Title—Agreed to.

Bill reported without amendment and the report adopted.

Read a third time and transmitted to the Legislative Council.

House adjourned at 12·38 a.m.
(Friday.)

Legislative Council,

Friday, 12th December, 1913.

The PRESIDENT took the Chair at 3 p.m., and read prayers.

PETITION — ACCOUNTANCY LEGISLATION.

Hon. B. C. O'BRIEN presented a petition bearing the signatures of 306 electors of the Central and other provinces praying for legislation dealing with accountancy.

Petition received.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Plans of certain permanent reserves proposed to be changed. 2, Plans of certain roads proposed to be closed under the Roads Closure Bill, No. 2, 1913.

QUESTION—HARVEY IRRIGATION WORKS.

Hon. H. P. COLEBATCH (without notice) asked the Colonial Secretary: Is there any obstacle in the way of giving effect to the resolution passed by this House a few days ago with regard to tabling plans and specifications of the Harvey irrigation scheme?

The COLONIAL SECRETARY replied: There is no difficulty, but it will take some time to provide the return mentioned in the concluding portion of the motion. The officers are now engaged in preparing the return and I hope to have it next week.

STANDING ORDERS SUSPENSION.

Close of Session.

The COLONIAL SECRETARY moved—

That the Standing Orders relating to Public Bills and the consideration of Messages from the Legislative Assembly be suspended during the remainder of the session so far as is necessary to enable Bills to pass through all their stages in one sitting, and Messages to be taken into immediate consideration.

The session was likely to close within a few days, probably on Wednesday next. There was very little legislation to come now, one or two Bills perhaps, so that it was necessary that the Standing Orders should be suspended in accordance with custom.

Question passed.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Read a third time and *passed.*

BILL—BILLS OF SALE ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clause 1—Short title:

Hon. D. G. GAWLER moved an amendment—

That at the end of the clause the words "and with the Bills of Sale Amendment Act, 1906," be added.

The reason was that he had on the Notice Paper one or two amendments which made the addition of these words necessary.

Amendment passed; the clause as amended agreed to.

Clause 2—Amendment of Section 5:

The COLONIAL SECRETARY moved an amendment—

That after the words "contemporaneous advance" the following be inserted, "and by inserting in place thereof the words 'or subsequently to the granting but not later than three days after the registration.'"

The Parliamentary draftsman expressed the following opinion:—

The words "or within three days of the registration" in the interpretation of the term "contemporaneous advance" in Section 5 of the principal Act are obviously ambiguous, as they may mean three days prior or subsequent to registration. The present Bill in Clause 2 proposes to delete those words, and provision is made in Clause 5 to enable a bill of sale to be a valid security for advances made contemporaneously with or subsequent to the granting of the bill of sale. However, while removing ambiguity in the words in question, it is still desirable that any advances made, not only at the time of the granting of the bill of sale, but between such date and the date of the actual registration and three days after the registration, should come within the term "contemporaneous advance," particularly in view of the Act of 1906, whereby registration cannot be effected until notice has been given of the intention to register and the lapse of a prescribed time (varying according to the place at which the bill of sale was made) and that a lender necessarily cannot make his advance until the time for any caveat against registration has lapsed. Therefore it is proposed to add the words on the Notice Paper so that any advance either at the time of granting or thereafter, but within three days after registration, shall be deemed a "contemporaneous advance" within the meaning of the Act.

Amendment passed; the clause as amended agreed to.

Clauses 3, 4, 5—agreed to.

Clause 6—Amendment of Section 8:

Hon. D. G. GAWLER moved an amendment—

That the word "shall" be struck out and the words "need not" inserted in lieu.

This would give an exactly opposite effect to the proposal. Apparently the proposal in the Bill was a mistake through the word "not" having been left out.

The Colonial Secretary: The word "not" was struck out in another place.

Hon. D. G. GAWLER: The marginal note had been left. He agreed with the Bill as originally brought down. So far as he knew the legal profession had always looked upon the registration of a transfer or assignment of a bill of sale as unnecessary. Therefore he desired to put it back as it was originally in the Bill. He did not know whether there was any great objection on the part of the Government to it.

The Colonial Secretary: It is not the Government who are objecting.

Hon. D. G. GAWLER: As originally brought in the provision was much better than it was at present.

Amendment passed; the clause as amended agreed to.

Clause 7—agreed to.

Clause 8—Bills of sale void against claim for wages:

Hon. D. G. GAWLER: The clause as it stood gave any servant in respect of his wages a preferential claim against a bill of sale. Hon. members would see that not only the wages of a servant due at the time of the seizure were protected, but also wages due a month before the seizure. The obvious result was that the sheriff would sell under a bill of sale held as security over a property subject to any claim for wages made by the servants to whom the wages were due one month before the seizure. Under those circumstances the holder of the bill of

sale would be in an extraordinary position. The leader of the House asked why the landlord should be in a better position than the servant? There was no analogy between the case of a workman and a landlord. From time immemorial a landlord's right of distress had existed in respect to premises. Suppose a person were to walk out of premises and take the furniture with him, the landlord's right of distress would be lost. The workman was protected under many statutes.

The Colonial Secretary: Is he protected against the sheriff?

Hon. D. G. GAWLER: The workman was protected for his wages, which had to be paid weekly under a penalty. He was protected in many ways and then on top of all he had the right to take summary proceedings under the Master and Servants Act. The proposal in the clause on top of all the protection which the workman had, was not right, to say the least of it, and therefore it was his intention to oppose the clause. The holder of a bill of sale would be in a most unenviable position in the future. He would have to make inquiries as to what wages were owing and also what was owing a month beforehand, and he ran the risk of having to meet a large claim for wages if he wished to realise on the bill of sale.

Hon. M. L. MOSS: So far as trying to put the slightest obstacle in the way of a worker getting full reward for his labour, he (Mr. Moss) would be the last in the world to attempt such a thing. It had been correctly pointed out by Mr. Gawler that a great deal had been done for the worker. There was no desire to quote the various statutes under which the worker was protected, but it was correct to say that there was a Workmans' Wages Lien Act in force which gave great rights to the worker in connection with his wages. A worker was granted a preferential claim in the case of bankruptcy or a statutory assignment to the extent of four months, or four months' work if a man was engaged otherwise than by wages, namely, piece work. And there was that excellent remedy the worker was provided with whereby he could go before a magistrate under the Master and Servants Act and secure judgment within 48 hours after the wages had fallen due and remained unpaid, and in the case of the order made under that Act, that could be followed by distress, and in default the master would have to go to gaol; so that in a country like this where we had abolished imprisonment for debt, the wages men stood in an exceptional position. He was prepared to go further in any reasonable way to protect the working man in getting prompt payment of his wages, and give him every reasonable remedy that could be devised in order to secure for him payment for services he rendered, but he was not prepared to go to the extent that the clause provided, which amounted to an unjust interference with the security taken for money in respect of something that occurred after the date of that security. Suppose a man ran a foundry and employed 50 men, and for the purpose of his business as much as for the workmen, it became necessary to raise money upon the machinery, and suppose these 50 men remained unpaid for four weeks, if the men were stupid enough to enforce payment, which might amount to £600, the result would be that the security would melt away.

Hon. W. Patrick: No one would lend the money.

Hon. M. L. MOSS: Under such circumstances it was obvious that people would not lend money on chattel property at all. It was the commonest thing in the world to see a large number of these securities given over that class of property to enable people to conduct their businesses. Why was it that this exceptional provision was to be made applicable to chattel property and not against real estate? If we admitted a principle like that it should logically be extended to apply to mortgages. Was it not dangerous for Parliament to interfere with ordinary security that business men were bound to resort to when they wanted to raise the wind quickly, and when the necessities of their businesses demanded it? It was a startling thing to find such a provision in a measure which dealt with

the registration of a security over chattel property. The provision would operate as detrimentally against the working man as against the persons who were unfortunate enough to have raised money against this class of security. In connection with the businesses of the State, we should try and facilitate the operations of those who were engaged in them, instead of hampering them.

The COLONIAL SECRETARY: If the clause was carefully examined one had to admit that it appeared very sweeping and should, perhaps, be amended to a certain extent. On the other hand, it was hardly fair that the holder of a bill of sale should be able to swoop down and seize the chattels and allow the workman to go off without a penny of his wages. Workmen should be protected, just as they were under the Bankruptcy Act and in the case of the liquidation of a company. They were not protected in connection with a bill of sale.

Hon. M. L. Moss: What logical reason is there for not applying this as against the mortgagees of land?

The COLONIAL SECRETARY: Why should workmen get preference in connection with bankruptcy when the bankrupt owed wages?

Hon. M. L. Moss: The secured creditors come first, even in bankruptcy.

The COLONIAL SECRETARY: It had been his belief that in bankruptcy wages were prior to all other claims.

Hon. M. L. Moss: No, the secured creditor comes first.

The COLONIAL SECRETARY: No opposition would be offered to an amendment limiting it to one month.

Hon. A. SANDERSON: What objection would there be to limiting it to one week? Would Mr. Moss's objections still hold? As long as the man advancing the money knew what his liabilities were, would that not be sufficient? It was rather severe on the wages earner that owing to a combination of circumstances he should be deprived of his wages. He did not see how we could accept one month, seeing that wages were paid weekly; but if the holder of the security knew exactly what the liability was there would be no real objection to a protection of one week.

Hon. D. G. Gawler: How could he know how many men were employed?

Hon. A. SANDERSON: Could not such a man got to the workshop or factory and find out?

Hon. D. G. Gawler: No.

Hon. M. L. MOSS: To interfere with the ordinary securities was about the most dangerous thing we could do. We should let people know when they lent their money on security that the security would not subsequently be interfered with. The wages provisions of the Bankruptcy Act did not interfere with any secured creditor. With regard to the suggestion of Mr. Sanderson, the man who lent his money would not know whether the mortgagor employed one man or 50 men. We should not interfere with the original value of the security. It was a dangerous principle and ought not to find a place in a Bill dealing with the registration of chattel securities.

Hon. D. G. GAWLER: Even if the holder of a bill of sale did satisfy himself as to how many men were employed by the man raising the money — which was practically impossible—the number of the employees might be subsequently increased to any extent. Under the Masters and Servants Act, if a man was not paid weekly the employer was liable to a penalty or imprisonment; what more could be required? The principle should not be extended as was proposed in the clause.

Hon. J. D. CONNOLLY: All would agree that it was only just to give the workmen the maximum protection but this provision would do an infinite amount of harm, without giving any additional protection to the workmen, because when the workmen knew of this provision they would be indifferent to the existing necessity for demanding their wages every week, and so would be assisting the designs of a dishonest employer. A provision of this kind would make for the setting up of a very great injustice. In the case of a contractor who, although his plant was of but small

value, employed perhaps 50 men at road making, such a contractor might raise the maximum amount of money on his assets under a bill of sale, when neglect to pay wages for a fortnight would wipe out the whole of the security on which the bill of sale had been given. The clause should go out.

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

Ayes	6
Noes	16
Majority against ..	10

AYES.

Hon. R. G. Ardagh	Hon. J. M. Drew
Hon. J. Cornell	Hon. D. C. O'Brien
Hon. F. Davis	(*Teller*).
Hon. J. E. Dodd	

NOES.

Hon. E. M. Clarke	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. R. D. McKenzie
Hon. J. D. Connolly	Hon. E. McLarty
Hon. F. Connor	Hon. M. L. Moss
Hon. D. G. Gawler	Hon. W. Patrick
Hon. V. Hamersley	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. T. H. Wilding
Hon. R. J. Lynn	Hon. A. Sanderson
	(*Teller*).

Clause thus negatived.

Clause 9—Amendment of Section 31:

The COLONIAL SECRETARY moved an amendment—

That the following words be added to the clause: "and by adding to the section a proviso as follows:—'Provided that this section shall not apply to any agreement for the hire, with or without the right of purchase, of chattels.'"

Section 31 of the principal Act was intended to make void, as against a trustee in bankruptcy, any bill of sale given for a past debt within six months prior to the petition. It seemed that in drafting that section the fact that the West Australian Bills of Sale Act of 1899 extended not only to bills of sale whether absolute or by way of security, but also to bailments, that was the hiring of goods, was overlooked. The action in question voided all bills of sale if bankruptcy eventuated within six months, except as to contemporaneous advances or future advances, etcetera. There was no exception in the case of bailment agreements whether hire purchase or otherwise, which according to the interpretation, were bills of sale within the meaning of the Act. There could be no reason why these instruments, if duly registered, should not hold good as against the trustee in bankruptcy. Section 31 was only intended to void bills of sale by way of fraudulent preference to secure past debts. To remedy this omission as regarded hiring and hire purchase agreements, the proviso should be added to the section.

Amendment passed; the clause as amended agreed to.

Clause 10—agreed to.

Clause 11—Repeal of Section 46:

Hon. M. L. MOSS: Section 46 of the Bills of Sale Act provided that any bill of sale given by way of security for a sum not exceeding £30 would be void. This was enacted to prevent a person with two sticks of furniture from going to a usurer and raising money on it, as probably in a short space of time the lender would sweep the bed from under the wife and children of the borrower. This provision was in the English Act, as the greatest injustice had been proved to have taken place in thousands of cases. He did not favour allowing people to mortgage their trifles of furniture for small amounts. It could be said in favour of the repeal of this section that the Money Lenders Act would prevent extortionate rates of interest from being charged, and that some protection would be given to the borrower by enabling these transactions to be reopened in the court. In his opinion Section 46 of the Act should not be repealed. He desired an expression of opinion from the Committee as to whether we should put the law back to what it was prior to 1899. It was a good thing to preserve for the wife and children of any man who desired to mortgage his furniture, such furniture, up to the value of £30 without being able to give security over it.

The COLONIAL SECRETARY: The clause ought to be retained. It had received serious consideration from the Government in the interests of the poor of the

community. There might be circumstances which would necessitate a man giving a bill of sale over his furniture, and why should not he be permitted to do so? No one would take a bill of sale unless there was adequate security. Provision was also made in this schedule for the payment of a fee of 2s. 6d. to be charged for registration, and in addition there was supplied a form of bill of sale which could be copied and filled in by any intelligent person. If this clause was struck out the law would not be in the interests of the poorer sections of the community. The Money Lenders Act fixed the rate of interest at 12½ per cent. as a maximum, and if a man with a small quantity of furniture, through sickness in the household, found it necessary to raise £5 or £10 why should he not be allowed to give a bill of sale over his furniture?

Hon. M. L. MOSS: There were two ways of securing protection to poor people. The Minister apparently thought that we should give facilities to people to mortgage their furniture but he was of the opposite opinion. The freer we could keep the chairs, tables, and beds of poor people from such transactions the better. One could not practise law for 23 years in this State without gaining experience of what went on among poor people. Since the section was enacted in 1899 to prevent people from mortgaging a few sticks of furniture, we had preserved to poor people their interests better than was done before that legislation was passed.

The Colonial Secretary: And then they borrowed money at 480 per cent.

Hon. M. L. MOSS: That was begging the question. The lender referred to by the Colonial Secretary could get no security at all, and the Money Lenders Act was not good enough to get a hold of him. He was dealing with the class of men who lent £10, £15 and £20 on a few sticks of furniture and who swept down on the lot and left the people without these necessaries of life. The friends of the poor were those hon. members who would not give such facilities to mortgage furniture.

Hon. A. SANDERSON: This was a matter of great importance to the commercial community and the poorer classes, and at the fag end of the session we were called upon to decide it.

Hon. R. G. Ardagh: Let us have the division.

Hon. A. SANDERSON: Yes, let caucus decide it. He was not prepared to discuss such an important question.

The COLONIAL SECRETARY: In reply to the hon. Mr. Moss it was owing to the fact that this legislation was enacted some years ago that rates of interest had gone up enormously, and that the scandal which was witnessed in the bankruptcy court a few weeks ago had occurred, in consequence of which the Government had brought down legislation to restrict the rate of interest. It was mainly due to the fact that the man could get no security for his money. The man in question lent £10 at 162 per cent. and afterwards the borrower wanted more money and took it at rates varying from 180 to 480 per cent.

Hon. A. G. Jenkins: He was secured all the time.

The COLONIAL SECRETARY: The lender had no registered security.

Hon. A. G. Jenkins: He was well secured.

The COLONIAL SECRETARY: The lender could not have been well secured.

Hon. A. G. Jenkins: He had £60 worth or furniture, and it was under a hire agreement.

The COLONIAL SECRETARY: The lender had no bill of sale and consequently could not be properly secured. It was owing to the fact that this House some years ago sanctioned legislation which prevented a poor man from giving a bill of sale for less than £30 over his furniture, property or chattels that rates of interest had increased.

Hon. M. L. MOSS: The Colonial Secretary apparently knew nothing about the history of the clause. This clause was in the English Act of 1882. It was passed in England to correct thousands of cases of dreadful abuse. It had been proved that money lenders in England had advanced sums of £10, £15, and £20 on fur-

niture and had then swept the furniture away; leaving the people without these necessaries of life. It was in consequence of this that in 1899 we amended our Bills of Sale Act and copied the English provision, and it had worked very well for the last 14 years. The rates of interest had nothing to do with this provision. There were usurers in the world from the beginning, and, presumably, there would be to the end, notwithstanding that a Money Lenders Act had been passed to correct these abuses. To say that the rates af interest had gone up because of this provision in the Bills of Sale Act in 1899 was contrary to fact. He did not feel very strongly on the question, but had raised it so that the Committee should know exactly what they were voting for. To look at the clause members might not know what was the meaning of it, therefore he had drawn the attention of members to it. If the Government thought they were protecting the poor people, then by all means give the poor people as much protection as was possible, but he thought it was a peculiar way of protecting poor people.

Hon. H. P. COLEBATCH: If the Government felt keenly in regard to the passing of the clause, he was not going to vote against it. The section of the existing Act was not so much to protect people against themselves as to protect women and children against a husband. In the case of sickness a man should have all the assistance that he could get, but if the protection was removed it might work a hardship. The provision in the existing Act had worked to a considerable extent in protecting poor people, but if it became known that every person could pledge his little bit of furniture, it might lead to money being raised without proper thought.

Hon. J. CORNELL: Many cases had come under his notice where a wife and family had been left without a bed to lie on and no house to go to. If the Act as it stood gave protection to women and children, then he would vote against the clause. In New South Wales there was a system of the perpetual leasing of land, and no person could mortgage that property. At the time that Act was passed providing that the home of a settler could not be mortgaged, there was an outcry against it, but to-day it was looked upon as one of the bright spots in the legislation of that country. He was in favour of protecting the poor man against himself.

The COLONIAL SECRETARY: To-day a man could borrow money on his furniture, but he could not give proper security and was, therefore, forced to pay a higher percentage of interest than he would if the clause were passed. Under the clause a man could prepare his own bill of sale and was not put to any cost in the matter.

Hon. J. CORNELL: Under the existing law there was some protection, but if the section of the Act was struck out there would be no protection.

Hon. M. L. MOSS: In the Local Courts Act there was an exemption from distress for rent to the poor family on property up to £20. If poor people were permitted to give a bill of sale over their furniture the bill of sale holder could go at any time and take the furniture, and there were a good many disreputable drunken husbands who would go to a money lender without his wife knowing anything and raise money on his furniture, and presently the furniture was taken away. If the majority of members thought it was desirable to allow the householder to mortgage his funiture as he chose, then he had done his duty in drawing attention to it.

Hon. E. McLARTY: This clause would give power to drunken, worthless husbands to raise money on furniture without the knowledge of, perhaps, good, industrious wives and mothers. He did not think this class of husband should be allowed to do this.

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

Ayes	..	..	4
Noes	..	..	16
Majority against		..	12

AYES.

Hon. J. E. Dodd	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. F. Davis (*Teller*).

NOES.

Hon. R. G. Ardagh	Hon. R. D. McKenzie
Hon. E. M. Clarke	Hon. E. McLarty
Hon. H. P. Colebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. A. Sanderson
Hon. J. Cornell	Hon. C. Sommers
Hon. F. Connor	Hon. T. H. Wilding
Hon. D. G. Gawler	Hon. W. Patrick
Hon. V. Hamersley	(*Teller*).
Hon. A. G. Jenkins	

Clause thus negatived.

Clauses 12, 13—agreed to.

Clause 14—Fees:

Hon. M. L. MOSS: The fee now charged for the registration of a bill of sale was 1s. for the notice and 5s. for the affidavit. It was true that in the case of a small bill of sale a man would have to pay 2s. 6d., but the fee rose to a maximum of £3. A mortgage under the Transfer of Land Act for any amount could be registered for 10s., and the mortgage of any holding of any value under the Land Act for £1.

The COLONIAL SECRETARY: At the present time these fees were not paying their fair share of the cost of administration. At one time something like 15s. was charged; now the charge was only 5s., and the result was that the general taxpayer had to foot the bill.

The CHAIRMAN: The proper place to raise any objection to the fees would be on the schedule which set out the fees.

Hon. M. L. MOSS: If Clause 14 were struck out the present fee would continue but if this clause were enacted it would mean that the fees set out in the schedule would be charged. It was true that prior to 1899 the fee charged was 4s., in 1899 it was made 5s., and that continued until 1906 when it was fixed at 5s. In view of the great amount of business done he could not swallow the statement that this fee of 5s. did not pay the cost of administration. A registration fee of £3 for a transaction was a big charge against a man who was borrowing money. In other parts of Australia there was no charge on these transactions.

Clause put and passed.

Clauses 15, 16—agreed to.

Clause 17—Amendment of Section 18 of the Bills of Sale Act, 1906:

Hon. D. G. GAWLER: This section related to giving notice of intention to register a bill of sale, and said that such notice should not apply to the stock on a station. This clause proposed to extend that exemption to bills of sale given as security for the purchase money on seed, fertilisers, bags, or twine, when used by the grantor in connection with the sowing or harvesting of his crop. Owing to the wording of the clause, however, any bill of sale was exempted so long as it was given to the Minister for Agriculture, or any officer of the Department of Agriculture. In order to make the meaning of the clause clearer he moved an amendment—

That after the word "sale," in line 3, the following words be added—"granted before or after the commencement of this Act to any person including the Minister for Agriculture, or any officer of the Department of Agriculture."

Amendment put and passed.

On motion by Hon. D. G. GAWLER, the clause further amended by striking out all the words after "crops," in line 8 to the end of the clause.

Clause as amended put and passed.

Clause 18—agreed to.

Hon. M. L. MOSS: The Government would do well to add another clause providing that the principal Act when printed should show the amendments made by this Bill in the Act of 1906.

The COLONIAL SECRETARY: That would involve a considerable amount of labour in re-printing the Bill. He had had to have the Game Bill reprinted in a previous session because of a provision being inserted that the amendments should be embodied in the principal Act.

New clause—Amendment of Section 53:

Hon. D. G. GAWLER moved an amendment—

That the following be added to stand as Clause 12:—Section fifty-three of the principal Act is amended by omitting the proviso, and by adding a paragraph as follows:—Within fourteen days after any debenture of a series so registered is taken up or allotted a notice to that effect, giving the number of such de-

benture and the amount thereof, and the date of the same so being allotted or taken up verified by the affidavit of the secretary or manager of the company shall be lodged with the Registrar, entered in a book to be kept by him for that purpose, and such book shall be open to the inspection of the public. Any notice under this section may include any number of debentures. No such debenture in respect of which the notice required by this subsection is not given shall be deemed to have been registered under Section 51.

The effect of Section 53 was that a company issuing a series of debentures lodged one-fourth in the companies office, and that was deemed a registration of that series. It was also provided in the section that every debenture of that series must be issued within six weeks, or the whole issue was void. Very few companies were aware of that provision, and a good many did not observe it. He wanted to make it easier to the companies, and at the same time not lessen the protection to the public. This proposal had been placed before the Solicitor General who approved of it, and had suggested that provision for appeals should not be included.

Hon. M. L. MOSS: The aim which the hon. member had in view was apparent, but the proposed new clause was a most dangerous one if looked closely into. Suppose that a person purchased some of these debentures for £500 and the secretary or manager of a company did not lodge the notice with the Registrar. The person would have parted with his £500, and because the secretary or manager omitted to do what was ordered to be done in this clase the debentures would be invalid. Such a thing could never be agreed to, and a better way would have to be found for carrying out the hon. member's intentions.

Hon. D. G. GAWLER: A difficulty had certainly been pointed out by the hon. Mr. Moss, and it was one which evidently had not struck the Solicitor General when the proposed new clause was before him. Even under the existing Act the holder of debentures ran a large amount of risk. It would be necessary for the clause to be remodelled and in the meantime he asked leave that it should be withdrawn.

New clause by leave withdrawn.

New clause—Amendment of Section 3, Bills of Sale Amendment Act, 1906:

Hon. D. G. GAWLER moved—

That the following be added to stand as Clause 17:—Section three of the Bills of Sale Amendment Act, 1906, is amended as follows:—(a) By striking out the words "If the bill of sale purports to have been executed by the grantor" in subsection two, and inserting in place thereof "If the whole of the chattels comprised in any such bill of sale are at the time of its execution situate"; and (b) By striking out the words "If the bill of sale purports to have been executed by the grantor" in subsection three, and inserting in place thereof "If any of the chattels comprised in such bill of sale are at the time of its execution."

It frequently happened at present that a man who lived at Kalgoorlie or elsewhere in the country executed a bill of sale in Perth, and the time in connection with the lodging of caveats began to run from the time of its execution in Perth. Obviously where a man had his business in an outside place his creditors were not aware of the execution of the bill of sale in time to lodge a caveat. The proposed new clause was to remedy this matter. The chattels were most likely to be in the place where the creditors were.

New clause passed.

New Clause—Amendment of Second Schedule to Bills of Sale Amendment Act, 1906:

The COLONIAL SECRETARY moved—

That the following be added to stand as Clause 19:—The second schedule to 'The Bills of Sale Act Amendment Act, 1906,' is amended by omitting the words "advances at time of giving bill of sale" in the column headed "consideration," and inserting "contemporaneous advance" in lieu thereof.

The schedule referred to was adopted from the Victorian Act, but the heading to the column in question was inaccurate, inasmuch as the advance was not made at the time of the giving of the bill of sale, but was really a contemporaneous advance and might be made at any time between the date of the bill of sale and three days after registration. It was desirable, therefore, that the form of the schedule should be amended accordingly.

New clause passed.

First, Second, and Third Schedules—agreed to.

Fourth Schedule:

The COLONIAL SECRETARY moved an amendment—

That in the third and fourth lines the words "where the amount or value of the consideration or the sum secured does not exceed £30 2s. 6d." be struck out.

In consequence of the clause which proposed to repeal the £30 provision in the original Act having been struck out, this consequential amendment was necessary.

Amendment passed.

Hon. M. L. MOSS: It would be necessary now for the Colonial Secretary to alter the next line.

The COLONIAL SECRETARY moved a further amendment—

That in line five the following words, "where the amount or value of the consideration or the sum secured" be inserted before the words "exceeds £30."

Amendment passed.

On motion by the COLONIAL SECRETARY the schedule was further amended (consequentially) by striking out the words "where the amount or value of the consideration or the sum secured does not exceed £30—1s.; in any other case."

Schedule as amended put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—RAILWAY SURVEYS.

Received from the Legislative Assembly and read a first time.

BILL—FREMANTLE IMPROVEMENT.

Message received from the Legislative Assembly notifying that the amendments requested by the Legislative Council had been made.

BILL—RIGHTS IN WATER AND IRRIGATION.

Assembly's Message—Money Bills Procedure.

Message received from the Legislative Assembly notifying that there was a difficulty in the way of the consideration by the Legislative Assembly of a Message from the Legislative Council, in which a request was pressed, and requesting the Legislative Council to further consider the Message transmitted by them.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

That the Legislative Assembly's Message be taken into consideration at the next sitting of the House.

Hon. J. D. CONNOLLY (North-East): Is not that an unusual motion to move? Should not the Colonial Secretary move that it be made an Order of the Day for the next sitting of the House?

The PRESIDENT: I suppose the Colonial Secretary thinks it best that the Message should be considered by the Legislative Council and not in Committee, inasmuch as one of the members of the Standing Orders Committee, Mr. Kingsmill, would be in the Chair if the Message were considered in Committee, and would thus be debarred from speaking on the Message. This course has been adopted in accordance with Standing Order 242, which reads—

> All Messages in reply from the Assembly in reference to such Bills which do not completely comply with the requests of the Council (as originally made or as modified) shall, unless otherwise ordered, be referred to the Committee.

Question passed.

BILL—MINES REGULATION.

Message received from the Legislative Assembly notifying that it had made cer-

tain amendments requested by the Legislative Council, declined to make others and had made others with modifications.

BILL—LOCAL OPTION.

Second Reading.

Debate resumed from the previous day.

Hon. F. DAVIS (Metropolitan-Suburban): It is somewhat unfortunate that this Bill should have come down so late in the session. It goes without saying that at this period of the session it is difficult to give the measure that consideration which it might have received under other circumstances. Fortunately, however, there are only a few points of outstanding interest in the measure which need to be dealt with. It is interesting to know that the right to take a poll in connection with the liquor question is conceded by the provision that the poll shall be taken in 1920. This is really a recognition of the right of the people as a whole to a section or an instalment of the referendum. The only defect in that phase of the question is that it is a Government referendum and not an optional one, as would be the case were the Bill passed which will come before this House later on dealing with the initiative and referendum. No one will gainsay the fact that from time immemorial there has always been on the part of mankind a craving for stimulants. It is questionable even now whether, with the advance of civilization we are a more sober people than the people of years ago who had not the restrictions imposed upon them which we impose upon ourselves by virtue of our greater knowledge of the effects of drink. But while it is true that there has been in all times a love of liquor, that does not apply to all men. There has always been a section of the people who did not exhibit a love for stimulants, and at the present time there is a considerable section of the community who do not hold with the sale and consumption of liquor. A local option poll gives an opportunity to those who do not like the liquor to impress their views on the community, as far as they are able to influence the community. If by means of temperance education those who advocate the lessening of the sale of liquor are able to influence the community, they will to that extent succeed if the Bill becomes law; and it is only right that the whole of the people should have a voice in deciding under what conditions liquor shall be exposed for sale. For that reason a local option poll is in the interests of the community. I am thoroughly in sympathy with the objects of the Bill where it seeks to provide that certain questions shall be decided by a bare majority. Some hold that on these questions there should be more than a bare majority to decide; but that does not hold good in more important matters, such as the election of those who make the laws, and consequently it ought not to hold good in this case. It is only consistent with our recognised rules of social and political life that a bare majority should decide. Objection has been urged that if a poll should be taken on these questions only a small percentage of the electors eligible to vote will take part in the ballot. If a low percentage of people exercise their vote on a question under local option, it is self-evident that those who do not vote are not sufficiently interested to exert themselves, and consequently will not be hurt by the result of the poll, whichever way it may be. In connection with the Early Closing Act, when a referendum was taken, a little over 30 per cent. of the people concerned voted on the question. But no exception has been taken to the result of that poll, and I venture to say that when the two years expire over which it operates there will be no great effort made to reverse the decison. Again objection has been urged to the fact that if a local option poll is taken it will apply to all licenses. Why should it not be so? I fail to see any reason why any particular form of license should be exempt from the operations of the measure. The result of the consumption of liquor is the same, whether the lipuor be sold in a public house or a shop or a restaurant or a warehouse, and therefore the local option poll should apply to all licenses. It is

provided that a petition signed by a majority of ratepayers in a district shall be obtained before a license is granted. This is not a new provision, because until recently it was necessary for people who wished to prevent the granting of a license to obtain and present to the court a petition from the majority of the ratepayers in a district. I remember a case in West Leederville, where an effort was made on several occasions to obtain a license, and it entailed upon those opposed to the granting of the license a considerable amount of expense and trouble to secure sufficient signatures to the petition to prevent the license being issued. The idea of having such a petition signed by a majority of the ratepayers is a good one, whether it is to prevent or to secure the granting of a license, for it is a form of district local option and shows that the people in the district are concerning themselves about the effect of licenses. Nor do I see any evil in the provision that if "reduction" is carried the quota shall be reduced from the old number to that of four. If the thing is worth doing at all it is worth doing well.

Hon. W. Patrick: Why not prohibition straight away?

Hon. F. DAVIS: If the people desire prohibition let them have it, but if the people of a district ask for a reduction of licenses, most certainly substantial effect should be given to their wishes. I am opposed to the sale of liquor, and I hold that the lesser the number of hotels the lesser the incentive to drinking. I admit of course that the fewer the hotels the greater the degree of monopoly enjoyed by those hotels, but it seems to me that the lesser the number of temptations the smaller the quantity of liquor consumed. For that reason I hold that if the quota can be reduced, as the Bill provides, it is a step in the right direction. Whilst provision is made for the establishment of State hotels, Clause 14 prescribes that if Resolution (D) is carried, which means "no licenses," and there be a State hotel in the district, even the State hotel must be discontinued as a place for the sale of liquor. So if on the one hand some clauses of the Bill favour the principle of State hotels, other clauses penalise it. There are many other details in the Bill which will be dealt with in Committee. It is an important measure, and has been asked for by a considerable section of the community. I hold that in the interests of the State the Bill should be carried.

Hon. A. SANDERSON (Metropolitan-Suburban): I am in agreement with my colleague in protesting against the bringing down of the Bill at this late hour. Probably no hon. member has had to deal with this question to a greater extent than have I. It affects the health and the pockets of a large section of the community, and yet look at the beggarly array of empty benches while we are discussing it.

Hon. C. Sommers: It is a protest against the Bill having been brought down so late.

Hon. A. SANDERSON: It is a protest against having an important matter like this brought in at the end of the session. Let us look at the attitude of the Minister in regard to the repudiation of that 1920 agreement. He tells us—I suppose it was a lesson on constitutional law—that one Parliament cannot bind another. No one has suggested that it could. But there are many things which one can legally do and which have nothing whatever to do with what honourable men will touch. This is one of them. It seems to me an outrage that Parliament should repudiate, practically without notice, what was sanctioned a couple of years ago. People interested in the matter, relying on the honour of Parliament, now find that the Government propose to repudiate the agreement. I served my time in New Zealand listening to speeches and debates and protests on this subject. It was at the time of the late Mr. Issett, and anyone who has had anything to do with the public affairs of that country must know that the liquor question is always coming up for discussion. Three sections of the community take the deepest in-

terest in it. I do not think it is fair to the temperance people, to the publicans or to the general public to come down with a measure of this importance at this hour of the session. I do not complain at the leader of the House and the Honorary Minister being absent from the Chamber. We know how overweighted they are. I do not object, but rather appreciate, the fact that the House is practically empty, because it lends emphasis to what I am saying.

The PRESIDENT: Order! My attention has been called to the state of the House. Ring for a quorum.

Bells rung and a quorum formed.

Hon. A. SANDERSON: I wonder if I may be permitted to trespass upon the time of the quorum for a minute to say that I was pointing out the danger of dealing with an important measure like this when there is not a quorum present. As there is now a quorum present, I presume they will not object if I say again that it lends emphasis to my criticism that it was not considered of sufficient importance for either Minister to be in his place or for hon. members to be in their places——

The Colonial Secretary: You cannot have very much consideration for Ministers if they cannot go away for five minutes.

Hon. A. SANDERSON: I have every consideration, especially for the leader of the House and his colleague upon whose shoulders fall very heavy responsibilities, especially at this stage of the session. I am not afraid for the publican or for the temperance people, but I am most anxious to get some measure of reform which will satisfy the general public. I take this opportunity of stating that in one particular of this very important subject I have changed my opinion, and it is just as well when one has changed an opinion on an important public matter that he should tell the people who are interested in it. The people who are interested primarily in this change of opinion are the Government themselves. At one period of the discussion on this question, I was of opinion that possibly it would be advisable to allow the Government to go into the liquor business. I could see many objections to it, but on weighing the objections and the advantages I was prepared—and I think I stated it on the public platform more than once—to allow the Government to go into the business—that is apart altogether from the control of the business—and to open hotels wherever they liked. I have changed that opinion and I shall now take every opportunity to, if possible, prevent the Government from going into the liquor business. The temptation to an impecunious Treasurer, and I do not think we have ever had a more impecunious Treasurer than at present, to make a profit out of the sale of liquor would be so great and the money would be so easily raised that it would be most detrimental to the best interests of the country. So I have cleared one obstacle out of the way in connection with the discussion of this question, and I think hon. members will agree that one of the principal obstacles in discussing this question, is not only to find out the opinions of electors, but to come to a clear and definite decision to satisfy oneself. I have certainly come to this decision about the Government that in connection with this Bill or any other measure dealing with the liquor trade I shall take every opportunity to protest and discuss and defeat if possible any proposal for the Government to have anything whatever to do with the trade except as a kind of umpire, caretaker, or policeman for the welfare of the State. The money part of it should be taken entirely out of the hands of the Government. It is very difficult indeed to decide whether one ought not to sit down without wasting, or, shall I say, taking up any more of the time of the House.

Hon. J. Cornell: You are ungenerous to yourself.

Hon. A. SANDERSON: I am not concerned about myself. I am sent here to perform certain duties. It is all very well for us who are bored or exhausted that measures of first rate importance should be brought down at this stage of the session. Some hon. members are apt to forget the intense interest and

importance attached by the public we represent to these matters which come before us, measure after measure of importance coming down and not being fully and fairly discussed. I would have no hesitation, although I understand it is not the opinion of many other members, to vote against the second reading of this Bill and to justify my attitude on the public platform. I know it is a somewhat extreme measure, but, speaking for myself I would emphasise the point I mentioned yesterday that the hons. Mr. Davis and Mr. Gawler and myself represent the largest and most democratic constituency in this State, and we have perhaps to be more careful than other hon. members.

Hon. J. Cornell: I do not agree with you.

Hon. A. SANDERSON: The hon. member should come down and see my constituents.

Hon. J. Cornell: You come up and see mine.

Hon. A. SANDERSON: Mine are always very kind to any speaker on public questions, and we all know the large area embraced by the Metropolitan-Suburban Province, and how a Bill of this kind will affect it. We know what the temperance people think of the bare majority question, and we know what the publicans think of it, but what I am trying to get at is what the public and not the extremists think of it. When we come to the repudiation of the 1920 agreement I protest against it. I do not think it is unfair to protest against dealing with a matter of this importance when it was dealt with only two sessions ago. Surely that in itself is a great reflection on the decision given at that time, and if we are to hurry measure after measure through we might be certain that in another 12 months we shall have another liquor Bill introduced. If there had been any prodigious change in this country either climatic or geographical or gastronomical, I could understand it.

Hon. F. Davis: What about a mental change?

Hon. A. SANDERSON: If the people had changed their views regarding the sale and consumption of liquor, if they had decided that a bottle of Australian wine taken at lunch would be proper and wise —I do not mean at a public-house or club table, but in the houses of the people themselves—it would have been different. We know what goes on in other wine-making countries, such as France and Italy, and how the housewives and children there consume wine. If there had been any great change in the customs of the people in this direction or in the desires of the people as expressed by public meetings, through the columns of the Press or even in Parliament itself, there might have been some argument in favour of bringing down a Bill of this nature two sessions after a settlement had been arrived at, but no one will maintain that there has been such a change. If a majority of hon. members with one eye on the electors and one eye on Parliament think it is wise to allow the measure to go through because it might satisfy some of their constituents, and if their constituents are satisfied with such management of affairs it is not for me to say very much about it. But I would reject the second reading of this Bill principally on account of it coming down at this stage of the session, and I would be prepared next session or at any proper time when we have sufficient opportunity to discuss it, to deal with the question. Every minute I occupy makes me feel more strongly that I am blocking other hon. members from speaking and even blocking myself from speaking on other important measures. Therefore I do not think it is necessary for me to go into the details of this Bill. If the measure reaches the Committee stage, and if I think there is to be any serious attempt to pass it, I will do my best to carry out the views I expressed on the public platform. I shall be prepared to meet anyone who objects to my change of opinion. I certainly have come to the conclusion that it would be most dangerous to allow the Government to trade in liquor; dangerous from a financial point of view and from a moral point of view; apart from that, I stand by everything I said on the public platform and I shall take an early opportunity to look up my statements and

ascertain exactly what I did say; one cannot be too careful. We are dealing with the morals, we might say the lives of the people, and also with their cash, and as far as the publican is concerned I would give him nothing except justice, the barest justice. The publican, however, is certainly entitled to that, and if we repudiate the agreement or the honourable understanding which was entered into by Parliament two years ago what weight could we attach to the decisions of Parliament or to the honesty of Parliament? Therefore I will not take up any further time by going into the details of this measure.

Hon. J. CORNELL (South): In offering a few remarks on the second reading of this Bill I would like to say that in my opinion there is no measure which has come before Parliament in connection with which so much hot air has been exhausted. Though local option is part and parcel of the policy on which I was elected, I may say that during my campaign I received lengthy epistles in words calculated to burn the strongest of paper from both sides in connection with this question. I have friends in another place representing constituencies where I come from, who received similar epistles, and as yet they have not been replied to. I support local option for this reason that fundamentally it aims at the people themselves deciding this question per medium of the ballot. I do not think there can be any objection to that. It is a principle which should be commended The many adherents of local option are labouring under the sublime belief that if they are successful per medium of a local option poll in abolishing the drink traffic they will bring about the millenium. Their belief I may say is altogether fallacious and erroneous. I think that the main object which characterises those members of the temperance alliance who aim at bringing about the local option poll is that they will minimise the drink traffic and there are many of them who would abolish it altogether. But I have said it before, and I say it again, that they are beginning at the wrong end of the stick. For who is the person who drinks to-day? The adult; he has tried it, and it has not killed him and he will go on trying. It is a waste of time, it is a waste of energy, and a waste of work and a waste of oratory at times trying to tell the adult to knock off drinking. If the adherents of the doctrine of the abolition of the drink traffic bestowed their time and energy and money on the children of the community, in a generation they would have gone a long way to solving the trouble. If drink is an evil, and scientists tell us that alcohol is bad for the system—I am not a teetoller myself, but I cannot speak from a scientific point of view—if it is to be a deterrent on the generations to come, it is our bounden duty to teach it to the young, and what we inculcate in the young will grow up with them and be with them when they are old. Therefore, those who wish to minimise the drink traffic the sooner they begin on the children the sooner will they accomplish their end. Another argument the adherents of the abolition of the drink traffic trot out is the great waste that goes on per medium of the purchase and consumption of alcoholic drink. I think in Australia a considerable quantity of liquor is consumed, especially in this State, but the community on the whole are very temperate. Temperance advocates argue that if people did not drink they would be better off. That again is fallacious. If any person has studied or taken the time to read Thorold Rogers' *Six Centuries of Work and Wages*, and follows out the doctrine known as the iron law of wages, he will find that their idea is altogether erroneous. There is no doubt that in fixing wages a certain amount of the beer or liquor consumed is taken into consideration, and I venture to say that 70 per cent. of the people consume alcoholic drinks in some way or other and the consumption of liquor which is undoubtedly taken into account in the rate of wages paid, although it may not be taken into account by the Arbitration Court, is treated as one of the needs and wants of the people. Those who do not touch alcoholic liquor are therefore the gainers for they do not require so much wages to live on as

the person who takes alcoholic liquors. If we were to sweep away the drink and have total prohibition in Western Australia to-morrow, I venture to say the workers would not be that much better off. The only logical argument brought to bear on the abolition of the liquor question is that it is injurious to the people of this generation and will be injurious to those who follow after. If that is the case we should abolish it, but we can only abolish it in one way, and that is by education. We must take into consideration whether it is injurious or not. The sale of liquor is one of the greatest sources of the revenue of the State or of any other State in the Commonwealth, and those who are arguing for the abolition of the drink traffic lose sight of the fact that a certain amount of revenue will be done way with if we abolish drinking in its entirety; then some other form of taxation must of necessity follow. I do not intend to deal exhaustively with the Bill, but I desire to say that whenever those who wish to do away with the drink traffic make up their minds that it is injurious to the human family it is their duty to educate the young, but so long as they beat the air they are not going to stop it. There is only one way of stopping it in Western Australia, or in any other country, and that is by total national prohibition. I have a little to say on the Bill. The measure does not meet with my approbation. The first objection I take to the Bill is in regard to Clause 3, that the local option vote shall be taken in every district in the year 1915, and every third year thereafter. That is to say, there is no day fixed for the taking of the local option poll. If the Bill reaches the Committee stage I propose to move that the local option poll be taken on the day of the general election. If this question is of the national importance it is claimed to be, I say the best possible day should be set apart for taking the views of the people upon it, and the best day in this State is the day on which we elect our representatives to the popular Legislative Assembly. Mr. Connolly interjected, "Do you not think it would confuse the issues?" The same argument was trotted out when the late Administration of the Commonwealth decided to take the referendums for amending the Constitution on the day of the general election. I sat at the Hobart conference, and I know a little of the inside work of the Labour movement. It was urged very much that by taking the referendums on that day it would confuse the issue and probably mean the defeat of the Fisher Government. I think the late Prime Minister in his public utterances said that the issue at stake was greater than the return of men to the national Parliament. I do not think that the issue was confused, but it ensured a vote almost double as large as that given on the first occasion when the poll was taken on an off day. I have yet to learn that the issue was confused in New South Wales. Mr. Sanderson says it is a burning question. It is a burning question inside to some, and outside to others—the liquor question. Members should recognise that whether they like it or not, during the election for the Council or the Assembly it is going to crop up like King Charles' head. They are going to try and force the candidates. Then let us give them the opportunity, not only to force the candidates to make promises to the electors, but to give electors an opportunity of saying so on the best day, and I do not think there is a better day on which the poll can be taken than the day of the general election. It has been pointed out that if the poll is taken on an off day the electors will not take the trouble to go to the poll. If they do not take the trouble to go they must abide by the decision of those who do go. If the question is worth the consideration and importance that it evidently is, we should fix the best possible day. The issues will not be confused, but the question will be fought more keenly and on better lines than if the vote was taken on some other day. I now come to Clause 4. It is proposed that no complete local option poll be taken until 1920. I know that is a provision of the existing law. I do not want to be in any way derogatory to anyone who framed that measure,

but if the present local option provisions of the licensing law are good there is little necessity for this provision. If this House thinks that there should be local option I think now is the time that the poll should be taken. Why should we bind posterity to say that we shall have local option in 1920. To my mind it savours of shelving a very important question. If Parliament agrees to local option it should agree to the nearest possible date suitable for taking a poll, and we should be prepared to allow the electors to decide, and not wait until 1920. I know that in fixing 1920 time compensation has entered into the matter. The Act provides that when local option comes into operation in 1920 no form of compensation is to be paid. I may not be in this Parliament in 1920, and there are many other members who may not be here, and I think if we can read the future and ascertain that those who are to follow us will be of the same opinion as the majority of members in another place, and a majority of members in the Parliament of 1911, there would be some justification for fixing this term, but we can only judge the future by the past and I venture to say that the Licensing Act of 1911 will be amended before 1920, and that this Bill also, if it becomes law, will be amended before 1920. Provided this Chamber will give the most suitable day on which the electors shall decide, and I have no fear how they will decide, I intend to vote that the local option poll be taken at the next general election. In regard to the question of compensation, I think that time compensation means nothing. It would mean something if the present Act, or this Bill, could not be repealed, but both these measures can be repealed. It has been argued that those in the liquor traffic should be compensated, but whoever heard of Bill Bullocky being compensated for the construction of a railway? It may be a wide analogy that a man who lives in a mining or agricultural district, far distant from a railway, and whose means of livelihood is a team of bullocks for carting from the head of the line, or from the seaport, into the heart of the outback country, should be compensated for the construction of a railway, but he has invested his capital in that concern and if a railway line is put down that man is immediately deprived of his livelihood.

Hon. H. P. Colebatch: Generally the railway increases his opportunity; he carries to that railway, and goes further out.

Hon. J. CORNELL: I have known many bullock drivers and many publicans in the liquor traffic, and I venture to say that though the railway line may work to the advantage of those in the liquor traffic, it only sends the bullock driver further out. Let me take an instance nearer home. Before the establishment of the Coolgardie Water Scheme scores of men had invested their capital in condensers on the East Coolgardie goldfields, and at one fell stroke on the day that the water was turned on from the scheme, the condenser man ended, his livelihood was gone, and plant which had cost £2,000 was not worth £100 as a realisable asset.

Hon. H. P. Colebatch: They had five years' notice.

Hon. J. CORNELL: What does a license to sell liquor amount to? The community desire liquor and the Government have framed laws to provide for the selling of liquor to the community, have fixed certain fees for a license, and have given the licensees special privileges to sell liquor for the payment of such fees. The man who builds an hotel takes a certain amount of risk, as any man in business does, but if local option were to close the hotels in Perth to-morrow those hotels could be used for other purposes. They might not prove as profitable when used for those other purposes as they are as hotels, but there is no decent hotel in Perth which would not pay interest on the capital cost. But take the case of Coolgardie. There are in that place, perhaps, 30 hotels and anyone who would urge the payment of compensation to any of those hotels which might be closed down by a local option vote would be a fit subject for Dr. Montgomery at the Claremont asylum, because if conditions

continue as they are going there will be no need for compensation for local option. Mere want of population will have the effect of closing the hotels, and those who have invested their money in them will have lost everything without compensation. I do not intend to deal much further with the Bill except in regard to the provision dealing with a bare majority. Under the existing Act a three-fifths majority is wanted on one issue, and on others 30 per cent. of the electors have to go to the poll. Mr. Colebatch shakes his head, but Subsection 4 of Section 78 says "Provided that resolution (d) or (e) shall not be carried unless 30 per cent. of the electors in such licensing district vote for the resolution." If in Committee the House will agree to a vote being taken on the day of the general election there will be not the slightest necessity for a three-fifths majority. On that day we would get from 60 to 75 per cent. of the electors to turn up. That is a good percentage, and any honest minded man would be prepared to abide by a bare majority. If, however, the poll is not taken on the day of a general election, what safeguard is a three-fifths majority? If only 15 per cent. of the electors turn up and 10 per cent. of them vote for a resolution, it is carried. I do not desire to say much more, because in many respects there is very little difference between the Bill and the present licensing law. I hope to see the Bill amended in the direction of having the vote taken on election day. If the vote is taken on election day I do not think the publicans will have very much need to fear, and my knowledge of the working man is fairly large. In conclusion, I would like to say to the working classes of Western Australia, as many able men in the reform movement have said to the working classes in Great Britain, there is too much attention paid to the drop of ale which the poor man consumes and not enough attention paid to the conditions under which he labours, and which are the primary factor in causing him to drink so much beer. When we turn our attention to better conditions for the working people, per medium of better houses, better social conditions, more means of cheaper and better amusement, we will have done much to improve their lot and minimise drinking. Once again, if we want to do anything further in removing a custom which is said by scientists to be injurious to the people of to-day and the children of the next generation, there is only one way, and that is to get hold of the young. The old fellow has gone through the mill and he will not believe it.

On motion by Hon. H. P. Colebatch debate adjourned.

BILL—ROADS CLOSURE (No. 2).

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: This Bill deals with the closure of roads in the city of Perth and the municipalities of Bunbury, Albany, Cue and Geraldton. The closure in Bunbury is of a right-of-way. The land which is shown in the litho. laid on the Table has been purchased for the South Bunbury school site and includes a public right-of-way. It is necessary to close that right-of-way so that the land shall be in one block.

Hon. Sir J. W. Hackett: Is it approved of by the municipality?

The COLONIAL SECRETARY: All these questions have been referred to the local authorities. In regard to the closure of streets in the Cue municipality, in surveying the Cue post office site it was found necessary to slightly adjust the boundaries, thereby including small portions of a street shown on the litho., which consequently necessitates the closing of those portions. So far as the Geraldton closure is concerned, the recreation ground is divided by a public road and the Geraldton municipality has fenced the whole of it in one block, and has requested that the road should be closed and included in the recreation ground. As a matter of fact it has never been used as a road. No objections have been raised, and the closure is therefore included in the Bill. There is provision made for the closure of a small portion

of Crowther-street in the Geraldton municipality. In order to straighten Crowther-street near the north-east corner of the rifle range it is necessary to close a small portion of the street and add it to the rifle range and to add a similar portion to the street on its eastern side. With reference to the street closures in Perth, the sisters of the Highgate Hill Convent have acquired a freehold of certain blocks as shown coloured green on the plans deposited on the Table, for the purpose of erecting a new school, and desire the intervening right-of-way, shown coloured red, to be closed, providing in lieu thereof rights-of-way on the eastern side of their additionally acquired freehold. On this measure being passed it is proposed to build a school to cost between £3,000 and £4,000, and they are waiting to call for tenders until the question of rights-of-way has been adjusted. The Commissioner for Titles agreed to the alteration, but at the suggestion of the Registrar of Titles the matter was included in the Roads Closure Bill to remove any doubt as to procedure. The owners of the land prior to subdivision will lodge a fresh plan showing the altered position of the rights-of-way.

Hon. W. Patrick: Have the different municipalities approved of these changes?

The COLONIAL SECRETARY: I am given to understand that they have.

Hon. W. Patrick: I do not see that there is any reason to oppose the measure provided that the municipalities are agreeable.

The COLONIAL SECRETARY: These matters must necessarily go before the municipalities in every instance. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

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

Read a third time and *passed.*

BILL—PERMANENT RESERVES REDEDICATION.

In Committee, etcetera.

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

Read a third time and *passed.*

House adjourned at 6.7 p.m.

Legislative Assembly,

Friday, 12th December, 1913.

The SPEAKER took the Chair at 3.30 p.m., and read prayers.

QUESTIONS (2)—RAILWAY CONSTRUCTION.

Yillimining-Kondinin.

Mr. HARPER asked the Minister for Works: 1, Is it true that the adzing machine used on the Yillimining-Kondinin railway construction is out of repair? 2, If so, when will it be at work again? 3, When will the Department start plate laying on this line? 4, Will the settlers have the use of this line as far out as the rabbit fence by 31st January, 1914, as promised?