reasons I have already given to the House. Clause 5 is the usual clause which it is now the practice, I am glad to say, to attach to these amending Bills, providing that "all copies of the principal Act hereafter printed by the Government Printer shall be printed as amended by this Act, under the supervision of the Clerk of the Parliaments, and a reference to this Act made in the margin." The Bill, I need hardly say to those members who have read it, is of an extremely technical character, but I think members will agree with me that the object which it has, the protection of the agricultural community against fraud by unscrupulous dealers, is a good one, and one that deserves encouragement. I have much pleasure in moving the second reading.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

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

BILL—FISHERIES.

SECOND READING POSTPONED.

THE COLONIAL SECRETARY: It has been my desire never to move the second reading of a Bill unless the Bill has been in the hands of members for approximately twenty-four hours at least. I regret to say that in the case of this Bill, owing to some amendments which had to be made, the prints will not reach the House until ten minutes to six o'clock this afternoon. If Mr. President will leave the Chair until that time the Bill will be distributed to members, and I shall then move to postpone the order.

[At 5·35, sitting suspended a few minutes.]

ADJOURNMENT.

At 5·56, the remaining business having been postponed, the House adjourned until the next day.

Legislative Assembly,

Tuesday, 5th December, 1905.

THE SPEAKER took the Chair at 2·30 o'clock p.m.

PRAYERS.

QUESTION—METROPOLITAN WATER, QUALITY.

MR. H. DAGLISH, without notice, asked the Minister for Works: 1, Is he aware that the water at present supplied to consumers by the Metropolitan Waterworks Board is in flavour and smell unpotable and undrinkable? 2, Will he take immediate steps to remedy this, and supply to the public a pure liquid?

THE MINISTER FOR WORKS replied: I am not aware that the supply of water is unpotable and undrinkable. I am aware it is sometimes distasteful, and I am taking immediate steps to remedy it as far as within my power lies. The whole matter is having my immediate consideration.

QUESTION—ELECTIONS, AS TO ILLEGALITY.

MR. A. A. HORAN, without notice, asked the Premier: Does the statement published in the daily Press of Monday, that there was nothing illegal in the recent elections, represent the opinions of the Government as a whole, including the Attorney General?

THE PREMIER replied: I am hardly prepared to say there was nothing illegal in connection with the recent elections; but if the hon. member is referring to the fact that there was no proclamation of rolls, I can assure him there is nothing in the point.

PAPERS PRESENTED.

By the MINISTER FOR WORKS: 1, Goldfields Water Supply Administration

Annual Report to 30th June, 1905. 2, By-laws passed by Port Hedland Roads Board. 3, Amended By-laws passed by the Goldfields Water Supply Department relating to the protection of the Catchment Area.

By the MINISTER FOR MINES: 1, Regulations and Amendments under "The Mining Act, 1904." 2, Regulation as to Safety Fuse under "The Mines Regulation Act."

QUESTION—FACTORIES LEGISLATION.

MR. WALKER asked the Premier: Is it the intention of the Government to make any statement in respect to the Factories Act during this session?

THE PREMIER replied: Very probably yes.

QUESTION—GOLD-MINING LABOUR CONDITIONS.

MR. LYNCH asked the Minister for Mines: 1, Is it true that he is going to alter the labour conditions in the gold-mining industry? 2, If so, will he give Parliament an opportunity of considering the proposed alteration before the present session closes?

THE MINISTER FOR MINES replied: 1, Certain alterations will be suggested, more especially in regard to prospecting areas and reward leases. 2, Yes.

QUESTION—COLLIE COAL CONTRACT, PARTICULARS.

MR. BATH asked the Minister for Railways: 1, What is the minimum price per ton to be paid for the local coal at the various collieries which will supply coal under the new arrangement to the Railway Department? 2, What price per ton was each coal company getting immediately prior to the new arrangement? 3, What price per ton is the Railway Department getting as a rebate out of the general revenue fund? 4, What are the values per ton that each coal company will receive from the Mines Department as a rebate for royalties, rents, etc.? 5, What are the total increases per ton which each coal company will receive under the new arrangement? 6, What provision is made regarding the rates of wages and conditions of work of those employed by the various coal companies which will supply coal under the new arrangement?

THE MINISTER FOR RAILWAYS replied: 1, The maximum price is 8s. 9d. per ton; the minimum price will be determined according to calorific value.

2,

Mine.	Period.	Price.
		s. d.
Cardiff	31st July to 4th Sept.	9 0
	5th Sept. to date ...	7 9
Proprietary ...	24th July to 1st Sept.	9 0
	4th Sept. to date ...	8 2
Co-Operative ...	24th July to 29th July	10 0 & 9s.
	31st July to 2nd Sept.	9 0
	7th Sept. to date ...	8 6
Scottish Collieries	24th July to 1st Sept.	9 0
	4th Sept. to date ...	8 0

3, The equitable value of the coal to the railways has not yet been finally agreed upon by the Government. 4, No rebates other than royalties will be allowed. 5, Answered by previous answers. 6, (*a.*) None; the Government have no desire to usurp the functions of the Arbitration Court; (*b*) none other than to see that the provisions of the Coal Mines Regulation Act are properly carried out.

BILL—ROADS AND STREETS CLOSURE.

Read a third time, and transmitted to the Legislative Council.

BILL—PERMANENT RESERVE REDEDICATION.

Read a third time, and transmitted to the Legislative Council.

BILL—WINES, BEER, AND SPIRIT SALE ACT AMENDMENT (No. 2).

IN COMMITTEE.

MR. ILLINGWORTH in the Chair; the PREMIER in charge of the Bill.

Clause 1—agreed to.

Clause 2—Fees for publicans' general licenses:

THE PREMIER moved an amendment, that all words after the words "shall be" in line 3 be struck out, and the following inserted:—

(*a.*) for any house or premises situated within a municipality—(i.) if the annual value of the house or premises does not exceed five hundred pounds, fifty pounds; (ii.) if the annual value of the house or premises exceeds five hundred pounds, seventy-five pounds.

(*b.*) for any house or premises not situated within a municipality—(i.) if the annual value

of the house or premises does not exceed two hundred pounds, forty pounds; (ii.) if the annual value of the house or premises exceeds two hundred pounds, fifty pounds.

MR. DAGLISH: The Committee were entitled to some explanation of the reasons for moving the amendment, and the effect the amendment would have.

THE PREMIER: The member who had suggested that a statement should be made was not present the other day when reasons were given for this amendment. It was then pointed out that as some licensed premises had a very small volume of trade, it would be unfair in the extreme to increase their license fee. He was seeking by this amendment to make the license fee in some way commensurate with the volume of trade done. Unless the annual rental was smaller than £500, the license fee at present existing would not be interfered with; but if it was more than £500 and the premises were within a municipality, there would be an increase in the fee of £25. Outside the borders of a municipality, if the annual rental did not exceed £200, the existing license fee would not be interfered with; but if it did exceed that sum, then instead of paying £40, licensees would have to pay £50 in future. An endeavour had been made to reach a sliding scale which would be absolutely just, and would not inflict hardship either upon the licensee or those who did business with the licensee.

MR. KEENAN asked whether he could now move an amendment of which he had given notice.

THE CHAIRMAN: The motion before the Committee was to strike out certain words in the clause. These words must be struck out before other amendments could be adopted.

MR. A. J. WILSON: If the Committee struck out the words after "shall be" at the end of the second line, could Mr. Keenan then move to strike out the remainder of the words with a view to inserting his new clause?

THE CHAIRMAN: If the words were first struck out, other amendments could be moved.

MR. KEENAN: Should not the whole clause be struck out?

THE CHAIRMAN: The question had been put, "that the clause do stand as printed." If the hon. member desired the whole clause struck out, he could move accordingly.

MR. BATH: The hon. member could not move to strike the clause out, but could vote against the motion that it should stand as printed.

THE PREMIER: Apparently it was merely a matter of degree. If we struck out all the words after "shall be," it would remain with the Committee to determine what license fee should be inserted.

MR. BATH suggested an alteration of the wording of Mr. Keenan's amendment to meet the case.

Question passed, the words struck out.

Farther question (that the words proposed by the Premier be inserted in lieu) put.

MR. KEENAN moved an amendment that the following words be inserted in lieu:—

The licensing magistrate shall assess the capital value of the land in which the licensed premises stand, and shall also assess the capital value of the land and licensed premises, and shall fix, as the annual fee payable, a sum equal to one per cent. on the difference between such capital values. Provided that in no case shall the annual fee payable exceed eighty pounds, or be less than twenty-five pounds.

The Premier had stated that it was necessary to make some distinction between licensed houses; but the Premier's amendment simply created two classes, one being in relation to premises of an annual value exceeding £500, and the other premises under £500. If it was necessary to make a distinction, we should go far enough to make that distinction valuable to members of the trade generally. If in some part of Perth land was worth, say, a thousand pounds, and the building and land together £8,000, the magistrate would assess the annual value at 1 per cent. on the difference, £7,000, this amount being £70. And in other places where the land was worth £500, and the building £3,500, the 1 per cent. on the difference between the value of the land and the value of the land and building together would be £35. The revenue of the State would be sufficiently guaranteed by the limitation in his (Mr. Keenan's) amendment, that in no case should the annual fee payable be less than £25. There were certain premises on the goldfields which were practically

only frequented now by travellers. Certain townships on the goldfields, which at one time had a considerable population, now simply marked stages on the track when one went out back; such places as Niagara, Laverton, Bulong, Broad Arrow, and others. If the licensed houses in those places were shut up, it would mean great inconvenience to the travelling public, particularly people frequenting those tracks for the purpose of opening up the mineral resources of this State. We could only preserve such places by making the license fee such as they could bear. We should not propose a tax which would kill revenue that it was intended to secure.

MR. BARNETT: If the Premier had erred at all, it was in limiting the amount of license fee to the extent he had done. His (Mr. Barnett's) suggestion was to keep the minimum as at present in relation to houses paying a rental of £500, making the sum £75 for those exceeding £500 and not exceeding £750; for those exceeding £750 and not exceeding £1,000 a year, £100; and so on in proportion to the value of the rental to be actually paid, and the ingoing. That would have been an equitable way of treating the question and of bringing revenue to the State. As to the houses particularly mentioned by the member for Kalgoorlie, they might, under certain circumstances, be treated in some instances as places for which wayside licenses should be granted, in which case the license fee would be £10 a year. Discretionary power might be given to the Colonial Secretary, or the Minister responsible for the Act, to make exception in certain circumstances.

MR. BOLTON: The argument of the preceding speaker was not clear. At North Fremantle were two hotels, about equal in respect of the annual ratable value of the land and the additional value of the buildings. One licensee had paid a large sum for ingoing, his rental was £7 a week, and he had to effect certain improvements; the other paid nothing for ingoing and did not effect improvements, but paid £20 a week in rent, equal to £1,040 a year, as compared with the other lessee's £364. In many cases there was no ingoing, but a certain sum must be spent on improvements in a given time. It often happened that a licensee sold out to another before making the stipulated improvements. One hotel in North Fremantle had changed hands six times in five months. Increasing the license fee would have one good effect, by closing up one hotel in that town.

MR. DAGLISH: The member for Kalgoorlie was, with the best intentions, apparently taking the worst course by submitting his amendment. By deducting from the capital value of the premises the capital value of the land, a big advantage would be given to that hotel which ought to pay the higher license fee. In the case of the Shamrock Hotel, Hay Street, on highly valuable land, if the value of the land were deducted from the value of the premises, the hotel would pay a much lower fee than a house situated in Murray Street, where the advantage arising from large traffic was absent. The circumstances that built up the capital value of the land built up the trade of the hotel. The amendment would provide that where the land was most valuable, the licensee would pay the lowest fee. This would enable the man with a comparatively poor house on highly valuable land to escape with a low fee, while a man with an expensive house on land less valuable would pay an enormously higher fee. If we must have a sliding scale, the value of the land should be the most important factor in deciding the license fee to be paid. Where there was little business the land was comparatively valueless. The amendment would be very good for the publican owning premises in the best part of Hay Street, Perth, or of Hannans Street, Kalgoorlie, but very bad for the the suburban hotelkeeper, or for those in the less important streets either of the coastal or the goldfields metropolis. His (Mr. Daglish's) proposal to base the license fee on the value of the license was adopted by the Premier and the member for Kalgoorlie; but the Premier should have adopted the proposal holus bolus; and the revenue would then have been considerably increased, and fuller effect would have been given to the proposal. However, the Premier's amendment was a step in the right direction; and though it was a very short step, he (Mr. Daglish) would support it in preference to standing still.

MR. BATH: The wording of the amendment of the member for Kalgoorlie was somewhat confusing. After all, the proposal was to base the license fee on a percentage of the value of the licensed premises. If the amount of the fee had been stated as one per cent. of the value of the premises, the proposal would have been much clearer. No doubt the hon. member had the best of intentions; but his amendment would penalise the proprietor of the best class of premises, while allowing the man who erected inferior premises to pay a much smaller fee. Such hotels as the Palace and the York at Kalgoorlie catered extensively for the travelling public; yet they must pay a much higher fee than hotels which were far less costly to erect but probably had a much more profitable drink traffic. It was not desirable that the license fees should be so imposed as to prevent people from erecting good premises. The fees should be based on the value attached to the premises by the large or the small quantity of liquor sold therein. The Premier had made a somewhat weak attempt to solve the difficulty; but he (Mr. Bath) would not vote for either amendment. He would vote against both and against the Bill. Better let the position remain unaltered, and wait for the Premier to introduce the comprehensive measure he had promised, to assess the license fee according to the value given to the premises by the quantity of liquor sold.

MR. KEENAN: The amendment before the Committee dealt only with Clause 2. If members read his proposed amendment to Clause 3, they would notice that the magistrates were to arrive at the capital value of the land and premises, in the absence of other evidence, by assessing it at ten times the the full annual rent at which the premises might be expected to let. A house that did not provide for the travelling public, but only for the thirsty inhabitants of the town, would have an exceedingly high rental. Such goldfields houses paid higher rents than those paid by hotels accommodating travellers. The result would be, not that the house deserving of encouragement would be penalised, but quite the contrary. The drinking house would have to pay the highest license fee prescribed by the Act. The member for Subiaco (Mr. Daglish) knew that the Shamrock Hotel paid a high rent owing to its position. If the magistrates assessed the capital value at ten times that rental, the publican would be called on to pay a license fee proportionate to the value of his trade.

MR. DAGLISH: But the magistrates would do that only in the absence of evidence. Evidence for the publican could be easily secured.

MR. KEENAN: Then let the hon. member move to strike out the words "in the absence of other evidence." The words were inserted to allow of evidence where the rental was excessive in view of any decline in trade.

MR. A. J. WILSON: Neither amendment appeared to meet the case. In granting a license to an hotelkeeper, the State gave him an opportunity to make certain profits; and the value of the concession depended on the locality. Hence, the fairest way of taxing the licensee for the concession was to make the license fee a certain percentage of the annual rental value of the premises. We could safely depend on the licensee and the owner, who were rarely the same person, to arrive at a fair determination as to what the premises were worth to themselves. There would be no occasion for the licensing bench to determine a fair annual rental value. If we adopted the system of charging every licensee on the basis of 10 per cent. on the annual rental value of the premises, we would place every hotel-keeper on a perfectly fair and equitable basis. By adopting either amendment now before the House we would be finding anomalies. The remedy was to deal with the licensee, fix what he should pay for the privilege of selling liquor, and then to deal with the landlord who scooped the ingoing. Under the proposal of the member for Kalgoorlie a serious injustice would be done, and there would be a premium for erecting inferior hotels merely to deal with drinking. Drinking shops being the best paying concerns, were located in the best positions, so that the value of the land was very high, and the difference between the value of the land and the value of the premises would be very small, and the fee charged on the basis suggested would be only about the minimum pro-

vided in the proposal of the member for Kalgoorlie.

MR. BATH: The member for Kalgoorlie had not disposed of the objection raised. Where the liquor trade of two hotels was equal, but one hotel was merely used for drinking purposes, the licensee of the larger hotel would be called upon to pay a larger rent proportionate to the interest on the outlay of the owner who had erected the building and furnished it in a comfortable, if not an elaborate, manner. The latter licensee would therefore be penalised in the fixing of the license fee. The only possible method was to take into consideration firstly the ingoing and secondly the rent, and to try and determine how far the rent was paid in consideration of the special value of the premises according to the amount of liquor sold, which would probably be fixed by the position of the building in a particular busy street; and this would consequently have an effect upon the capital value of the land. In the ultimate degree the capital value of the land was largely determined by the value of the premises for the sale of liquor.

THE PREMIER: This was essentially a revenue-producing Bill.

MR. BATH: How much revenue was anticipated?

THE PREMIER: If passed in its present form the increased revenue from the Bill would be something like £12,000 or £15,000 a year. The present license fee outside Perth and Fremantle was £40, and in Perth and Fremantle £50. No one would argue that there was any reason existing why the license fee in Kalgoorlie or Boulder should be less than in Perth or Fremantle. There was no necessity why Perth and Fremantle should be singled out for higher fees than the rest of the State. Then what standard of value was to be set up? It should be the rental value. Members for goldfields districts pointed out, with good reason, that some of the licensed premises on the goldfields were not earning even a bare existence. Such premises were hardly likely to be paying a rental of £500 a year. If they were not doing so, their condition would remain exactly as now. It was proposed by the amendments that where the annual value was £500 the license fee should be £75 instead of £50, but where the rental was under £500 the license fee was to remain exactly as now. There was no hardship in that. Could any member point out any licensed premises on the goldfields where the rental was over £500 a year and where the licensee could not afford to pay £75 license fee? While one admired the great concern some members had for the protection of the revenue and of certain districts, yet one could not see that they were logical in their conclusions. The member for Subiaco was very much concerned that some injustice would be done to some individual. He (the Premier) would like to know the individual. The Leader of the Opposition claimed that this was a very weak attempt on the part of the Government. He (the Premier) had been waiting for suggestions of something stronger, and had invited them, but the Leader of the Opposition had not given anything stronger than very weak tea. [MR. TAYLOR: That was all the Opposition were now dispensing.] One gathered so much without being informed. This was by no means a party measure. In the first place we wanted to increase the revenue, and in the second place to arrive at that desirable end without inflicting any injustice. He had suggested that the proposed means of arriving at that end would be acceptable; but the only suggestion from the Leader of the Opposition was that the attempt of the Government was very weak. Could members point out something better than that proposed? The Bill attempted to fix the license fee on the basis of the annual rental. Surely that should be a fair guide. The value of the annual rental depended on the volume of trade done. The owner could get a better rental for premises in which a bigger trade was done; and the landlord was going to get the biggest rental he could. Therefore if we dealt with premises that were rented at over £500 a year, there would be very few that would escape. If premises were worth £500 a year, the landlord would demand that rental; and if the landlord did demand that rental and a tenant was prepared to pay it, then the Government asked for an increased license fee of £25. If there was no

tenant ready to pay that rental, the license fee remained as at present.

MR. HOLMAN: There might be a larger ingoing and not a large rent.

THE PREMIER: If we tried to increase the revenue, we must do so with the least possible cost of collection. If we dealt with the ingoing or turnover or anything approaching the valuation, we surrounded the matter with difficulties. It would cost more money to collect perhaps than the amount collected. The proposal was a simple one, and there was absolutely no cost. The rental would fix the license fee. This might not be very advanced legislation or anything very clever, but it was simple and effective. If any member could suggest anything better, he would be glad to adopt it; but at present no better suggestion had been made. The proposal of the member for Kalgoorlie (Mr. Keenan) was altogether too complicated. It would defeat its own ends, and not increase the revenue, but rather decrease it; and it would lend a premium to the erection of faulty premises on valuable land. We might have in the middle of a most thriving community, on most valuable land, a most disgraceful shanty that would do a very large trade.

MR. TAYLOR: The licensing bench had power.

THE PREMIER: According to the amendment proposed by the member for Kalgoorlie, the value of the land and buildings would be set off one against the other. The incentive would be to put up small or indifferent buildings.

MR. TAYLOR: In other words, the improvements were taxed.

THE PREMIER: That was exactly what we did not want to do. The aim should be rather to encourage the erection of what was known elsewhere as family hotels than common drinking shops. There were no other means of arriving at what he had in view than by the amendment he proposed. If the Committee took the rental value as the basis of taxation, members could not go far wrong.

MR. LYNCH: If it were possible to abolish or make it an illegal act to give or receive anything in the shape of an ingoing, we would be getting down to the standard value of any hostelry used for the purpose of selling drink. If we could do that, the track would be clear to arrive at a decision. So long as the present system for transferring properties of this kind existed, so far was it possible for contracting parties to enhance the rental value. By juggling with the rental value, it would be impossible to get a fair license fee. He suggested that a provision should be inserted forbidding everything in the shape of an ingoing to be paid or received by those dealing in this business. The Premier had made the dividing line £500 as the annual rental value. Roughly speaking, a £500 annual value represented £10 a week. He suggested, in view of the fact that rents varied from £500, which was £10 a week, that the value be increased to £25 or £30; for on the goldfields there were many hotels rented at £25 and £20. It would be wise to subdivide the hotels, classifying them on the basis of rental values of £5 a week or £250 a year, £500 a year, £750 a year, or £1,000 a year, which would be £20 a week; so that by this means there would be a chance of relieving the burden on the struggling hotelkeeper paying £5 a week. There would be this advantage: there would be three subdivisions beyond the dividing line that the Premier had set up. It would be acceptable at present to have three subdivisions beyond the dividing line, and that would bring in more revenue. It was a very ordinary hotel on the goldfields that brought in £10 a week, which was the dividing line which the Premier suggested. The Premier could go below one degree, that was £5 a week, or go beyond to the extent of £25 by gradations of £5 each. This suggestion would bring in more revenue without unduly pressing on hotel-keepers.

MR. DAGLISH: There was nothing in the clause to guide the Committee as to the meaning of "annual value." The Premier repeatedly in using these words spoke of them as synonymous with annual rental; but there was nothing in the Bill to determine that as their meaning. There was a provision in regard to annual value in the Municipalities Act. Was the Committee to understand that

the Premier was taking the same definition? If so, the annual value was considerably less than the annual rental. While listening to the Premier's remarks, he was impressed by the desire to get something like the proportionate value for the licenses granted; and he was surprised the Premier used such strong arguments in favour of so weak a case. He failed to recognise, if they adopted the principle, that it confined the assessment only to those premises which were worth more than £500 and those worth less. Surely the principle of thus charging the value of the license was right, and should apply as far as possible all round. The house that brought in a rental of £20 a week, that was the house returning £1,000 a year, should not pay only the same license fee as the house returning only half that rental. The Premier had also argued that we could not take into consideration the ingoing. In his (Mr. Daglish's) opinion, that was a most essential feature in arriving at the annual value. When he (Mr. Daglish) introduced a Bill a few months ago dealing with this question, it was provided that the ingoing should be treated as part of the rent. There was no difficulty in doing that. The Premier was anxious to get a fair return for the licenses, and was willing to adopt any suggestions to do so. He (Mr. Daglish) was anxious to help the Premier to secure additional revenue, because he believed that the liquor monopoly was not paying the State anything like what it ought to pay. We were fattening a few individuals by granting these monopolies. In order to afford the Committee a chance of framing a more adequate amendment, he moved that progress be reported. He would be prepared at the next sitting of the House, if the Premier was not prepared to submit a new proposal, to bring forward an amendment which would give the State a larger revenue, as well as provide a more satisfactory scale of charges.

Motion (progress) put, and a division taken with the following result:—

Ayes	...	...	19
Noes	...	...	21
Majority against	...		2

AYES.	NOES.
Mr. Bath	Mr. Barnett
Mr. Bolton	Mr. Brebber
Mr. Carson	Mr. Butcher
Mr. Collier	Mr. Cowcher
Mr. Daglish	Mr. Diamond
Mr. Eddy	Mr. Ewing
Mr. Heitmann	Mr. Gregory
Mr. Holman	Mr. Gull
Mr. Horan	Mr. Hardwick
Mr. Keenan	Mr. Hayward
Mr. Mitchell	Mr. Hicks
Mr. Scaddan	Mr. Layman
Mr. Smith	Mr. McLarty
Mr. Taylor	Mr. Monger
Mr. Troy	Mr. N. J. Moore
Mr. Walker	Mr. Price
Mr. Ware	Mr. Rason
Mr. A. J. Wilson	Mr. Stone
Mr. Lynch (*Teller*).	Mr. Veryard
	Mr. F. Wilson
	Mr. Gordon (*Teller*).

Motion thus negatived.

MR. TAYLOR regretted that the Premier had not seen his way to report progress, for members had not gone sufficiently into the Bill. To emphasise the point in reference to ingoing: if the landlord and tenant were desirous of getting the license as cheaply as possible under the Act, it would make no material difference to the landlord if he derived his rent by means of a large ingoing and a small rental value. A small rental value would naturally follow a large ingoing. Ingoing was only a phase of rent. Unless some provision was made dealing with the matter we should find that large ingoings and smaller rents would be the order of the day. The Minister for Mines (Hon. H. Gregory) had dealt with this matter both as landlord and as a gentleman conducting the business, and would be able, perhaps, to give the Committee valuable information.

THE MINISTER FOR MINES: If a suggestion were made by him it might be valuable, but it would not be like that of the hon. member.

MR. TAYLOR: The hon. gentleman would be dealing with the matter from the landlord's standpoint. Ingoing into hotels would be, in the metropolitan centre on the coast and on the goldfields a very heavy item. As much as from £5,000 to £10,000 ingoing had been paid for periods of from five to seven years. If the Premier would provide a clause by which we could meet the case of ingoing as portion of rent, we should, by passing it, be doing what would be best.

MR. HOLMAN also regretted that the Premier would not allow progress to be reported. The hon. gentleman said it was not a party question, but we saw the

Government Whip almost dragging men to vote with the Government. If that was not bringing a party question into the matter he did not know what a party question was. The time had come when some of those men who allowed themselves to be led away like that, to vote with a party on a non-party question, should cease criticising caucus. In regard to ingoing, if we could not bring that in with rent, we should have a clause to provide that at least 10 per cent. of all ingoings should be paid to the Treasurer. The amount obtained by means of a license fee would be about 10 per cent. for an ordinary hotel, according to the Premier's amendment, although that would not obtain in relation to hotels for which up to the present high rent was paid. Ten per cent. on ingoing would mean that a large amount of revenue would be derived from a source very well able to pay it, and instead of the licensee being penalised to the whole extent the landlord would be compelled to pay a large sum which would be very welcome at the present time. The amount paid over during the last few months would have returned some £5,000 or £6,000 to the State. He would like the Premier to report progress to allow some consideration to be given to the matter, so that it could be brought forward in a tangible shape next day.

MR. HEITMANN was decidedly in favour of taking ingoing into consideration in relation to rental. He now found that a new clause was to be proposed which would surmount that difficulty.

MR. DIAMOND regretted that this subject had been brought forward at all during the present short session. It could have been left until some more important measures had been dealt with, and next session it could have been brought before the House when it had been better thought out. He would like the Premier, or whoever introduced the amending Bill next session, to take some counsel with those in the House and out of the House who understood the requirements of the trade, and also the desires of the public. Some alteration was necessary and there was a good deal to be said in favour of having some percentage of the ingoing. There was also something to be said on the side of the member for Kalgoorlie (Mr. Keenan). As the matter was before the House it must be dealt with, but he would like it to be dealt with as quickly as possible. It was only a tentative measure, in the nature of an experiment, and if we tried it for six or twelve months we should be able to improve upon it at a later date; therefore whilst again saying he would rather the thing had not been introduced this session, he would support the proposal.

MR. WALKER: It was the feeling expressed by the preceding speaker that made this and similar measures so objectionable. This trying an experiment on the public to see whether it would hurt them was very wrongful. Confessedly we should soon require a comprehensive measure for the reform of the liquor laws in all their ramifications; yet now we were making a piece of patchwork, in a manner almost amusing in a deliberative assembly. The Premier had a clause in the Bill he introduced. Almost the next day he sought to substitute another clause. The member for Kalgoorlie proposed yet another; and then the Premier said that although he believed his amendment was all right, he would be pleased to adopt anything better. Another member offered, if the Premier would wait till to-morrow, to bring in something to solve the difficulty; but the Premier would not wait.

THE PREMIER: It was always to be "to-morrow."

MR. WALKER: If not done to-day, a thing must be done to-morrow or some other day. Why this patchwork, this tinkering legislation, when a comprehensive measure must be brought in later? Surely there was some other means of obtaining revenue. This was merely a fill-up measure. (Laughter.) In a double sense it was a fill-up measure. If revenue were absolutely needed, why was the maximum license fee £75? Was there not too narrow a margin between the license fees payable by out-back hotels and those of the great hotels mentioned? Was it not altogether a farce to make an hotelkeeper at a place like Bardoc pay £40, when an hotelkeeper who paid for ingoing £5,000 or £6,000 need not pay more than £75 as a license fee? Such men, who could afford to pay a higher fee, should be charged accordingly; but do not charge the small hotelkeepers even £40, when they were

struggling for a mere pittance, and were of service to the community. Generally it was not the small hotel that was an objectionable grogshop. Many large hotels obtained their revenue by intoxicating the public; and £5,000 or £6,000 changed hands on the ingoing of a new tenant. If the member for Subiaco had a proposal that would enable us to do justice to the small and the big landlords, we ought to hear his scheme, though we waited till to-morrow. Have a wider margin between the £40 and £75 license fees, and let some discretion be used in imposing them, avoiding a hard and fast distinction between houses within and houses without municipalities. The Premier said this distinction was necessary because of the haste of people in some districts to substitute municipalities for roads districts. But why punish the publican because some public men had secured municipal government? Did that alter the publican's capacity to pay his license fee, or bring more custom to his house? Let us base legislation on common sense, not on chance-work. Some hotels altogether outside municipalities were better fitted to pay the higher than the lower fee. Large sums were paid for such leases; yet they were on the smaller scale, while the struggling house in a small scattered municipality must pay the higher fee. Progress should be reported.

THE PREMIER: To report progress he would not object, if that would result in progress; but apparently the "to-morrow" would never come. For a considerable time the Bill had been before the House; and though suggestions were invited, all we heard was that perhaps to-morrow the member for Subiaco might make a suggestion. The hon. member would be quite entitled to say, on the morrow, that he was not prepared to suggest anything; other members might suggest something for another "to-morrow," and a farther adjournment might then be proposed. To-day the license fees were fixed in the Act at £40 and £50, and this Bill proposed to increase the £50 license to £75. Members did not need weeks of study to decide whether that was reasonable. We were told that the fee should depend largely on the sum paid for ingoing. The experts who talked so glibly about ingoing might know more than he; but he understood that "ingoing" covered a multitude of things. In many cases it covered furniture and stock-in-trade.

MR. HOLMAN: Not in all cases.

MR. DIAMOND: The "ingoing" or bonus was always in addition to the price paid for the furniture or stock-in-trade.

THE PREMIER would submit to those whose knowledge was greater than his own on this subject: but in many cases the "ingoing" covered stock-in-trade and furniture. We could not make an arbitrary rule by which the license fees should depend on the sums paid for ingoing. Surely nothing could be more easily misstated. If the license fee depended on that, the average landlord and the average publican would find some means of evading the law. Hitherto he (the Premier) had dealt with Clause 2 only; but members, on referring to the notice to amend Clause 3, would find that the licensing magistrates in fixing the annual rental value must consider all the points which members had raised.

MR. HOLMAN: But the maximum license fee was £75.

THE PREMIER: If any member would move an amendment that the maximum be £100 or £125, the Government would consider it. So far, we had nothing but suggestions of what might happen to-morrow, and no tangible suggestion for to-day. It was said that the Government were not serious. What greater proof of sincerity could they give than this Bill, which was surely a practical means of increasing the revenue in a practical manner? The increased license fee was entirely dependent on the rental. What better standard of value could we have? The member for Kanowna said that many houses were doing little trade. If so, their license fees would not be increased. Did the rental of such houses exceed £200 a year? If not, they would pay the same license fees as they paid to-day. Surely that was no injustice. It must be apparent that if a licensee paid more than £500 a year in rent, he could well afford to pay a slightly higher license fee. Members must also bear in mind that the hotelkeeper had an advantage of 4s. in the Customs duty that the State had lost, and this proposal was an attempt to

recover some small portion of that sum lost to the State. The smallest publican in Western Australia received far greater advantages from the reduction of the duty on spirits than would be gained to the State by the increase of fees.

MR. BATH: Did the publican gain the advantage?

THE PREMIER: Undoubtedly the consumer did not. Either the wholesale dealer or the retailer received the advantage, and the State was entitled to some small portion of it. If by postponing the consideration of the question we could hope for some practical suggestion, he would be glad to do so; but what hope was there? It was suggested that we should tax the ingoing, an entirely impracticable and unworkable suggestion. We were asked to report progress because the member for Subiaco had hinted that possibly to-morrow he might be prepared to suggest something. We should get along with the business now; and if some practical suggestion were made later, there would be ample opportunity in another place to adopt it. He was only too anxious to have a practical measure, but he objected to the theory of "to-morrow" every time.

MR. A. J. WILSON: The Premier's subsequent amendment provided that the licensing magistrates should take into consideration the question of ingoing; but the fact remained that in this clause provision was only made for determining the license fee in cases of an annual rental of £500. The lease of the Shamrock Hotel, Perth, had been recently renewed, and the rental had been increased from £20 a week to £40 a week, while an ingoing of £6,000 for a five-years' lease had been charged. Practically, the annual rental value was £3,200, and we were only going to charge a fee of £75 for such a place as for an hotel where the annual rental value was only £500 a year. In addition to the high rent and ingoing, the Shamrock Hotel licensee was, during the currency of the lease, to make certain alterations and renovations. In the case of the Bohemia Hotel, Perth, the rental was £25 a week and the ingoing £8,000 for a ten-years' lease; and in consideration of improvements being effected to the value of £2,000, the tenants would get an extension of the lease for two years. The lease of the Globe Hotel, Perth, had recently been renewed, and the rent had been increased from £12 10s. to £18 10s. per week. Certain improvements were to be made bringing the rent up to £20 per week; and the ingoing was £5,000 for a five-years' lease. In the case of the Royal Hotel, Perth, the rent had been raised from £23 per week to £30 per week, the ingoing being £11,000 for a seven or ten-years lease. In addition to these, the leases of the Grand Hotel and the Criterion Hotel in Perth would expire in twelve months, and he (Mr. Wilson) was assured by a competent authority that it was anticipated renewals would take place at a rental of £40 a week and an ingoing of £5,000 in each case for a five-years' lease. In the case of the Bohemia Hotel the ingoing did not cover a stick of furniture, or anything in the house. There was no justification in dealing unfairly with the licensee because he seemed to be the only person the Treasurer could get at for the purpose of increasing the revenue. Whatever advantage the licensee might gain by any rebate in the spirit duty would be more than outweighed by the disadvantage occasioned by the extra rental imposed. If these heavy imposts were to be inflicted on the tenant and the landlords reaped all the advantages without contributing to the revenue, the licensees would square their accounts by supplying the public with an inferior class of liquor.

MR. GORDON: Where would the excise officers be?

MR. WILSON: It was a fact that since the present Government came into power no prosecutions for selling liquor lower than the standard had taken place; so it was the duty of the Government to say where the excise officers were and whether they were doing their duty. The consideration of this matter should be postponed, and if the Attorney-General was too busy attending to other affairs to draft the necessary clause, members would consult legal advisers and present a properly-drafted clause to overcome all the difficulties and to assure the Treasurer of a greater amount of revenue than he would be likely to get from the operation of the amendments put forward by the Government.

MR. BATH gave notice of a farther amendment, to strike out the words after "municipality" and insert in lieu "10 per cent. on the annual value, provided that the minimum fee shall be £40." A second farther amendment would be to insert in the next paragraph the words "10 per cent. on the annual value, provided that the minimum fee shall be £30."

MR. FOULKES: The Premier would appreciate the feeling among members that this industry could well afford to pay increased taxation. Many members realised that the licensees of houses where the rent exceeded £500 a year could afford to pay more than the amount suggested in these amendments. We should ensure that the people interested in this trade should pay their full share of the duties. Much incentive to crime was due to the undue use of alcohol. The Commissioner of Police for the last three years had reported that in his opinion the extraordinary amount of crime which existed in this State was due very much to the excessive amount of liquor consumed. Therefore it was only right that people carrying on this trade, who caused a good deal of misery and expense to the State, should pay their full share of taxation to the revenue. As the Committee appeared to be agreed that £50 was a fair duty to fix, where the annual value did not exceed £500, he suggested the Committee should pass that part of the amendment and then report progress. No particular hardship would be thrown on the shoulders of the licensee, because all were aware that Parliament was going to change the licensing laws of the State. Why should the Licensed Victuallers' Association be established if it were not to protect their interest? Licensees had been warned of the proposed change in the legislation dealing with this trade, because the Labour party in their programme two years ago thought the liquor trade should be in the hands of the Government, and if that had passed the present licensed victuallers would have had strong opponents in the Government. The licensed victuallers had had ample notice that a change in the licensing laws was to take place. There should not be distinction drawn between municipalities and roads boards, for in some roads boards districts there were prosperous hotels. He knew a place that up to a few years ago was a mere drinking shop, but the licensee was now carrying on a trade worth £3,000 a year. Six years ago that man was earning 8s. or 10s. a day, but he had the good luck to obtain a license for his place, and was now making £3,000 a year. The time had come when hotelkeepers should pay additional taxation. The owners of the houses who paid more than £500 a year rental should pay additional taxation.

MR. J. J. HOLMES: All were agreed that this particular class of business could well afford to stand increased taxation, and the question to his mind was what benefit the revenue would derive in the current year by the amendment if agreed to, for he understood that yesterday was licensing day and that the license fees were paid. If not, and there was to be an amendment passed, publicans were watching the debate and the fees would be paid to-morrow. A consolidation of the Wines, Beer, and Spirit Sale Act was necessary, and he was prepared to deal with that next session, but why keep the country waiting while members dealt with this Bill to get more revenue, as no additional revenue would be derived by it? There would be plenty of time to deal with the question before the Licensing Court sat next year, because he presumed Parliament would meet in June or July next. We were wasting time discussing the amendment, for if carried it would have no good result. We could deal with the whole matter in a practical manner next session.

MR. BATH: Had the question to strike out the words been put?

THE CHAIRMAN: It had.

MR. BATH: That being so he would move the amendment of which he had given notice:—

> That all the words after "municipalities," in line 3 of the amendment, be struck out, and the words "10 per cent. on the annual value provided the minimum fee shall be £10" be inserted; and in Subclause (*b*) that all the words after the word "municipality" be struck out and that the words "10 per cent. on the annual value provided the minimum fee be £30" be inserted.

The Premier was prepared to meet the views of members on the Opposition side in fixing the fees on the basis of a percentage on the annual value of the hotel.

Amendment (the Premier's) put, and a division taken with the following result:—

Ayes	...	...	27
Noes	...	...	15
Majority for ...		...	12

AYES.	NOES.
Mr. Barnett	Mr. Bath
Mr. Brown	Mr. Bolton
Mr. Butcher	Mr. Carson
Mr. Cowcher	Mr. Collier
Mr. Diamond	Mr. Daglish
Mr. Eddy	Mr. Heitmann
Mr. Ewing	Mr. Holman
Mr. Foulkes	Mr. Horan
Mr. Gregory	Mr. Keenan
Mr. Gull	Mr. Scaddan
Mr. Hardwick	Mr. Taylor
Mr. Hayward	Mr. Walker
Mr. Hicks	Mr. Ware
Mr. Holmes	Mr. A. J. Wilson
Mr. Layman	Mr. Lynch (*Teller*).
Mr. McLarty	
Mr. Mitchell	
Mr. Monger	
Mr. N. J. Moore	
Mr. S. F. Moore	
Mr. Price	
Mr. Rason	
Mr. Smith	
Mr. Stone	
Mr. Veryard	
Mr. Frank Wilson	
Mr. Gordon (*Teller*).	

Amendment thus passed.

MR. A. J. WILSON moved an amendment in Subclause (*a*.), that after paragraph 2 the following be inserted:—

If the annual value of the house or premises exceed £1,000, one hundred pounds.

Amendment put and passed.

MR. FOULKES moved an amendment, that the following subclause be added:—

If the annual value of the house or premises exceeds £2,000, £125.

THE PREMIER appealed to the common sense of members. He thought the limit had been reached. Outside Perth and Fremantle the highest fee charged to-day was £40. Now we had put that up in many cases to £100, and that was a very big jump in a short time. Members would realise that we might well stop there, for the present at all events, and he hoped the Committee would see that it was not advisable to go beyond the £100 limit.

Amendment negatived, and the clause as amended agreed to.

Clause 3—Governor may amend schedule:

THE PREMIER suggested that the clause be struck out.

Clause put and negatived.

Schedule:

MR. HOLMES suggested that York, Northam, Albany, Midland Junction, Bunbury, and sundry other places might well be added.

THE CHAIRMAN: If members desired to move amendments they should do so now.

Schedule passed.

New Clause (annual value):

On motion by the PREMIER, the following new clause was added:—

(1.) On the granting or renewal of any publican's general license—

(*a*.) For any house or premises situated within a municipality, the licensing magistrates shall assess the annual value of the licensed house or premises as not exceeding five hundred pounds or as exceeding five hundred pounds but not exceeding one thousand pounds, or as exceeding one thousand pounds; and

(*b*.) For any house or premises not situated within a municipality, the licensing magistrates shall assess the annual value of the licensed house or premises as exceeding two hundred pounds or not exceeding two hundred pounds, and shall state such value in their certificate.

(2.) The annual value shall be assessed at the full annual rent at which the licensed house or premises might be expected to let, and in making such assessment the licensing magistrates shall take into consideration, with the other evidence, the amount of every fine, premium, or other sum of money or valuable consideration that may have been paid or given, or agreed to be paid or given in addition to the rent reserved or agreed upon on any letting or renewal, assignment, or transfer of tenancy or occupation of the house or premises.

New Clause (Sunday trading hours):

MR. KEENAN moved that the following be added as a clause, this being in substitution for one of which he had previously given notice:—

Provided that the holder of a general publican's license granted under this Act may sell or retail any liquor, or suffer the same to be consumed on his licensed premises on any Sunday, Good Friday, or on Christmas Day between the hours of eight o'clock a.m. and nine o'clock a.m., and the hours of one p.m. and two p.m., and the hours of eight p.m. and ten p.m. Provided further that it shall be lawful for any licensing bench or any resident magistrate by order under its or his hand to alter the hours during which the holder of a publican's general license may keep open his premises for the sale and consumption of liquor thereon so as to make such hours suit the requirements of the particular licensing district, subject always to the limitation of the

total number of hours during which such licensed premises may be kept open for the purpose of the sale and consumption of liquor therein, to the total number of hours hereinbefore set out in the power of such licensing bench or resident magistrate to revoke or alter its or his order at its or his pleasure.

The new clause should be added because of its extreme urgency. It might be objected by some members that this being a purely revenue Bill—he believed the Premier held that view—it should not be loaded with any clauses not dealing exclusively with the raising of revenue. But he asked members to be indulgent enough to allow the clause to be inserted because the state of affairs that prevailed, particularly on the goldfields, was so disgraceful and so opposed to the maintenance of any degree of morality. A Bill to amend the Licensing Act being before us, opportunity should be taken to do something to cure the evil. It was impossible to make human beings different from what nature had made them. We should find people thirsty just as much on Sunday as on any other day of the week, and if they were thirsty they would insist on obtaining some relief of that thirst. People required an opportunity of consuming these liquors on Sunday, and they fraudulently represented themselves as *bona fide* travellers. People of any experience in the community knew that on every Sunday public-houses throughout the whole day were crowded by people who sneaked in like criminals. They knew they were breaking the law, but their circumstances were such and the inducement to them to quench their thirst was so great that it was natural to risk the penalty of being brought before the bench. If we could not stop this state of affairs, was it not much better to legislate for it and appoint certain hours during which people would be entitled to go to hotels. Then, when we had given them a reasonable opportunity of providing for the natural desire of human nature in the direction of drink, we should say, "If you do not avail yourself of that opportunity and attempt to go outside the law, the law will be most rigidly enforced against you." A provision of that character would lead to a better and higher state of morality than could possibly exist under the present circumstances. If members believed they were going to advance the general interests of the community by lowering the moral tone of the inhabitants of this country, let them perpetuate the present system; but if, on the other hand, they thought it meant a great deal for the future of the country that they should raise these people to the highest possible state in a moral point of view, they would consider the amendment. They might possibly object as to the number of hours, but that was merely a proposal. The real gist of the matter was whether we were prepared to make some provision which would enable people to obtain liquor on Sundays, particularly the working classes. [MR. TAYLOR: Other people had their clubs.] Others had their clubs. The member for Mt. Margaret had the opportunity of being a member of a club, but that opportunity was denied to a large number of people for whom we had to make provision. It was absolutely necessary to make some attempt to conquer the evil, because it would be found that a large number of people looked upon the whole of Sunday as a day to be devoted to drinking; and if we gave certain facilities for drinking, people would not go beyond them. No doubt the publicans made a greater profit by the present state of affairs, but they ran greater risks. In the interests of morality we should legislate in the direction indicated.

MR. DIAMOND agreed with the general scope of the remarks of the member for Kalgoorlie, having advocated the opening of hotels on Sundays at the last three elections. A moderate amount of Sunday trading would decrease Sunday drinking. When hotels were open for certain hours on Sundays in Adelaide the drinking was not half what it was when the hotels were closed all day. Extremists in Australia had done more to increase drinking than to decrease it, and had the teetotallers and the temperance party been more moderate in their demands they would have been more successful to-day. Had they started by looking at the quality of liquor supplied, instead of going for absolute prohibition, they would have done some good; but now the result of their operations had been an enormous increase in the amount of Sunday drinking. The old Adelaide policemen would say that since the closing of hotels all day on Sundays in Adelaide, Sunday drinking had

trebled. If a man wanted a drink he would have it; and if we forced him to tell a lie to have a drink he would tell it. We should try some method of regulating Sunday drinking by giving a man facilities to get a proper amount of drink. The wage-earner and small-salary man could not afford to keep a cellar, or to order ice for the Sunday, or to buy bottled beer, and was entitled to have his cold glass of beer on a Sunday. In London, where the hotels were open for certain hours, there was a marvellous absence of drunkenness in the streets on Sundays. He favoured the idea of allowing the hotels in Kalgoorlie to be open for an hour on the Sunday morning when men came off their night shift, but did not favour allowing them to be open for six hours during the balance of the day. He suggested the hours should be from 8 to 9, and 12 to 1, and then from 8 to 10.

MR. HOLMES opposed the opening of hotels on Sundays, Good Friday, and Christmas Day in the way proposed. The other proposal dealing with the extension of hours was worthy of consideration. The member for Kalgoorlie had said that a scandalous condition of affairs existed on Sunday in connection with the consumption of liquor on the goldfields. What guarantee would we have that if this clause were passed it would be given effect to, while existing legislation was not given effect to? We were continually piling up the statute-book with no result. The member for Kalgoorlie suggested that men should have the opportunity, when thirsty, of having a drink on Sundays. The only way to get over that difficulty was to keep hotels open continuously, and Sunday drinking would be a safety valve, because a man on that day would work off all the alcohol he wanted for a week; but this suggestion he (Mr. Holmes) did not agree with. The present condition of affairs should not continue. Publicans generally desired their holiday on the Sunday. It was because the law was not enforced that publicans were compelled to sell drink through the back gate, since one man could not afford to take his holiday and lose trade while the man opposite continued to sell on Sundays. If the existing legislation was not carried out, how could members expect that fresh legislation of a repressive character would be carried out any better? It was the duty of the Government and their officers to carry out the existing law, and if it could not be given effect to the law should be repealed.

MR. GULL: The discussion was academic rather than practical. Such amendments as had been suggested by members should be left until the larger measure foreshadowed by the Premier was brought in next session.

MR. BATH: The hon. member, in fact all members, would be dead before that was brought in.

MR. GULL: The Premier, having heard the various opinions and suggestions in the discussion, should take them into consideration in framing his larger measure. A limited time for opening hotels on Sundays, with absolutely drastic punishment for selling drink outside those hours, would do more good than winking at the present loose practice. The licensed victuallers would be glad to get a portion of their Sunday off. The trouble of Sunday drinking existed now, and the practice was winked at. If the member for Kalgoorlie would withdraw his amendment and the Premier would take into consideration, the various suggestions made, this course would be the best.

MR. SCADDAN supported to some extent the amendment for partial opening on Sundays. He would prefer, however, that the matter should be referred to the people in the form of a referendum, because members were not now in a position to say they represented the opinions of their electors on this question. For himself, being a teetotaller, he could not say that if he tried to give effect to his opinion on this question he would be representing the opinions of his electors. Although approving of the amendment to some extent, the better course would be to hold it over until a comprehensive Bill was brought in as promised by the Premier. If a man had a thirst on Sunday, that thirst could not be limited to certain hours; and if his thirst must be gratified, the effect would be that hotels must be kept open all Sunday. As to working off the effect of alcohol taken during six days of the week by compulsory abstention on Sunday, this argument was like to that of the employer who said that if there was to be a half-

day holiday each week for his workmen, he would prefer they should have it on Saturday afternoon, because they could then have their burst and might get over it on Sunday, so that he could get full work out of them on the Monday following. As to drinking facilities in this State, river boats could sell grog on Sunday all day long, but persons on shore had not the same facility for getting drink. It was said that on the goldfields the amount of Sunday drinking was scandalous. If that were so, the same might be said of places on the coast, where Sunday drinking was carried on to a large extent. In dealing with this question, members should consider the public interest rather than the interest of licensed victuallers or any particular body. The licensed victuallers at Kalgoorlie, for instance, had made a set against Mr. Johnson during the election, because in advocating the opening of public-houses on Sundays for a limited time he said Parliament should make it a criminal offence to sell grog out of hours permitted by the law. The licensed victuallers resented that, because while they wanted liberty to sell during part of Sunday, they did not want a criminal penalty held over them. If public-houses were permitted to be open on Sundays from 1 to 2 at midday, and from 8 to 10 in the evening, this facility should be sufficient. The present system, at any rate, did not work satisfactorily. During the late elections the licensed victuallers and the temperance advocates were working hand-in-hand—an astounding spectacle, but a fact. Too much facility for drinking on Sunday should not be given, because one of the greatest enemies of the working man was the drink traffic, which caused more ruin to families than any other evil.

MR. HOLMES: And yet the hon. member wanted public-houses to be open seven days instead of six!

MR. SCADDAN: Publicans were trading all day on Sundays and half the night, in many places, and he wanted to find a way of getting over this difficulty. The Victorian law would not permit the bar door to be unlocked during certain hours. That provision might well be introduced here, coupled with a severe penalty.

MR. BATH: The amendment was somewhat foreign to the object of a Bill for additional revenue. If every member followed the mover's example, each might introduce a pet scheme which would make the Bill look like a patchwork quilt, and destroy all continuity in the clauses. Better abandon the proposal, pending an opportunity for securing the reform in a comprehensive measure. The member for Ivanhoe (Mr. Scaddan), who had the misfortune to be returned unopposed, was therefore unable to consult his constituents on the question of Sunday opening. At his (Mr. Bath's) election meetings, a question was always asked as to his attitude on this point. He was opposed to Sunday trading in hotels, though in saying this he laid himself open to the charge of obstinacy levelled by one member (Mr. Diamond) against Sunday closers. The hon. member had said the opening of hotels would result in a decrease of drinking, which result had followed in South Australia. Surely the greater the facilities for drinking, the greater the drinking which would result; also the greater the number of licenses, the larger the consumption of liquor. The South Australian police reports proved the inaccuracy of the hon. member's statement. The police objected to Sunday opening, and stated that it had increased drinking, and did not even prevent drinking during prohibited hours. As a result of their evidence and of public opinion, the experiment was abandoned in South Australia. If we opened hotels at certain hours on Sundays, the difficulty would not be solved; because actual experience in South Australia proved that drinking in prohibited hours did not decrease. People drank with the doors closed; and when at the legalised hour the door was opened, the drinkers came out, affording evidence that they had been drinking during prohibited hours. Why should Parliament give any greater privileges to a licensed victualler than to an ordinary business man—a grocer, ironmonger, or draper—who had to close on Sunday? The contention that if we permitted limited Sunday trading we could by a heavy penalty prevent drinking during prohibited hours, showed the absurdity of the proposal; because if heavy penalties

could prevent such drinking, they could prevent drinking at any time on Sundays. There was no hardship inflicted by giving men a chance on Sunday to rest from their drinking bouts. Without desiring to appear bigoted, he held that the best interests of the community would be served by giving hotelkeepers and their customers an opportunity for a Sunday rest.

MR. WALKER: Though the Bill was not perhaps an appropriate measure for such a clause, yet the reform was so important and so urgent that one might be forgiven for introducing it somewhat incongruously. No matter what our sentiments on the liquor question, so long as liquor laws remained on the statute-book it was only reasonable to allow people to drink on Sundays. One could understand the sincere teetotaller who was anxious to abolish drinking on any day of the week. He was consistent. Prohibition was understandable, perhaps desirable; but so long as we allowed drinking on Saturday and on Monday, how could we prevent it on Sunday? Sunday-closing laws did not prevent Sunday drinking, but added to whatever evil there was in drinking another evil, that of lying. Such laws demoralised the people, who would have their drink, and some would lie to obtain it. Not only did the law make the people morally corrupt, but it taught them a general disrespect for the law. The licensee was made an aider and abettor in evading the law; and the customer lost his respect for law when he falsely declared himself a *bona fide* traveller. Disrespect for the absurd and childish law and for the Legislature was spread throughout the community, and induced disrespect for whatever laws might be made for the preservation of order. Was not liquor obtainable on Sundays in every hotel in the State? Every Sunday the hotels were turned into temples of denunciation against the law and lawmakers of the country. Was it not better to use common sense, as on the Continent of Europe, in most of the American States, and in England? Surely the Leader of the Opposition (Mr. Bath) would not deny that England stood in the front rank of nations as a moral community. At certain hours of the day English public-houses were open on Sunday for the sale of the poor man's beer. Were those nations worse than this, or more immoral? Were they not leaders of progress? Were they not more progressive than we in what was for the good and enlightenment of humanity? If such laws could alter human nature, they would have some justification; but it was absurd to think that if a man was allowed to drink on Saturday, the law could alter his stomach on Sunday. A man had a thirst, admittedly a cultivated thirst; and Sunday closing could not stop it, but must increase it. He (Mr. Walker) knew from observation that the man who obtained illegal access to a public-house on Sunday to allay his lust for liquor was more likely to get his nervous system so poisoned as to make him a habitual drunkard, than if he were allowed freely to drink his liquor. What happened? Two or three men anxious for a drink, craving for it perhaps by over-indulgence on a Saturday night, told a lie that they were *bona fide* travellers; the publican winked at it, knowing it to be a lie; quickly the liquor was supplied and two or three glasses were gulped down in less time than it would take to drink a sip out of a wine glass. The men were anxious to get away out of sight of the police, who knew this went on, and waited like spies. The men gulped down these long glasses of beer or took the fiery spirit more than they otherwise would do if left to sip their liquor in comfort during conversation. In England if a man was having a glass of beer he would take over an hour to drink it; but here, to avoid detection, a man would drink three or four glasses and sneak out of the back door, in the time it took to count five. The stomach was injured, the craving was intensified, and the man was back in an hour or two for another stimulant, and back again at night. The next day that man was unfit for work. Employers of labour could say whether that was not the experience. Men would get their drink in spite of the law, and on Monday men neglected their work and went for "a hair of the dog that bit them." That was how drunkards were created. The law in this respect was in nothing else perhaps so like his satanic majesty, who was the tempter, the creator of the crime, also the criminal, and afterwards the punisher. On Monday morning the same

drinker might be in the dock charged with having obtained drink on the Sabbath through a lie, in saying he was a *bona fide* traveller. He was fined and punished for what was no crime. This was degrading to people calling themselves civilised. There was not a member of the Government but knew that this Sunday selling went on. From the head of the police down to the lowest member in the ranks, it was known that Sunday drinking went on. Everyone engaged in the administration of the law knew this, and occasionally they surprised some publican, but it was purely a whimsical surprise. They might do it once or twice until the license was lost; but the police could catch any publican on any Sunday and in any part of the city and almost at any time, if they tried. Why was it not done? Because the law was a farce. The officers administering it and those responsible for it knew it to be a farce, knew it to be ridiculous. It was hypocrisy to keep a law like this on the statute-book. What could be expected in the way of morality when the law itself was immoral? He could understand trying to get at people's natures and habits and trying to make them moral; but these laws could only result in producing immorality in the community. Whatever force that had here, it had ten-fold the force on the goldfields. There were few means of passing a Sunday amidst the duststorms in the wilderness. What chance was there of entertainment for people there? And what crime could there be in a few men taking a glass of beer together on a Sunday afternoon, or men coming from their work in the mine? Could there be a crime in swallowing a glass of ale? What sin against nature or against humanity or against society or against morality could there be in swallowing a glass of beer on Sunday? It might be the means of companionship or conversation. The teetotal shops were allowed to be open, and persons could gorge their stomachs with those noxious gases; but a wholesome glass of beer a man must not touch, under the penalty of being dragged before the police court the next morning as a liar. It was time we got rid of these silly laws. If drinking itself was a crime, go in for prohibition; but if in itself it was not a crime, it could not be a crime on Sunday. Therefore, why continue to make it one?

MR. J. PRICE: Every member who had spoken on this question looked at the subject from the point of view of the consumer. It was a curious position for members on the Opposition side to take, because if it was a question of selling a pound of tea, or a flatiron, or anything else, we should have the most tremendous diatribes against keeping a shop open on Sunday; but when it came to administering to the depraved habits of mankind, because with a certain section of the public it might or might not be an advantageous position for a politician to take, therefore we found all these ideas dropped behind, and the hotel which gratified these desires of the public might be opened while the ordinary requirements of mankind, the shop, must be closed. Whether we looked at this question from a Sabbatarian or a physiological point of view, it was the position of the employee we had to consider. Every man, no matter what industry he was engaged in, required one day's rest per week. Whether it were spent in church or on the river, it was a physiological necessity. As far as he (Mr. Price) was concerned, in the House his vote would always go in the direction of minimising labour on Sunday. The member for Kanowna had told the Committee that all the Sunday drinking which went on caused a loss of respect for the law. It was easily remedied. It only required a Government with sufficient backbone to enforce the laws to remove that cause of disgrace from us. We always had the poor man trotted out, the poor man who could not buy a bottle of beer on a Saturday night. Anyone who saw the great crowd of 25,000 people at the agricultural show, well-dressed and prosperous as any crowd to be found in the world, could not for a moment say that any of those people could not find ninepence on a Saturday night to buy a bottle of beer. It was ridiculous nonsense to trot the poor man out. Then the member for South Fremantle told the Committee that in London one did not see such drunkenness as one could see in Perth. He (Mr. Price) would like to know what parts of London that hon. member wandered about in. It was certain he did not go

down to the East-end of London. He (Mr. Price) knew London pretty well, and one could go to any seaport town in England to see more drunkenness and depravity than one saw in Western Australia. If one walked in the city he saw a deserted place, and if a person went to the West-end he found that the people had clubs and cellars at home, and one saw no drunkenness at all there. But go into the East-end of London, or take Southampton or the port of Hull or Liverpool, there one would see more drunkenness than could be seen in Fremantle at any time. Whether this was right or wrong, whether it was desirable to open public-houses on Sundays, this was not the time to broach the question. This measure was brought forward by the Government because the finances needed adding to at the present moment. There was no new principle involved in the measure. He would vote against the amendment because he believed that when the question was seriously tackled and new principles were introduced, there would be a complete revision of the licensing laws; but the present time was inopportune, and because he thought the Premier introduced a simple method of increasing revenue and introduced no new principle into the Bill he intended to support the measure.

MR. TROY did not feel inclined to support the amendment of the member for Kalgoorlie, because the licensing law should not be amended in the direction indicated. Notwithstanding what the member for Kanowna might say, even if hotels were allowed to open at certain hours on a Sunday we would have people coming back after the hotels closed to get more drink. We could not regulate the time when a man would be thirsty. A man would return to drink at any time; he would go when the hotel was open or when it was supposed to be closed. We must draw the line somewhere, and the law suited us as it at present stood. If we were to allow people to obtain drink whenever they wanted it, let us have no restrictions, but throw the hotels open on Sundays, Mondays, and every other day. He was not bigoted in this respect. Personally he did not care a rap whether a man drank or not; but we must have some restriction in this matter, just as we had restrictions in other ways. We must restrict a person in some sense for his own good and the good of the State. He would vote against the amendment of the member for Kalgoorlie.

MR. HOLMAN: The existing law had not been administered by any Government in Western Australia, and he did not think the present Government would have backbone enough to administer it as it should be administered. Were it possible to administer the law as laid down at present, he would not be in favour of it. Hotels should be open for the sale of liquor on certain hours on Sundays, although he would not favour throwing open the bar doors and having the place open the same as on week days. If certain hours were allowed and liquor were sold outside those hours he would go so far as to cancel the license. By carrying the amendment we could give the measure a trial until the comprehensive measure spoken of was brought down next session, and if it proved a failure there would be an opportunity of amending the law and refusing licensees the right to sell at any hour on Sunday. Thousands of men who drank on Sundays were far better than many persons who did not drink, and who desired to stop all others that required drink from obtaining it. If it was bad for a publican to sell liquor on Sunday it was also bad for clubs to do so.

MR. TAYLOR: We ought to have our hotels open certain hours on Sunday, because the present law which was supposed to close them, except to *bona fide* travellers, was abused in such a manner that the condition of affairs was a standing disgrace. One could walk about Perth or Fremantle on Sunday and see any number of people under the influence of liquor. In the parts of Western Australia he had travelled over, and he had travelled over a very large portion of this State, he had seen no difference anywhere so far as the trading on Sunday was concerned. There might be a little more restriction placed on people in Perth and Fremantle than in outlying districts, but this restriction did not prevent the sale of alcohol or beer on Sunday; and whilst we found that such a large portion of the population desired to have liquor on Sunday and obtained it against the law, why should we not take up the position

adopted in England, which dealt with millions of people whilst here we were only dealing with hundreds? That system had been found to work admirably—the system of allowing hotels to be open certain hours on Sunday. There should be another clause following that proposed, making the penalty very severe on those people who kept their hotels open other than during the hours specified in the amendment. He did not say a license should be cancelled for a first offence, but if a second offence were committed it should be cancelled for a week, fortnight, or month. [MR. HOLMES: Supposing that were done and there were only one hotel in the place, what would people do?] He had found that where there was only one hotel it was carried on in a more respectable manner so far as the law was concerned than were hotels where competition was keen. As to the Gwalia Hotel, he did not know what was being done now, but at the time the first manager, Mr. Roberts, was conducting it, the Leonora tram was waiting at the hotel when it closed on Saturday night, and as soon as people were bundled out of the hotel they were taken to Leonora in the tram. Had the Gwalia Hotel been on the same footing as a private hotel it would have been a huge success. [MEMBER: Hear, hear, for private enterprise.] That meant hear, hear, for law-breaking. [MEMBER: No, no.] He had an opportunity of enforcing the law, and if one took the records relating to his term of office as Colonial Secretary it would be found that the police were equally vigilant, if not more so, than at any other period. [MR. HOLMES: The hon. member closed the fruit shops.] The fruit shops were not closed by him, but he insisted that they should be open. The hon. member would do a great deal more by innuendo than by straight-out statements. If the hon. member had anything to say against him as a member of the House or against his administration as Colonial Secretary, let him stand in his place and make a statement, and he (Mr. Taylor) would refute it. It would be no hardship to him (Mr. Taylor) if hotels were never opened. If hotels were shut from one week's end to another, it would not affect him so far as the bar was concerned; but many people desired liquor on Sunday, and he could not see why they should not have a right to obtain it. If it was a crime to take it in an hotel, it was equally a crime to take it in one's house, or in a club, or on an excursion steamer. He did not desire to see people who lived next door to an hotel sneaking in from six o'clock on Sunday morning till ten or eleven o'clock on Sunday night to obtain liquor as *bona fide* travellers. He was speaking of something of which he had knowledge. He did not mean to say he would support the large number of hours the member for Kalgoorlie mentioned, but there should be an hour in the morning, an hour sometime after midday, and a couple of hours from eight o'clock till ten in the evening. In view, however, of the comprehensive measure the Premier had indicated, this was a splendid opportunity to insert the amendment of the member for Kalgoorlie, and we should have at least four, five, or six months' trial in this State of limited hours on Sunday for liquor traffic, which would give the Government and the House a fair idea of how it worked. If it worked satisfactorily, we could include it in the comprehensive measure to be introduced, and if not we could consider the proposal of those who were termed extremists, who believed in prohibition. No man in the Chamber recognised more fully than he the abuses of liquor, the amount of hardship, poverty, and crime which followed excessive drinking. Perhaps that was why he was a total abstainer. He had seen some of the finest men who ever spoke the English language fall victims to liquor, men who while sober could hold their own for manhood and intellect with any other men in the country, and who were yet surpassed by men not fit to blacken their boots.

MR. PRICE: Would drinking on Sunday prevent that?

MR. TAYLOR: Probably it would not, nor would it intensify the evil; but it would enable those who drank on Sunday to drink legitimately, instead of sneaking in at back doors. He would support the amendment, with a slight reduction of hours; and he hoped it would be pressed to a division.

MR. CARSON: The Governor's Speech announced that no contentious legislation should be introduced this session; yet this seemed one of the most contentious subjects imaginable. The Bill would not affect the finances for the present year; and as a more comprehensive measure was promised, the Bill was a mistake. Some police inspectors informed him that it was most difficult to get convictions for Sunday trading; and the law should be altered to make convictions more easy. It was in the public interest that hotels should be closed on Sunday; hence he would oppose the amendment.

MR. HORAN deprecated the introduction of the Bill, he, like most Opposition members, being strongly opposed to tinkering with legislation. Whenever the need arose for altering a law such as this, an up-to-date consolidating measure should be introduced so that all could easily understand the exact position. The Premier must recognise that it was impossible to increase this year's revenue by means of the Bill. He (Mr. Horan) would vote for the amendment, but not necessarily for the proposed hours of opening. As a goldfields member, he denied that the police could administer the existing Act. The Sunday trading which was carried on illegally every Sunday should be legalised. The member for Ivanhoe (Mr. Scaddan), from the tenor of his remarks, did not appear to be an authority on the drink question. At nearly every hotel he (Mr. Horan) had lived in at any time during the past six years, alleged *bona fide* travellers were continually calling from 9 o'clock on Sunday morning onward through the day, and telling lies to the doorkeepers, thus lowering the moral tone of the community. Surely the intention of the Legislature was not to discriminate between one class and another. All were not privileged to be members of clubs. Why should the working man be denied the privileges of a club member? The need for alteration of the Sunday closing law was urgent on the goldfields as well as on the coast.

MR. KEENAN: In spite of the fact that the Opposition were generally stigmatised for their supression of individuality, they had in this discussion shown more individuality than could be discovered in other quarters. The member for Ivanhoe (Mr. Scaddan) stated that he (Mr. Keenan) was supported at the recent election by the Licensed Victuallers' Association. Such support was due, not merely to his attitude on the question of Sunday closing, but to many other proposals of the late Government, such as the proposal to abolish barmaids. If the hon. member advocated that, he was opposed to a large section of his own constituents. But neither the hon. member nor he (Mr. Keenan) was a delegate either of the temperance party or of the licensed victuallers. It was surprising that the member for East Fremantle (Mr. Holmes) could be so excessively jealous of the reputation of the goldfields for scandalous abuses of the licensing law. If its abuses in Fremantle were more scandalous than on the fields, that was only a farther argument for making the law acceptable to the public. Members said, "Why allow limited Sunday trading when the new law will not be better observed than is the existing law?" The existing legislation was so opposed to the desires of the general mass of the people that it could not be enforced. That was the position of a number of Acts on the statute-book. In England a statute law revision committee had to be appointed because of the large number of statutes which could not be enforced because they were opposed to the common sense and the general wishes of the community. So it was with attempts to enforce strict Sunday closing. The general mass of the people would not tolerate its enforcement. He was not wedded to the hours of opening proposed in the amendment. It was said that if we admitted people during any stated hours, we should find it impossible afterwards to clear them off the premises. That was a grave statement. If true, it would be equally impossible to clear them off the premises at the closing hour on week days. [MR. SCADDAN: So it was.] The hon. member must be speaking from special knowledge of his own, or possibly from his imagination. If we allowed people to drink during certain hours on Sunday, we should be justified in imposing severe penalties for drinking within prohibited hours. The penalty to the licensee under Section 61 of the principal Act was for the first offence a fine not exceeding £50, and for the

second offence a fine not exceeding £100, and forfeiture of his license.

At 6·30, the CHAIRMAN left the Chair.
At 7·30, Chair resumed.

MR. KEENAN (continuing): Since 1880 scarcely a Sunday had passed in which the law had not been openly and flagrantly violated, and this was because it was opposed to the wishes of the general community. That the law had been a dead letter for 25 years was a strong argument why it should be amended; and much weight should be attached to the fact that in the home countries, where they were more conservative in their ideas and more addicted to the preservation of ancient forms and habits, legislation permitted trading in certain hours on Sundays. The fact that the change took place many years ago in England, and that since then there had been no attempt by any temperance organisation to challenge the existence of the law or to seek for its repeal, was a fair argument for us to follow in the footsteps of the British Legislature. It was argued that we might just as well open an ironmonger's shop on Sunday; but if any demand arose for ironmongery on Sundays, people would force their way into ironmongers' shops. However, there was no demand on Sundays for the particular wares of an ironmonger, so that there was no need to make a comparison between two wholly dissimilar cases. It was because the general public asked for an amendment that his amendment was now brought forward, and not because the publicans desired it. It would not affect the question of drunkenness at all. Probably there would remain as much drunkenness on Sundays as on every day of the week; but instead of people going into hotels like criminals, they would go in with their self-respect. The greatest element leading to drunkenness was the loss of self-respect. The amendment was urgent. If it were not urgent there would be no desire to press it in a revenue Bill.

THE PREMIER regretted that the member for Kalgoorlie should have thought fit to move this amendment to an otherwise innocent Bill, and to attach to the Bill what must be in the opinion of some people a harmful amendment. He hoped the hon. member would be satisfied with having brought the matter to the front. The Bill was merely a revenue-producing measure, and the Committee should not confuse the subject or seek to attach to the Bill what was, after all, a subject capable of being argued from both sides. He admitted that it would be desirable, if men must have drink on Sundays, that they should be able to go into public-houses and obtain it in an honest and straightforward manner; but, on the other hand, it must be admitted that offence might be given to some people having strict ideas as to what should and should not be done on the Sabbath. The subject was altogether too wide and too important, and embraced too wide issues, to be dealt with in a few moments. It should be the subject of an amending Bill in itself rather than be tacked on to a revenue-producing Bill such as that before the Committee. For his own part, he was not now prepared to discuss the merits or the demerits of opening public-houses even for a limited time on Sundays. He preferred, and he hoped the Committee would prefer, to deal with that subject on its own merits, apart from the consideration of the Bill now before the Committee. The member for Kalgoorlie had undoubtedly made out, from his own standpoint, a strong case. The hon. member argued from the standpoint of the dweller on the goldfields; but we could not legislate for one section of the community. We could not have licensed houses open on Sundays on the goldfields unless they were open elsewhere. There was great divergence of opinion on the subject. Perhaps the people on the goldfields were more united in a desire to have licensed houses open for a specific time on Sundays than the people on the coast. In any case the people as a whole should decide the matter, rather than the House after very little deliberation. It was a very important question. He knew of no other community except England where licensed houses were open during the Sabbath for any period of time, and in England the period was not so long as proposed in the amendment. The hon. member should see fit to withdraw the amendment and leave the Bill, as it was intended to be, merely a

revenue-producing Bill; but if he were bent on the amendment, then there was another Wines, Beer, and Spirit Sale Act Amendment Bill before the House on which the hon. member might have taken the opportunity.

MR. TAYLOR: The hon. member probably regarded the low position the other Bill occupied on the Notice Paper.

THE PREMIER: If the member for Kalgoorlie met his wishes, he (the Premier) would be pleased to meet the wishes of the hon. member. It was suggested that, even as a means of producing revenue, the Government's Bill would fail to meet its purpose; but he intended to alter that state of affairs and to make the Bill meet the intention he had in his mind by a proviso that, if the increased license fees were carried by the Committee, the fees must be paid before the end of April; so that although the annual licensing day had passed, it would not affect the payment of these fees into the general revenue. As a rule they were not paid until January, but it would be quite possible for a smart licensed victualler to pay his fees at once, unless there was a provision such as had been indicated. It was to be hoped the Committee would refuse to mix the question of opening or closing on Sunday with the question of increased license fees. They were wholly distinct, and he thought the Committee agreed that we could very well increase the license fees. Let members keep to that, and let the Bill be confined to that object, when it would be passed through both branches of the Legislature. If we included extraneous matter as to opening or closing on Sunday, difficulties would be met with, and the object we wished to attain would be defeated.

MR. SCADDAN: If this amendment were carried, would there be an opportunity of moving a farther amendment?

THE CHAIRMAN: An amendment could be moved now.

MR. SCADDAN moved that the hours be altered to read from 8 to 9 in the morning, 1 to 2 midday, and 8 to 10 at night.

MR. KEENAN accepted the amendment.

MR. A. J. WILSON: This question had been closely studied by him, and whilst he had paid a good deal of attention to what the Leader of the House had said as to inserting a clause of this nature in a Bill for raising additional revenue, one could not help being seized of the fact that this was a most important question and could not be settled too soon. Everybody knew that on the question of Sunday trading there was gross and flagrant violation of the law; and as we had failed administratively to carry out the existing Act, it was for Parliament to overcome the difficulty by trying some other method. Whilst it was desirable to consider the interests of those who had certain rights to consume liquor on Sunday or any other day if they wished, Sunday was peculiarly a day when people were inclined to have some regard to that portion of the community who desired the Sabbath for other purposes. We should have some regard to the wishes of that section of the community. In this connection he had intended to suggest what had been suggested by the member for Kalgoorlie, in the shape of an amendment in regard to the hours. The member for Fremantle suggested that members on the Opposition side, more than other members of the House, should be opposed to Sunday trading, because it meant an unnecessary amount of labour being imposed on those engaged in hotels. If the hon. member were familiar with the carrying on of this business, he would know that instead of employees being engaged in these hotels for limited hours on Sunday, they were there from the first thing in the morning till the last thing at night. There was no escape from that position. In addition to those engaged in attending to the requirements of the community who happened to frequent hotels on Sundays, there was a person outside the hotel, more or less a detective, who was supposed to go through the farce of asking people if they were *bona fide* travellers or not. If we had certain hours fixed during which it would be competent for hotels to be open on Sunday, the necessity for such an individual at the door asking people in a farcical manner, and asking them to make statements which were known to be absolutely wrong, would entirely cease. The effect sought to be

attained by opening hotels on Sundays for a limited period would not be secure unless certain penalties were attached. If the amendment were carried, it was his intention to move an addition providing for certain penalties; and he would suggest that for the first offence of trading outside the hours named, a fine of not less than £50 should be imposed; and for a second offence, the licensee should have his license endorsed, if not entirely cancelled. It might seem extreme to suggest penalties of that nature; but it was only by providing for severe and drastic penalties that we would be able to enforce on licensees the necessity of seeing that there should be no breach of the Act. That would have a tendency to restrict the illicit drinking that goes on every Sunday in every portion of the State.

MR. J. J. HOLMES: How would the member deal with *bona fide* travellers?

MR. A. J. WILSON: If a *bona fide* traveller did not happen to arrive at a hotel between the hours of 8 and 9 o'clock, then he should not be allowed to enter at all. There was a good deal of humbug and nonsense talked about *bona fide* travellers, and the sooner the Legislature of the country recognised that fact and placed the *bona fide* traveller on the same footing as everybody else, so much the better for the community and the licensed victuallers themselves. Assuming that the desire of the member for Fremantle and others to continue the existing state of affairs was carried, what was the position? It was the desire of some members to concede the freedom of the Sunday to the employees and the licensee and his family. There could be no question about it. The licensee was more of a slave on Sunday than on any other day in the week. The position so far as the existing Act was concerned was that if a *bona fide* traveller came along, the licensee was compelled by the statute to supply him; and the licensee was bound to be there, and liable to be called upon on a Sunday for this business. Whereas, on the other hand, if it was desired to get away from that position, the most logical and satisfactory way of getting away from that state of affairs was to prescribe certain hours during which it was competent for licensees to vend liquors to *bona fide* travellers outside of the hours when they could not vend liquors at all. It had been proved conclusively how utterly futile it was to prevent the illicit sale of liquor on Sunday, and we must adopt a more reasonable way of dealing with the question. It was to be hoped that the amendment, in spite of what the Premier had said, would be carried. It would do something to stop the illicit sale of liquor that occurs on Sunday at the present time.

MR. J. C. G. FOULKES: It was to be hoped the amendment would not be carried. In Wales 20 years ago, in response to the wishes of the licensed victuallers, the Parliament of Great Britain passed a Sunday Closing Act for Wales, and after that Act had been in existence for 18 years, a doubt was created as to whether it was putting a stop to drinking on Sundays. A commission was appointed by the Government of the day, the chairman of that commission being Viscount Peel, chief of the House of Commons for many years, a leading county court judge in Wales, and others holding high positions in Great Britain; and the whole subject was gone into carefully by them. They travelled throughout the whole of Wales to see if the Sunday drinking was diminished at all. The report of that commission was that the Act was working splendidly, and the vast majority of the people in Wales were in favour of the continuance of the Act. The majority of the licensed victuallers in Wales were the first to send in a petition to support the proposal that public-houses should be closed in Wales on Sundays. They recognised that they required a day off quite as much as any other class of the community. We did not hear any nonesense about the traveller coming round with a view to obtaining drink. As the member for Forrest said, there was a great deal of humbug about supplying travellers. He hoped that the provision whereby a licensed victualler was in a great measure bound to supply a traveller would be eliminated. That the licensee had to supply such a traveller was one of the reasons why licensed houses were kept open, and why other persons insisted on their so-called rights. He hoped the Committee would refuse to pass the amendment, which he believed was con-

trary to the wishes of all classes of the community. He believed the general feeling of the public was that the Sabbath should be kept in as orderly and decent a manner as possible. It was not to our credit to have so many public-houses carrying on the sale of intoxicating liquors.

MR. HEITMANN had been in hope that the mover of the proposed new clause would, after drawing the attention of the Committee to the matter, be prepared to withdraw his proposition. He (Mr. Heitmann) had always been in favour of some alteration of the existing Licensing Act. It was much better to allow a man to go in and have his drink on a Sunday in an honest and legal way, but he was not, after a few hours' discussion, prepared to vote in favour of such a drastic change in our licensing laws. Seeing it was the intention of the present Government to bring in a Licensing Bill next session, he would, when the time arrived, be prepared to vote for the proposed clause to open public-houses for certain hours on Sunday.

MR. EDDY supported the amendment of the member for Kalgoorlie, as altered. Apparently there was an inclination on the part of many members to burk the question. There would be a black mark cast from the two sides, one being by the temperance people and the other by those in favour of opening public-houses on the Sunday. [MEMBER: The hon. member was not afraid of that, was he?] No; but he believed there were members who were afraid to face the question. We must either support the amendment or administer the Act more strictly than in the past. In fact, it had never been administered at all. Liquor was obtainable at all hours of the day on the Sabbath, not only in Perth but more particularly on the goldfields and outside parts of the State. Therefore, it was a question that we should have to face sooner or later, and it was just as well to face it now.

Amendment (new clause) put, and a division taken with the following result:—

Ayes	...	...	10
Noes	...	...	27
Majority against		...	17

AYES.	NOES.
Mr. Diamond	Mr. Barnett
Mr. Eddy	Mr. Bath
Mr. Holman	Mr. Bolton
Mr. Horan	Mr. Butcher
Mr. Keenan	Mr. Carson
Mr. Scaddan	Mr. Collier
Mr. Walker	Mr. Cowcher
Mr. Ware	Mr. Daglish
Mr. A. J. Wilson	Mr. Ewing
Mr. Taylor (*Teller*).	Mr. Foulkes
	Mr. Gregory
	Mr. Gull
	Mr. Hardwick
	Mr. Hayward
	Mr. Heitmann
	Mr. Hicks
	Mr. Holmes
	Mr. Monger
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Price
	Mr. Rason
	Mr. Smith
	Mr. Stone
	Mr. Veryard
	Mr. Frank Wilson
	Mr. Gordon (*Teller*).

Question thus negatived.

New Clause (serving on Sunday not compulsory):

MR. A. J. WILSON moved that the following be added as a new clause:—

Notwithstanding anything contained in the principal Act or any amendment thereof to the contrary, it shall not be compulsory on the part of any licensee to supply any *bona fide* traveller with liquor on Sundays.

Certain hotel-keepers in metropolitan districts had no desire to be compelled to keep their hotels open for the purpose of catering for the *bona fide* traveller. There were some who did very little business on Sunday and had no desire to have illicit trade, but would far rather be able to close their establishments entirely on Sunday, to have the opportunity of going out themselves, taking their wives and families, and also of enabling their employees to go out and enjoy the sunshine and parks.

MR. SCADDAN: What would be the effect of the new clause? Surely it was not now compulsory to sell liquor to *bona fide* travellers.

MR. A. J. WILSON: Ask the Premier.

Question put and negatived.

New Clause (increase of fee, how payable):

MR. KEENAN moved that the following be added as a new clause:—

Where under the provisions of this Act any tenant under a general publican's license is required to pay a larger annual license fee than that in force at the time when such tenant entered into a lease for a tenancy of such premises, then and in such case during the currency of such lease the tenant shall

stand entitled to deduct from the rent payable under such lease the increase in the amount of annual license fee payable by him, and the amount so deducted shall be deemed to be a payment on account of the rent reserved under the lease.

All knew there were many agreements made at recent dates for tenancies for a number of years. If we increased some license fees from £40 to £100, it was but fair not to saddle the tenant with the increase, seeing that the tenant made his agreement on the strength of a license fee of £40 a year. Put the increase on the shoulders best able to bear it.

Question passed, the new clause added.

Schedule—Districts:

THE PREMIER moved that the schedule be struck out, and the following inserted as a new clause:—

3. (1.) On the granting or renewal of any publican's general license,—

(*a.*) for any house or premises situated within a municipality, the licensing magistrates shall assess the annual value of the licensed house or premises as not exceeding five hundred pounds, or as exceeding five hundred pounds but not exceeding one thousand pounds, or as exceeding one thousand pounds; and

(*b.*) For any house or premises not situated within a municipality, the licensing magistrates shall assess the annual value of the licensed house or premises as exceeding two hundred pounds or not exceeding two hundred pounds,

and shall state such value in their certificate.

(2.) The annual value shall be assessed at the full annual rent at which the licensed house or premises might be expected to let, and in making such assessment the licensing magistrates shall take into consideration, with the other evidence, the amount of every fine, premium, or other sum of money or valuable consideration that may have been paid or given, or agreed to be paid or given in addition to the rent reserved or agreed upon on any letting or renewal, assignment, or transfer of tenancy or occupation of the house or premises.

Question passed, the clause added.

Title—agreed to.

Bill reported with amendments.

BILL—STAMP ACT AMENDMENT.

IN COMMITTEE.

MR. ILLINGWORTH in the Chair; the PREMIER in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Duty on bills and notes to be denoted by impressed stamps:

MR. BATH: Certain newspapers stated that impressed stamps had already been printed in anticipation of the passing of the Bill. Was their issue and use dependent on the authority which the Bill sought to grant? If the Bill failed to pass, could the dies or the forms be legally used?

THE PREMIER: If the Bill passed, then when it came into operation the Government must issue to bankers and commercial houses a large number of impressed stamped documents. In view of that requirement the work of stamping was now being done. None of the documents would be issued until the Bill came into force.

MR. BATH: It was surely a new departure for any Government to prepare such documents before the legalising measure actually passed. Members had given no guarantee either to support or to oppose the Bill; and notwithstanding the Premier's substantial majority, he might have waited till the Bill passed before incurring the expenditure necessary to prepare the dies and impress the forms.

MR. GORDON: And inconvenience the public.

MR. BATH: This was not a question of inconveniencing the public, but of securing legislative authority to an Act before preparing forms to be used in pursuance thereof. Surely there was no precedent for thus anticipating the passage of a Bill; and the action taken seemed to be in derogation of the authority of the House. Another point. The Bill seemed to confine the use of impressed stamps to the payment of *ad valorem* duties on bills of exchange and promissory notes. Why not authorise the use of impressed stamps on cash receipt forms, on which the duty was invariably one penny?

MR. DAGLISH: The existing Stamp Act gave power to use impressed stamps on receipts. He, before leaving office as Premier, inquired into the cost of dies with a view to introducing impressed stamps; and had he remained in office he would have taken similar action to that taken by the Premier. The existing Act provided that, until otherwise prescribed by proclamation, adhesive stamps

should be used; but a proclamation by the Governor, prescribing impressed stamps, could at any time be issued. The action of the Government was perfectly in order.

THE PREMIER: It would have been very unbusinesslike had he waited till the 1st of January before taking any steps to provide for the large supply of impressed forms which must then be issued if the Bill passed. The Leader of the Opposition had evidently not referred to the Stamp Act of 1882.

MR. BATH had depended upon the Premier's assurance.

THE PREMIER: That Act provided for impressed stamps; and either the late Government or the present could simply by proclamation have enacted that impressed stamps could be used for the future.

MR. BATH: The Premier had just looked up the Act.

THE PREMIER: No; he had been anticipated by the member for Subiaco, and he (the Premier) was well aware of the Act of 1882, as he was not in the habit of introducing Bills without looking up the parent Act.

Clause put and passed.

Clauses 7 to 15—agreed to.

Clause 16—Power to exempt certain fire policies from duty:

THE PREMIER moved an amendment:

That after "Treasurer" in line 3 the words "or other persons appointed by him" be inserted.

This clause gave power to the Treasurer to exempt certain fire policies from the payment of stamp duty. The whole of the fire insurance companies doing business in Western Australia had agreed to a uniform policy, and it would be manifestly unfair to insist on the new policies issued in lieu of the old policies bearing stamp duty. It would also be manifestly unfair to expect the Treasurer himself to examine all the policies.

MR. C. E. BARNETT: There should be a limit to the time in which the companies could substitute new policies for those already in existence. It would not be wise to have an indefinite period.

THE PREMIER: The time fixed in the clause was six months after the commencement of the Act. It was intended to amend this and fix the time at 13 months, in order to be fair to the insurance companies.

MR. STONE: Was provision made for stamping bank notes?

THE PREMIER: No stamps were provided for bank notes. The bank note was payable on demand. [MR. GULL: Also a cheque.] Not always. A cheque was not always paid over the counter. He knew of no provision anywhere for a stamp duty on bank notes, and hardly thought the member for Greenough would suggest such a provision.

Amendment put and passed.

Clause farther amended, on motion by the PREMIER, by inserting "13" in lieu of "6" months.

Clause as amended agreed to.

Clause 17— agreed to.

Schedule:

MR. A. J. WILSON: Could not some provision be made for a stamp duty on bookmakers' licenses? It was a well-known fact that race clubs charged license fees to bookmakers. At the annual meeting of the W. A. Turf Club the license fee was something like £100, and the State should get some benefit from these transactions.

THE PREMIER: As the occupation of a bookmaker was illegal, it would hardly do for any Treasurer to suggest a stamp duty on the license issued to such a person; but if a document was issued by a race club in the nature of an agreement, it was provided for in the Bill, because any document in the nature of an agreement was to pay 2s. 6d. stamp duty.

MR. HORAN: Very small.

MR. DAGLISH moved an amendment:

That the figures "£10" after "articles of clerkship" be struck out, and "10s." inserted in lieu.

The State received no great benefit in the shape of revenue from the stamp duty charged on articles of clerkship and the admission of barristers to the Supreme Court, while the duty was a penalty on any person of slight means endeavouring to qualify to practise in the courts. We should offer some facilities to a person to follow the profession of law. At any rate we should put no more obstacles in the way of a person anxious to follow the legal profession than we put in the way of any other person choosing to follow any other calling.

THE PREMIER: The fee was not altered by the Bill. In other professions a still higher fee was charged; in the medical profession, for instance. Why this sudden idea to reduce the fee on articles of clerkship? Was it because some members of the House were studying for the law? If so, the amendment was very improper.

MR. A. J. WILSON: It was an improper suggestion.

THE PREMIER: If it was so, it was very unfair. It struck him as peculiar, that after all these years of say neglect of the interests of those who wished to enter the profession of the law, suddenly the House was seized with a desire to reduce the fees. Why only the profession of the law—why not other professions also? He did not think a majority of members would seek to make the admission to the practice of the law any easier than it was now. It might be, and no doubt it was, an honourable profession. There were a good many engaged in it already, and to add to their numbers he did not think would add to the comfort or welfare of the community as a whole. Ten pounds for articles of clerkship seemed to be a very reasonable sum indeed. It would probably be to the advantage of the community if the stamp duty were made £100. Ten pounds was the existing fee, and he did not propose to alter it.

MR. DAGLISH was sorry that the Premier felt it necessary to speak in the tone he had done—a most insulting tone, and uncalled for. When he (Mr. Daglish) raised the question he was unaware of the fact, if it were a fact, that any member of the House was studying for admission to the bar. He knew only from the inference of the Premier such to be the case. In view of the fact that many of the Premier's inferences were utterly unworthy of notice, he was not convinced now that any member of the House was doing so. He had consulted no one in regard to the amendment; therefore no other member had been aware of his intention to move, and no member asked him to do so. In regard to the other inference of the Premier, that this was newly discovered zeal, again the Premier was misleading the Committee when he intimated that there had been other opportunities, at any rate during his (Mr. Daglish's) term of office, of dealing with the matter. This was the first time since he had been in Parliament that the schedule of the Stamp Act had been before Parliament; and as it was not within the province of any member to introduce a motion affecting taxation or a money Bill without being accompanied by a Message from His Excellency, it was therefore impossible for any member to have proposed to reduce this stamp duty. This particular charge of £10 was not for entering the legal profession, but was a demand made by the Government for stamp duty on certain documents necessary to be signed before a man could qualify to make other payments for the purpose of entering the legal profession. It was a strange thing there were not these demands for stamp duty in connection with other professions or callings. He had always been anxious to allow any individual in the community an opportunity of proving if he were fit for any profession or occupation he aspired to; and one could not understand the reason why we were so anxious to set up a tall fence that no one could surmount unless possessed of large means. He was simply seeking to put this one profession on a level with other callings. If the amendment were not carried, a permanent heavy charge for the admission to the calling of a barrister or solicitor would remain. If it were possible for every man to be a barrister or solicitor, the principle that governed in all other occupations would govern this: the fittest would naturally survive.

THE PREMIER was sorry the hon. member had characterised his remarks as insulting. The hon. member unfortunately was not present the other evening when the suggestion referred to was made from his (Mr. Daglish's) own side of the House.

MR. DAGLISH: Not from this party.

THE PREMIER: It was distinctly said there were some members on the Opposition side of the House studying for the law who were not too well blessed with this world's goods, and that therefore these fees should be reduced. If that was an improper suggestion, it did not emanate from him; and he hoped the member would not accuse him of being personally insulting to him or to any member of the House.

MR. BATH: On the second reading of the measure he made some reference to the fact that the stamp duty for articles of clerkship were of an exorbitant nature, and he jocularly referred to the fact that probably there were members on the Opposition side not too well blessed with this world's goods, who were desirous of entering. That did not detract from the fact that the fee was exorbitant; and one had only to compare it with the next item, instrument of apprenticeship, 5s. This was only an apprenticeship in another direction, to the profession of the law. We were not likely to raise the prestige of the legal profession by placing obstacles in the way of anyone. We should open the doors as widely as possible, and allow people, by display of natural ability, to secure the necessary amount of legal business, rather than try to preserve this profession for those few persons whose means were not commensurate with their ability. He would have moved in this direction if there had been any chance of carrying the amendment.

MR. DAGLISH: In view of what the Premier had said regarding the second-reading discussion, his remarks were perhaps too hasty, and he unhesitatingly withdrew the allegation made.

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

Ayes	...	...	18
Noes	...	...	19
Majority against	...		1

AYES.	NOES.
Mr. Bath	Mr. Barnett
Mr. Bolton	Mr. Brown
Mr. Collier	Mr. Butcher
Mr. Cowcher	Mr. Carson
Mr. Daglish	Mr. Diamond
Mr. Gull	Mr. Eddy
Mr. Holman	Mr. Ewing
Mr. Holmes	Mr. Gregory
Mr. Horan	Mr. Hardwick
Mr. Layman	Mr. Hayward
Mr. S. F. Moore	Mr. Hicks
Mr. Price	Mr. Mitchell
Mr. Scaddan	Mr. Monger
Mr. Stone	Mr. N. J. Moore
Mr. Walker	Mr. Rason
Mr. Ware	Mr. Smith
Mr. A. J. Wilson	Mr. Veryard
Mr. Taylor (*Teller*).	Mr. F. Wilson
	Mr. Gordon (*Teller*).

Amendment thus negatived.

THE PREMIER moved an amendment, That the paragraphs relating to "policy of assurance or insurance, or guarantee," "policy of assurance or insurance not otherwise specified," and the exemption set out thereunder, be struck out.

He found on farther inquiry that adopting the schedule as proposed in the Bill would have the effect of diverting accident insurance or guarantee insurance under the Employers' Liability Act and the Workers' Compensation Act elsewhere, inasmuch as the fees proposed in this schedule were very much higher than those existing elsewhere. He therefore wished to strike out the scale on page 14, with a view to adopting a more modified scale, in order that no hardship might be entailed on the employer or employee or the business.

Amendment passed, the paragraphs struck out.

THE PREMIER farther moved that the following be inserted in lieu of the paragraphs struck out:—

> Policy of assurance or insurance not otherwise specified—For every £100 and every fractional part of £100 insured where the premium does not exceed 2s. 6d. per centum, 1d. Where the premium exceeds 2s. 6d. per centum, for every £100 and every fractional part of £100 insured, 3d.
>
> *Exemptions.*—Policy of life insurance: Policy against employer's liability under the Employers' Liability Act 1894, the Workers' Compensation Act 1902, or at common law.

That was the scale of fees charged in England, and it was the lowest scale charged in any of the Australian States. He proposed under the heading of exemptions to exempt the policy of life insurance against employer's liability under the Employers' Liability Act of 1894 and the Workers' Compensation Act of 1902, or at common law.

Amendment passed, the paragraph added to the schedule.

MR. HORAN had intended to propose to insert under the heading "transfer" something to this effect: "Tickets issued by any steamship company to any persons leaving any port in Western Australia whose destination is beyond the Commonwealth, first class 20s., second class 10s., third class 5s." The object might appear a novel one. He admitted that in Australian legislation it was so. Therefore he was not surprised that members might receive it with some degree of laughter. He would, however, commend it for consideration. He did not suppose it would be carried now. The object was certainly in the direction

of taxing people who left the country. Let them come in as freely as they liked; but those who had made their fortunes here and might go to foreign lands to spend them there, or to take pleasure trips, should be entitled to have their steamer tickets stamped. They should certainly be called upon to pay something through this medium. There was no parallel in Australia, but in the United States there was somewhat the same thing. By Act of Congress persons travelling through the States were obliged to pay five dollars, or something equivalent, in the case of first class, and a somewhat smaller amount, he thought, for second class. The majority of those who paid it were not aware of the fact; nine-tenths of them were not. People who left Australia having secured wealth ought to pay some stamp duty. He had not had time to look into the question, because the Premier had been rushing legislation through during the last few days. He had not been able to discover how many people left Western Australia for ports beyond the Commonwealth; therefore he could not anticipate exactly how much revenue would be likely to be derived. He brought this forward with the object of getting the Premier to give it consideration. If the Bill were recommitted, and members would study the matter, it might appear a great deal more acceptable to them than it did at first sight. He asked for the Premier's views on the subject, and of course would not press the matter any farther.

THE PREMIER, while appreciating the hon. member's desire to assist in increasing the revenue of the State, was much afraid that to put a duty on tickets issued to people leaving the State would hardly be acceptable to many persons. He quite saw that the time at which the hon. member was moving this amendment was very opportune, as he proposed that it should come after "transfer." But transfer in the Bill said "See conveyance." The conveyance of people out of the State would probably be met by the tickets issued by the steamship companies. He accepted the suggestion in the spirit in which it was offered, and assured the hon. member that on recommittal he would give it farther consideration.

Schedule as amended put and passed.
Title—agreed to.
Bill reported with amendments.

BILL—TOTALISATOR DUTY.

SECOND READING.

Debate resumed from the last sitting.

MR. A. C. GULL (Swan): On rising to speak on the second reading of the Totalisator Bills I would like to throw out a few suggestions to the Premier. I have given notice of two or three amendments regarding the provisions of this measure; and although these amendments appear perhaps on the face of them to carve away a considerable amount of the Bill, still they do not touch the vital essence of the measure, which is contained in paragraph 3, dealing with the form of taxation of $2\frac{1}{2}$ per cent. as a totalisator tax. I want to point out that I think this Bill rather too drastic in the form submitted to the House. Though in favour of the principle of deriving revenue from taxation through that source, still I think, as I said just now, that it is somewhat heavier than probably even the Premier anticipated when he drafted it. As regards the first clause providing for the taking of $2\frac{1}{2}$ per cent. from the gross revenue of the totalisator, I am fully in accord with that, and fully prepared to support it. But in regard to paragraph (*b*), dealing with the fractions of the totalisator moneys, I am going to ask him to reconsider his decision in that respect. Also in respect to paragraph (*c*) of Clause 3 I am going to ask him to reconsider his decision, for I can assure him that the revenue derived from that will be very small and the grievance to the public generally, as well as to the clubs, will be very large; because these unclaimed dividends, these totalisator tickets, have always been considered by the clubs as vouchers; and it does not matter whether it is a fortnight or three months afterwards, on presentation of those tickets they are always honoured. Therefore, I think that to claim them at the end of a fortnight is going rather farther than the merits of the occasion warrant. [MR. A. J. WILSON: How about those that are destroyed or lost?] Then they lose their money, that is all. It amounts to a very small item in

twelve months. Speaking of the unclaimed dividends question, I want to draw attention to the position of the W. A. Turf Club and those larger clubs throughout the State which will principally pay the revenue that the Treasurer expects to derive from these tickets. These clubs have spent enormous sums of money in bringing the turf up to the standard which it has reached to-day. [MEMBER: Some of it public money.] I do not care whether it is public money or not; it is money that belongs to the club and has been put back in beautifying their courses and in making attractive spots. At present the W. A. Turf Club has on building account an overdraft of £20,000. I want the Premier to reconsider that item, and to say that at all events these clubs have done some particularly good work. I hope he will not enforce the total surrender of these fractions which some of us say come in the nature of a windfall. It does not matter whether it is a windfall or not, the money is very acceptable to the club. [MR. TAYLOR: The Treasurer wants it as a windfall for the Treasury.] Yes; and the Treasurer wants the lot. I do not wish to exempt the W. A. Turf Club or any other club from the payment of the $2\frac{1}{2}$ per cent., because I recognise the principle is a good one and that the State has every right to claim $2\frac{1}{2}$ per cent. I will carry the argument a little farther. If we want revenue simply—and I think the Premier admits that—then if we are to raise revenue by a means hitherto considered improper, I say let us carry the principle a little farther. Establish in Western Australia an institution similar to Tattersall's, Tasmania, and attach 6d. for every 5s. that now goes out of the country. A matter of £100,000 to £120,000 passes every year from this State to Tasmania; and of that sum the Tasmanian Government collect practically 6d. for every five-shilling ticket. If we are in search of revenue—and the Premier assures us this is a revenue Bill only—here is an equitable means of raking in a few more thousands a year. I say he has admitted the principle. I do not wish to see unlimited consultations established; but I would suggest one concern based on the same lines as the Tasmanian Tattersall, with proper guarantees; and I would suggest a limited number of consultations during the 12 months. [MEMBER: By the Government?] By some person authorised by the Government, with proper safeguards, as in Tasmania. If this is done, I am sure the result will be more satisfactory to the Premier. In running my head against a stone wall, I have always made it my object to look for the softest stone; and if I find that the Premier will meet me half-way by agreeing to a compromise in a matter of collecting $2\frac{1}{2}$ per cent. on the gross revenues of the totalisator—that is, including the unclaimed dividends and the fractions—I shall be happy to withdraw the amendments that stand in my name.

MR. N. KEENAN (Kalgoorlie): The Bill, as the preceding speaker has pointed out, is a recognition by the State of racecourse gambling. It is very important that we should understand that; because once the State takes that step, it can no longer act as a reprover of proceedings in the nature of racecourse gambling, and there is no longer any reason why, as the member for Swan (Mr. Gull) points out, we should not go farther and conduct State lotteries, instead of allowing large sums of money to be sent to other countries for the purposes of that business. If once we admit that the State is entitled to share in such gambles, it is no use being so hypocritical as to shut our eyes to other events of a similar nature and to refuse to recognise their existence in our midst. That is one very important consideration for the House, if it sees fit to adopt the Bill. Another important consideration is that the proposed taxation will fall entirely on those clubs that do not make any division of profits amongst their members. It is an open secret that the proprietary clubs will easily evade this Act by not having any totalisators on their courses, but by selling betting privileges to bookmakers. And of course, in consideration of not conducting totalisators, they will receive a much larger return by way of bookmakers' fees. The local clubs which have hitherto conducted and will in future conduct the totalisator have spent all their profits in improving their racecourses, and making them practically public parks. That is absolutely the case on the goldfields. The racecourse at

Kalgoorlie is adjacent to the town; the racecourse at Boulder is absolutely within the municipality; and both are public parks, used by the people on all days except race days, and are undoubtedly of great advantage to the public. If we deprive the clubs, as we shall by this Bill, of some portion of their revenue, the result will be a somewhat serious loss to the goldfields community. There are on the goldfields no parks like the King's Park for the benefit of those who live in the neighbourhood; and were it not for the racecourses, there would practically be no places on the fields where women and children could, in favourable circumstances, enjoy the open air. And when a revenue is derived entirely from local effort, some very strong argument must be advanced for taking a portion of that revenue for the use of the State, when the revenue is devoted to a good purpose. Something like £300,000 passes through the totalisators of the Boulder, Kalgoorlie, Coolgardie, and Perth clubs; and of that amount only about £86,000 passes through the Perth totalisator. So, in round figures, £214,000 of goldfields money is proposed to be taxed; and the proceeds of the tax will be paid into consolidated revenue for State purposes. Strong argument will be needed to justify that course. If it be possible to show that the moneys so raised have been misused by the goldfields clubs, the Premier will be justified in asking that the control of the funds be, to the extent proposed, taken out of their hands by the State. But I have yet to learn that any blame can be attached by anyone to those clubs, for the manner in which they have spent their moneys. It is true they have large revenues; but those revenues are spent entirely locally. A number of men are kept to maintain the racecourses; and those men will lose their employment if the revenue be reduced by this form of tax. Ten per cent. of the moneys subscribed by the public is taken by the tote. The Bill proposes that the whole expenses of running the tote shall still remain a charge on the local clubs, and that the State shall receive 2½ per cent. of the takings, without any expense of collecting these takings. The expenses of collecting totalisator takings amount roughly to 3 per cent., leaving 7 per cent. for the clubs; and if the proposed 2½ per cent. be imposed, the local clubs will have only 4½ per cent. remaining for their own purposes. Most of the clubs, I am informed, must then largely curtail the expenditure they have hitherto incurred in maintaining their public parks. Representing a goldfields constituency, I am desirous on every occasion to assist the State to obtain the necessary funds to carry on the State Government. But I think those funds should be raised from every section of the population, and not from a particular section in a particular district. If we find that this tax will fall approximately 2½ times more heavily on the goldfields than it will fall on the coast, there is some reason to ask for reconsideration of the proposal, or at any rate for some strong justification of it.

MR. DIAMOND: The proceeds will pay only a portion of the loss on the goldfields water scheme.

MR. KEENAN: The goldfields water scheme is absolutely a paying concern to-day. It is one of those bogeys trotted out now and then; but it will never bear examination. If the figures are produced, it will be impossible to show that the scheme is not a financial success. Another member speaks of the cost of a rabbit-proof fence. Are the goldfields to be asked to provide funds for a fence to keep the rabbits on the goldfields? That is the proposition. However, I did not base my opposition to this Bill on such grounds, but on this ground, that if the Premier takes the amount proposed from the goldfields by this tax, he will certainly be bound to provide some fund for the maintenance of public parks on the goldfields; and in the long run, will the State be a gainer? If it receives a total of something like £7,500 from the whole State, and is called on for a grant to maintain goldfields parks, will there be any ultimate gain to the Treasury? and if not, where is the justification for this Bill? That is the general ground on which I think this Bill needs very careful consideration from the House. We must remember that, unavoidably, matters of this kind are looked on from a local point of view. It is impossible to imagine that people living in any part of the State and at present enjoying certain advantages from their own money, will be prepared

to surrender those advantages simply because the State wants more revenue. They will answer: "If your revenue is not sufficient, provide some form of taxation to which every citizen in the State will contribute, and thus make your revenue sufficient for your expenditure." As regards the Bill itself, the Premier when introducing it illustrated his position as to fractions by a dividend of 19s. 11d., of which the club concerned would take 11d., and pay as the net dividend only 19s. I regret that he made that statement; because had he asked for information, he would have found that such is not the practice of the goldfields clubs. Their practice, I am informed, is that if the sum divisible amongst those who have picked the winner is 9d., or if it exceeds 9d. and does not exceed 1s., the club make it up to the shilling.

MR. HORAN: That is not the practice with the W.A.T.C.

MR. KEENAN: I am informed that it is not, but it is the practice of the goldfields clubs, who are asked to pay a tax on £214,000—a very much larger figure than that in respect of which the W.A.T.C. will be taxed. The practice on the goldfields is to make up the dividend to the nearest shilling, where there is an odd 9d., or any odd pence exceeding ninepence. Consequently, at the end of the day the balance by way of fractions is sometimes a very inconsiderable amount. For that reason I have put on the Notice Paper an amendment to protect the club which makes up such dividends, and to give the State only the actual amount remaining in the hands of the club at the close of the day's racing. I feel certain that whatever view the House may take of the measure generally, they will perceive that the people who deserve primary consideration are those who back the horses; and if under the rules of the club the practice be such as I have indicated, that practice deserves commendation from the House, and certainly does not deserve the drastic proposal made by the Premier. It is also a fact that on the goldfields the clubs invariably publish their balance-sheets, which may be seen by every member of the community. From the balance-sheets it will be found that they make provision for the maintenance of their courses, and from moneys in hand make liberal allowances to local charities. Those charities are not supported to any extent — which is a matter for regret —either by the community or from public funds. Anyone who has had experience of such charities knows the extreme difficulty of financing them; and were it not for the generosity of the goldfields racing clubs, it would be almost impossible to carry them on. If the 2½ per cent. and the fractions and unpaid dividends are all to be taken away from these clubs, it will mean that they simply curtail their charity allowances; and then again will come home to every inhabitant on the goldfields who is called upon to support these charities, the fact that the calls upon him are more severe in the absence of any support from the racing clubs. I know of no reason why this Bill should be proposed, because the result is infinitesimal so far as the revenue of the State is concerned. The amount will be £7,500 a year, and that is about one-sixth of the excess of expenditure over revenue during a month of the financial year. The proper course for the Treasurer to pursue would be to propose such curtailment of the expenditure in keeping with anticipated revenue as will bring it down to the level of the revenue, and not to handicap the local institutions which everyone connected with them regard as model institutions of their kind, and the curtailment of whose resources will simply mean that they will fall back on the State for the support of their parks and charities. I have no doubt that in the long run, instead of being a gainer by taxation of this character, the State will be absolutely a loser. It has been pointed out by the member for Swan that the proposal in the Bill to take over unpaid dividends within fourteen days is one that cannot commend itself to anybody, or to men who intend to deal fairly with people gambling on racecourses. If we recognise gambling we must be prepared to deal fairly with those who gamble; so to forfeit all dividends because they are not collected within fourteen days is an innovation in law that is not justified except by extreme circumstances. We all know that there is a Statute of Limitations which prescribes years in which a man can recover a debt, and if we cut the period down to three months, as suggested in one of my amendments, I

think we are making a very serious curtailment indeed, and one which is quite serious enough to satisfy the requirements of any Treasurer. I do not know what position the Government will take up in this matter of unpaid dividends, but I anticipate that there will be no opposition to a much larger period being allowed. The principal objection I take to the Bill is the one I have already urged. The money is purely local money, and to take it away from the locality where it is subscribed requires same very grave reason; and I have yet to learn that the grave reason has been offered to the House.

MR. T. H. BATH (Brown Hill): While I have no great quarrel with the proposal of the Premier to tax totalisator receipts, I do quarrel with the methods which are being pursued to secure revenue to the State. We know that during his policy speech the Premier stated that he did not think it necessary to find new sources of revenue. He hoped by the exercise of due economy and efficient administration to make the revenue balance the expenditure; but we find that, instead of bringing down some comprehensive proposals, something in a statesmanlike fashion to deal with the shortage of the revenue which is apparent, he seeks to do it by such methods as the taxation of totalisator receipts.

THE MINISTER FOR WORKS: Was that not mentioned in the policy speech?

MR. BATH: It was mentioned, but at the same time it was a somewhat contradictory statement in face of the fact that the Premier said he did not think new sources of taxation were necessary; and to advance a tax on totalisator receipts as a source of revenue was not great evidence of financial ability. The member for Kalgoorlie is not quite correct in his contention that the passing of this Bill would be a recognition of gambling; because the hon. member must be aware that some years ago we passed a Totalisator Bill which legalised totalisators; and it was at that time that we legalised gambling, and not now when we are seeking to get some percentage of totalisator receipts. The hon. member is on firmer ground when he states that these receipts, being essentially the contributions of people in these different districts, the people have a greater claim for the apportioning of any revenue raised in this fashion in their particular localities, than that it should be passed into the Consolidated Revenue. I think that the whole of this amount should be handed over to the local authorities in the particular districts where the receipts are taxed; but if we are not prepared to give them the $2\frac{1}{2}$ per cent., we should hand over to the local authorities the amounts raised in taking the fractional parts and unpaid dividends. I think the people in the different localities are at least entitled to these; and I for one shall be prepared to support an amendment, if the member for Kalgoorlie will move it, to hand over these amounts to the local authorities in these particular districts. The money could be well expended in the beautification of their parks and reserves, and the people who contribute the money would have the advantage of its expenditure. In regard to the general proposals of the Bill, while it is not evidence of statesmanlike qualities on the part of the Treasurer, I think the State, if not the local authority, is entitled to raise this $2\frac{1}{2}$ per cent. on the totalisator receipts; and in spite of the contention of the member for Swan, I do not think the exaction will press heavily on the racing clubs. So far as I have seen, and judging from the experience of Kalgoorlie, Boulder, and Coolgardie, the racing clubs have had a considerable amount over and above expenses to spend on the beautification of their reserves. In these districts they will have some difficulty in the future in finding ways for the expenditure of their money. Even if we take the $2\frac{1}{2}$ per cent. and the amount of the club's expenses is 3 per cent., it will still leave the clubs $4\frac{1}{2}$ per cent. of the amount that passes through the totalisator. I think the duty is a good one, and I have no quarrel with it. I support the general measures of the Bill, but I would support an amendment to hand over at least the fractional parts and unpaid dividends to the local authorities in the particular districts in which they are raised.

MR. F. ILLINGWORTH (West Perth): If this were a Bill to abolish the totalisator, I should have great pleasure in supporting it. I opposed the Bill at the time it was introduced, and I

would oppose it again if it were brought before the House. The present condition, however, is the raising of certain revenue; about £8,000 is the idea. It occurs to me that there are other things to which we as legislators should give our hearty consideration; other things besides money. Of course we require money, and especially in the present condition of the Treasury. Still there are things in connection with the people that are larger in their volume and in their consequences than the raising of money. The character of the people is greater than its cash. The moral character of the people is of more importance than the mere raising of money. I think it is beyond argument that this House at a very early date will need to do something on the gambling question, and to bring in legislation that will limit the evils accruing from the gambling going on around us. What I feel concerned about is that the Bill proposed will to some extent tie the hands of this House when we come to deal with that kind of legislation. We shall be taking part in, and taking into our revenue a portion of, this ill-gotten gain. I know some members do not agree with that sentiment. To them it is not ill-gotten gain, but to a large number in the State it is ill-gotten gain. I think no member is blind to the fact that the gambling evil is sapping the character of our people and interfering very materially indeed with our population, the character of the people and their general conduct. It is also affecting commerce; but that is a small phase of the subject. This gambling evil is destroying the character of our people. The drink traffic and the gambling evil may be classed together in the evil consequences that are accruing to our people; and I do object to this House linking itself in any way to this system or tying its hands in connection with restrictive legislation. I believe that the effect of this Bill for the appropriation of certain amounts from the totalisators will tie our hands materially, and be used as an argument against questions when we have to deal with them for restricting the gambling evil. For this reason I shall be compelled to vote against the second reading of the Bill.

On motion by MR. MONGER, debate adjourned.

ADJOURNMENT.

The House adjourned at 9·48 o'clock, until the next afternoon.

Legislative Council,

Wednesday, 6th December, 1905.

THE PRESIDENT took the Chair at 4·30 o'clock p.m.

PRAYERS.

BILLS (5)—THIRD READING.

Bills were read a third time and forwarded to the Legislative Assembly as follow:—

Public Education Act Amendment.
Jury Act Amendment.
Fire Brigades Act Amendment.
Electric Lighting Act Amendment.
Fertilisers and Feedingstuffs Act Amendment.

BILL—PERTH MINT ACT AMENDMENT.

SECOND READING.

THE COLONIAL SECRETARY (Hon. W. Kingsmill), in moving the second reading, said: Hon. members will recognise in this Bill another old friend, which failed to pass the final stages last session only because of the dissolution. In asking the House to agree to the second reading now, I can only recapitulate the arguments used when the Bill was previously before members. I may point out that the measure proposes merely an increase of capital to be available for the purposes of the Perth Mint