brought down, would get very far. Senator Vardon was very emphatic on that point. I am satisfied there will be no convention. On one occasion Mr. Sanderson moved a motion of this character and I opposed it on the ground that a convention was not necessary. Irrespective of what a convention might do, the Labour Party hold that any proposed amendment of the Constitution must be submitted to the people by Parliament. Nothing can be submitted to the country by the convention. Consequently, if we have a convention, it will rest with the Federal Parliament to adopt or reject the decision of the convention. If the present Federal Parliament submits proposals to a referendum of the people, we can be sure that unification will not be included and that the Labour Party will fight the proposals. If the Labour party happen to be in power, and submit proposals for unifica-

tion to a referendum, it is only natural that they will be fought as strenuously by those opposed to unification. Therefore I see no reason to believe that this will not be a party question when it is finally submitted to the people. However, I do not wish to be placed in a hypocritical position. I do not wish to continue on the committee in the full knowledge that, whatever the decision might be, I cannot subscribe to it unless it decides in favour of unification.

The Minister for Education: Is not the duty of the committee rather a matter of collecting information than deciding a policy?

Hon. A. H. PANTON: That might be so, and I would have no objection to working on the Royal Commission to obtain information, but I want it to be thoroughly understood that whatever information is obtained will be used by me to further the Labour Party's desire to obtain unification.

Hon. J. Ewing: You might change your views.

Hon. A. H. PANTON: If I do, I shall change my colours.

Hon. J. Ewing: That is sometimes done.

Hon. A. H. PANTON: It is not likely to happen on this occasion. I feel that I am in a false position.

Hon. A. Sanderson: Certainly not.

Hon. A. H. PANTON: I wish it to be clearly understood that I am out for unification as laid down by the Brisbane conference. On the other hand, if the object of the Royal Commission is simply to obtain information for the State generally, I shall be prepared to continue.

Hon. R. G. ARDAGH (North-East) [4.12]: I intend to oppose the motion. Owing to the action of the Federal Parliament, the appointment of the select committee has proved to be premature. When the Federal Parliament again bring down a convention Bill, it will be time enough to suggest the appointment of a committee to make further inquiries.

Hon. J. Cornell: That will not be during the life of the present Parliament.

Hon. R. G. ARDAGH: It is useless to say that a Royal Commission would get through the inquiry without incurring expense. It will be necessary to collect considerable information, and I doubt whether it will be possible to collect sufficient information in Western Australia to be of any use to bring the matter forcibly before the people. In my opinion, some members of the Royal Commission would have to go East to obtain further information, and this would cost money. I am fully convinced it will be sufficient time to embark on active inquiry when the Federal Parliament again suggest bringing the matter forward. Judging by what occurred in the Federal Parliament recently, the personnel of the present Federal Parliament will

have to be altered before we can expect a Bill to be passed.

Hon. J. W. KIRWAN (South—in reply) [4.14]: If I consulted my personal convenience I certainly would be opposed to the motion. If it be carried it will cause me a considerable amount of trouble which I would like to avoid, and I am quite sure the same thing applies to other members of the select committee. If they considered their personal wishes and interests, I am sure they would prefer to be relieved of the work attaching to the inquiry, but they feel that the public interests which they have been appointed to safeguard necessitate them making this recommendation to Parliament. If Parliament supports the recommendation, well and good, but if the motion be not carried I do not know that any of them will feel any regret. I would remind members that a considerable amount of the work that has been done is of a valuable and useful nature. We have been supplied by Mr. Owen with what may be regarded as a small library. There are hundreds of pages here of typewritten manuscript prepared by him, and quite a number of Acts, documents and books, all of which require to be studied. With regard to Mr. Ardagh's remarks concerning the expense, I can only say that if there be any expense incurred beyond what is absolutely essential, it will only be with the strongest protest from myself. I have never been a member of any Royal Commission but one, and that was the Federal Iron Bonus Commission, which was one of the few commissions that cost the country nothing. None of the members accepted any payment whatever. We travelled throughout Australia without expense to the country, and the only cost incurred was in regard to the reporting and printing. It is a commission of that sort that I and other members of the committee had in mind when we suggested an honorary Royal Commission on the question of the Federal relationship. True there may never be a Federal Convention, but throughout Australia to-day there is the universal opinion that sooner or later the Commonwealth Constitution must be amended. Important alterations are necessary, and there are many differences of opinion as to what those alterations should be. We saw this to-day during the debate. Mr. Lovekin wants Western Australia to get out of the Commonwealth altogether. Mr. Pantou has advocated unification. There are two extreme views, and there are all sorts of views that come between these two extremes. The Commission would provide a great deal of information for the public that would assist people in any action they may take regarding the amendments of the Constitution when they are submitted, as they must ultimately be submitted, to the electors. I do not think there is anything inconsistent in a man who favours unification being a member of the Commission, or in any other man favouring the views of Mr. Lovekin being a member of the Commission.

Everyone who joins the Commission would doubtless hold certain settled opinions of his own, although I take it everyone would try to approach the whole question with an open mind. Some members in their remarks implied that, in watching the interests of Western Australia, they may find that the interests of this State conflict with the interests of Australia generally. I can hardly conceive of such a position. Western Australia covers one-third of the Commonwealth. It is extremely difficult to see how anything can be of advantage to Western Australia that is not also of advantage to the whole Commonwealth, and vice versa. The fact must never be overlooked that we have a right, those of us especially who represent the undeveloped States of Australia, those States that are in the early stages of development such as Western Australia, to ask of the Federal authorities for more consideration than is given to such States as Victoria, the area of which is small, and which is closely settled. In Western Australia we have a handful of 330,000 people, struggling with the stupendous task of developing an area comprising one-third of the Commonwealth. The Commission should emphasise that point. It cannot be too strongly emphasised, and irrespective of whether a man be a unificationist or a separationist, it ought to be emphasised over and over again. The work that has been done by Mr. Owen is important. He has given a great amount of time to it, and has taken a great amount of pains in providing us with information. He has been most industrious and has supplied us with information that will be most useful to us. With some of the deductions that he draws from the information he supplies we may not all be in agreement, but the work he has done is unquestionably valuable and praiseworthy, and it would be a pity in the public interests if the committee were not allowed to continue its labours in the form of a Royal Commission. I feel sure that the report that would be published would be of great assistance later on when the question of amending the Federal Constitution comes up for the consideration of the people.

Question put and passed.

## BILL—WORKERS' HOMES ACT AMENDMENT.

In Committee.

Resumed from 16th December; Hon. J. Ewing in the Chair, the Minister for Education in charge of the Bill.

Clause 3—agreed to.

Clause 4—Amendment of Section 24:

Hon. H. STEWART: I cannot support this clause. Whereas previously people were in a position to get advances in order to build homes, this clause gives the Govern-

ment direct authority to erect and dispose of dwelling houses.

Hon. G. W. MILES: I understood that the Standing Orders were suspended merely with the object of dealing only with the four Bills mentioned by the Leader of the House. That was the belief of many members. Some members consider this Bill is in the nature of a provision for a trading concern.

The MINISTER FOR EDUCATION: I endeavoured to make it clear that I only intended to deal with the four Bills I mentioned under the motion that I moved. So far as the rest of the business on the Notice Paper is concerned, that is entirely in the hands of members. We cannot touch those four Bills until they come to us from another place later in the afternoon. I am prepared to report progress on this Bill, if that is the desire of hon. members.

Progress reported.

#### BILL—PERMANENT RESERVES.

(No. 2.)

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.25] in moving the second reading said: It is customary towards the end of the session to submit a Bill embodying such alterations as are deemed desirable in the purposes for which permanent reserves are made. I propose to move the second reading of the Bill, to which are attached plans showing exactly what is intended to be done. The plans can then lie on the Table of the House so that members may look into the matter for themselves. Clause 2 of the Bill relates to Pingelly lot 135. It is proposed to take an area of 1 rood 20 perches, and to use it for a soldiers' memorial park. This is part of reserve 10705, Pingelly, which is set apart for the purpose of public buildings. The Public Works Department is agreeable to this portion of the reserve being excised from its original purpose, and being set apart for the proposed memorial park. It has been inspected by the Premier and the Minister for Works, and the local people have raised a sum of about £300 to spend on this portion of the reserve that is to be used as a memorial park. The first portion of Clause 3 relates to reserve A15677. This reserve is set apart for the protection of the red flowering gum and the reserve was made in 1914. It is found that on a certain portion of this reserve there is now practically no red flowering gum remaining, and the land is suitable for settlement. The intention is to excise that portion from the reserve and settle it, and to add another piece of land of 1330 acres to the north-west of the existing reserve on which there is a large supply of red flowering gums. The alteration will mean that the area of flowering gum reserve will be greatly increased. It will have a total area of 1,466 acres instead of an area of only 392 acres. The alteration is being made with the approval of the Forests Department, and

will allow of the small portion of suitable land being made available for settlement. The second portion of Clause 3 relates to Kimberley reserve A13873. This is a reserve of four million acres. There is a slight error in the description of the reserve in the schedule which I shall ask members to amend. It speaks of the west arm of the Ord River, but it should read the west arm of the Cambridge Gulf. There is a four million acres reserve there for the use of aborigines. It is intended to take 880,000 acres of that area and make it available for pastoral leases. The northern boundary of the portion which it is intended to excise from the reserve is about two miles south of the Forrest River mission station. The intention is to settle on this 880,000 acres certain returned soldiers who have been trained at Moola Bulla. An area of about 200,000 acres is to be allowed for each soldier.

Hon. G. W. Miles: For what purpose?

The MINISTER FOR EDUCATION: The reports show that this is good pastoral country and the only other department interested in the matter, the Aborigines Department, is entirely agreeable to the excision of the reserve. There is really no good purpose to be served by maintaining the whole of the 4,000,000 acres as a reserve for aborigines. This Bill, in fact, takes only 88,000 acres, leaving still an area of over 3,000,000 acres. I have no doubt, as time goes by, that reserve can be further reduced in area without any injustice being done to the aborigines. Clause 4 empowers the Bunbury Municipal Council in respect of Reserve A4991, which is a recreation reserve vested in the Bunbury municipality, to issue a lease up to 21 years for an area not exceeding one acre for the purpose of refreshment rooms. It is practically the same provision as has been made in regard to the Point Walter Reserve. Without this provision, the Bunbury Municipal Council cannot lease this portion of the reserve. It is on the Ocean Drive, and the exact locality is shown on one of the plans produced. The remaining clause, No. 5, relates to Claremont Reserve A4228. This is a recreation reserve vested in the Claremont municipality, and the desire is that two acres of this reserve shall be added to the municipal electric light station area. The intention of the Council is to increase their electric lighting plant, and they also require a place on which to erect stables. There will be ample recreation ground left on the east of the electric light station. This clause is included in the Bill at the Claremont Municipal Council's request. Those are the whole of the provisions of the Bill, and I have already intimated that I propose to allow the plans to lie on the Table of the House, so that hon. members can inform themselves exactly of the position. I move—

That the Bill be now read a second time.

On motion by Hon. G. W. Miles, debate adjourned.

*Sitting suspended from 4.34 to 4.45 p.m.*

# **BILL—ARCHITECTS.**

Report of Committee adopted.

# **BILL — INDUSTRIAL ARBITRATION ACT AMENDMENT.**

Received from the Assembly and read a first time.

# **BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.**

Received from the Assembly and read a first time.

## **Second Reading.**

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch) [4.46] in moving the second reading said: This is one of the four Bills which I indicated it would be necessary to pass before the end of the year. It is a Bill of only two clauses. It provides that Section 15 of the Act of 1917 amended by the Act of 1920, is further amended by omitting the figures "1922" and inserting "1923" in lieu thereof. The effect of the amendment will be to continue the operations of the section for another 12 months. It is necessary to refer to the Act of 1917 to obtain the exact meaning of the provision. In that Act it is provided in Section 15 that no commodity shall be supplied or money advanced under the principal Act or its amendments after 31st March, 1918. That has since been amended to read "31st March, 1922." The purpose of the Bill is to extend it to the 31st March, 1923. It is necessary that the Act should cover the period of the harvest. We have covered the period of the present harvest and the intention of the Bill is to cover the period of the next harvest. When I quoted this Bill as among those for the passage of which I desired the suspension of the Standing Orders, I was under the impression that 30th September was the date. Now it appears that, not the 30th September, but the 31st March is the date. Consequently it is entirely in the hands of the House whether or not they debate the second reading now or leave it until we meet again. It is essential that the Act be continued for another year, but if hon. members desire further time in which to consider the Bill, there is no practical reason why they should not have it. I move—

That the Bill be now read a second time.

On motion by Hon. G. W. Miles, debate adjourned.

# **BILL—CLOSER SETTLEMENT.**

Received from the Assembly and read a first time.

*Sitting suspended from 4.50 to 5.55 p.m.*

# **BILL—SALE OF LIQUOR REGULATION ACT CONTINUANCE.**

All Stages.

Received from the Assembly and read a first time.

## **Second Reading.**

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.51] in moving the second reading said: This Bill merely continues for 12 months the 9 to 9 provision of the Licensing Act. I move—

That the Bill be now read a second time.

Question put and passed.

Read a third time and passed.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Read a third time and passed.

# **BILL—STAMP.**

Assembly's further Message.

Message from the Assembly received and read notifying that it was unable to make the amendment requested by the Council, and that the Assembly desired the concurrence of the Council in the Bill as previously amended at the request of the Council.

# **BILL—CONSTITUTION ACT AMENDMENT.**

Assembly's Message.

Message from the Assembly received and read notifying that it no longer disagreed to the amendment on which the Council had insisted.

# **BILL — GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.**

All Stages.

Received from the Assembly and read a first time.

## **Second Reading.**

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [6.2] in moving the second reading said: The Act of 1910 provides a maximum rate of interest of 5 per cent. The Act has been amended from time to time but purely temporarily. Last year a Bill was passed amending Section 18 of the principal Act to provide that the interest on inscribed stock or debentures should not exceed 6½ per cent. The measure was made to operate for one year only and it will terminate on the 31st December. The present Bill is in the form of an amendment of the Act of 1910 and makes exactly the same provision that

the maximum rate of interest shall be 6½ per cent., and also provides that the Act shall continue in force until the 31st December, 1922, and no longer. It is within the knowledge of members that the Government will be approaching the loan market in London during January, but we do not yet know on what date we may be advised to go on the market. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Read a third time and passed.

## BILL—SUPPLY (No. 3), £1,030,000.

All Stages.

Received from the Assembly and read a first time.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [6.13] in moving the second reading said: I have ascertained that the amount provided in this Bill is adequate for the services of the Government until the end of January. Of course it is intended that the Appropriation Bill shall be passed before that date.

Hon. A. Lovickin: We have granted Supply to the end of December. How many months' supply does this Bill represent?

The MINISTER FOR EDUCATION: Parliament has up to the present voted Supply to the end of November and this amount will enable us to carry on till the end of January. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Read a third time and passed.

## ADJOURNMENT—CHRISTMAS HOLIDAYS.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [6.16]: In consequence of the Premiers' Conference, which is to meet on the 17th January, it is the intention of another place to adjourn until the 3rd January. Personally I should have liked

a longer adjournment than this permits. I move—

That the House at its rising adjourn until Tuesday, the 3rd January.

Question put and passed.

House adjourned at 6.17 p.m.

## Legislative Assembly,

Thursday, 22nd December, 1921.

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

## QUESTION—PATRIOTIC FUNDS, CONSOLIDATION.

Colonel DENTON asked the Premier: Will he consider the advisability of appointing a Royal Commission to inquire into the amount of funds collected by various bodies and organisations during the war for the purpose of assisting soldiers and their dependants within the State, and as to the disposal of surplus funds (if any) held by the various bodies and organisations since the declaration of Peace Day, June, 1919, with the object of consolidating all the funds of the various bodies into one common fund, to be under the control of three trustees to be appointed, viz.: one from the R.S. League, one from the combined bodies or organisations, and one by the Government?

The PREMIER replied: I shall give consideration to the matter.