

Legislative Assembly,

Thursday, 30th September, 1909.

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

PAPER PRESENTED.

By the Premier: Report of the Government Savings Bank for 1908-9.

QUESTION — NIGHT SCHOOL, ALBANY.

Mr. W. PRICE asked the Minister for Education: 1, Has an application been made for permission to open a night school at Albany? 2, If so, what was the nature of such application? Did it contain anything in the nature of a guarantee? 3, Has any such application been considered, if so, what was the result?

The MINISTER FOR EDUCATION replied: 1, 2, 3. No.

QUESTION — PUBLIC SERVANTS' INCREMENTS.

Mr. SCADDAN asked the Minister for Railways: 1, Has he made provision on the present Estimates for officers (other than cadets) in receipt of £100 to £150 per annum to receive increments due to them for the years 1908-9 and 1909-10? 2, Has he made provision for telegraphists in the Railway service to receive their ordinary increments (or any special increment to raise their status)?

The MINISTER FOR RAILWAYS replied: 1, Provision has been made for annual increments in accordance with the regulations for officers in receipt of salaries up to £150 per annum for the year 1909-10, but generally no increments have been provided for officers drawing £150

per annum and over. For the year 1908-9, no increments were granted to officers in receipt of £100 per annum and over. 2, See answer to No. 1.

BILL — PUBLIC EDUCATION ENDOWMENT.

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

BILL—FISHERIES ACT AMENDMENT.

Second Reading.

Resumed from the 28th September.

Mr. BATH (Brown Hill): I have very few words to say in regard to the second reading of this Bill, little more than to announce my intention to oppose the passage of the measure. It is true that a clause somewhat similar appears in the Fisheries Act of 1905, and according to the statement of the Honorary Minister, when introducing the Bill, it was necessary before effect could be given to the section of the Act to have an amendment embodied in this Bill; but if we were not sufficiently vigilant in 1905—and I suppose we must plead guilty to a charge of lack of vigilance in allowing that section to go through—that is no reason why now that the nature of the amendment, and the intention underlying it is brought to our notice, we should consent to accept it. It is altogether undesirable that we should give to any individual or firm a monopoly, to the exclusion of all others, for securing a marine animal such as the turtle. I disagree with any suggestion to grant a monopoly of that description, and therefore oppose the second reading of the Bill.

The Minister for Works: How will you get the industry established?

Mr. Underwood: Should industries always be established by a monopoly?

The Minister for Works: No; but reasonable terms should be granted.

Mr. UNDERWOOD (Pilbara): I would like to hear some reasons why this industry cannot be established without a monopoly. On general principles I am

opposed to monopolies, and unless very solid reasons are given why this monopoly should be granted I intend to vote against the Bill.

The MINISTER FOR WORKS (Hon. Frank Wilson): The two members who have just spoken seem to be labouring under a mistake with regard to this measure, for they seem to think its object is to establish a monopoly. There is nothing further from the minds of the Government.

Mr. Scaddan: Then why is an exclusive right given?

The MINISTER FOR WORKS: Just for the same reason that an exclusive right is given by a sawmilling permit. The right in the present case is only over a certain area. One cannot expect people to be able to find the necessary capital to enter into an industry of this kind unless they have some prospect of obtaining supplies. Take for instance the case of the sawmilling permit. Men will not find the necessary capital to equip mills and establish branch railways unless there is a sufficient supply of timber to enable them to work for a given number of years. They have to see that there is a sufficient supply of the raw material. The same with the present case. If I remember rightly it has connection with an application for turtle collecting.

Mr. Walker: Have you had no application for sponges?

The MINISTER FOR WORKS: I believe an application has been made in regard to the collection of sponges, but this particular matter applies to the granting of a certain right to individuals to collect turtles and establish a canning industry on one of the islands off the North-West coast. We cannot possibly expect these people to go to the expenditure necessary to establish such works, and to initiate a canning industry, unless they are assured they will have a continuous supply of the marine animal for a reasonable term of years. I think that if the Leader of the Opposition gives due consideration to the matter he will realise that with proper safeguards it is a legitimate thing to adopt the action proposed.

We are anxious to establish such industries as this in the State. Here is one of the primary industries, and surely it is reasonable that we should be empowered to give ordinary terms to those desiring to invest capital in opening up the industry.

Mr. Underwood: What area do you propose they should have the exclusive right over?

The MINISTER FOR WORKS: A limited area. Certain islands on which the turtles can be collected.

Mr. Swan: Is there anyone engaged in collecting turtles now?

The MINISTER FOR WORKS: No.

Mr. Swan: I think there is.

The Premier: The only people engaged in it are the Malays who are killing the turtles.

The MINISTER FOR WORKS: Turtles which might profitably be put on the market are being destroyed for their eggs by the Malays.

Mr. Scaddan: The industry cannot be established without a company being given a monopoly.

The Premier: How can you expect men to go to the expense of initiating such an industry without a monopoly?

The Honorary Minister: Line 14 of Clause 2 explains the area.

The MINISTER FOR WORKS: Some years ago an endeavour was made to establish the industry by shipping live turtles to Fremantle, but it was not a success.

Mr. Scaddan: Why was it a failure?

The MINISTER FOR WORKS: It did not pay to send live turtles down. In the present case the idea is to establish canning works right on the spot. They will be erected on one of the islands, and the owners will have the exclusive right to a certain area in order to collect turtles for a given number of years. In connection with the collection of turtles it is necessary that more than one island should be at the disposal of the company for after turtles have been collected from one island for a certain time a scarcity results as there is a migration to another island. After the first island has been left alone for some time turtles return

there. And so the industry is kept going. I am sure that if hon. members will but give consideration to this they will see that it is a desirable to this they will see that it is a desirable measure, inasmuch as we want to establish these industries. There is any amount of room on our coast line, I suppose a couple of thousand miles that could be utilised for this purpose, and these people will have only some 100 miles or so of that. I hope the second reading will be passed.

Mr. WALKER (Kanowna): If it could be so arranged that the terms of the contract would be submitted to the House, perhaps it might be a sufficient safeguard.

The Minister for Works: It would be difficult to do that.

Mr. WALKER: I think we should have some check upon it. In principle there is no harm whatever in the Bill, because it is impossible for people to carry on an industry of this sort without exclusiveness. If a person take land by lease or in fee simple there must be exclusiveness in the area; so too in every occupation.

Mr. Scaddan: There is no exclusiveness about fishing.

Mr. WALKER: Is there not? Supposing I went in for the cultivation of, say, an oyster bed; if it could be said that the oysters in that bed were the property of one just as much as of another where would be the value of my industry?

Mr. Scaddan: They would be part of your private property.

Mr. WALKER: But supposing I have leased any portion of the foreshore from the Government, how does it become my private property? Supposing I am cultivating a certain kind of fish, or it may be sponges, or, again, turtles. Supposing I am nursing these turtles and helping them to breed—where is the harm? The whole State gets the benefit of my industry; it is beneficial to the whole community. Now this is what I regret exceedingly in regard to our coast: We have wealth of all kinds along our coast and nobody is exploiting it or bringing it to the public service; nor will anybody do

this while it is everybody's business. For my own part, I must say that if a person would undertake at a certain spot on our coastline to increase the wealth of the State, by all means would I give him a monopoly for a certain period, so that he might add to the wealth of the community. In fact that is recognised as a sound principle throughout the world. What is a patent, but an exclusive right to an invention? What is a copyright but an exclusive right to the publication of a particular work, of the production of one man? We recognise that exclusiveness because we recognise that it adds to the wealth of the whole community.

Mr. Heitmann: The coast line is not the production of one man.

Mr. WALKER: No, but its utilisation may be. The hon. member proposes to go farming; but will he be content to have an area of land without boundaries, to have an area without having an exclusive right to that area?

Mr. Heitmann: We want to know what is to be given to this man.

Mr. WALKER: That is what I say. If we have a guarantee of the nature of the contract, that it is within the bounds of reason, there can be no objection to it. I would object to handing over the whole of our shores to a private company; but if I know what area that company is to have and the use it is to be put to, then if it be a justifiable industry I am prepared to support it. You must have exclusiveness in an enterprise of any kind. This State is lacking in industries, and if any person will come along and start a new industry I will welcome that person. I know the Government has been asked to give rights along the foreshore for the cultivation of sponges. They are doing that in Adelaide. But here we have this wealth lying idle, absolutely going to waste. It is at our door, and we are doing nothing towards the enterprise simply because this hesitancy has prevailed. Shall we give our foreshores to these people to take sponges? Of course unless these people can get the exclusive right they are not going into the enterprise; and providing that the proper safeguards are

taken to prevent a monopoly for too long a time or over too great an area, I believe that it is in the best interests of the State that such concessions should be granted.

The PREMIER (Hon. N. J. Moore): I believe with the last speaker the whole question resolves itself into the conditions of the contract and the area to be granted. The reason for this Bill is that an offer has been made to lease a certain portion of the coast-line extending from North-West Cape to Cape Preston, about 125 miles. Now, considering that the length of our coast-line is somewhere in the neighbourhood of 4,000 miles, surely there is room for any number of other people to establish themselves or any other similar industry, if it be found that the industry is profitable.

Mr. Daglish: Over what length does the turtle ground extend?

The PREMIER: I know that it extends far beyond King's Sound.

Mr. Troy: You will not find it extending beyond 125 miles.

The PREMIER: Excuse me. I do not know whether the hon. member has any special knowledge of the matter, but I have had a report from the police setting out the necessity which exists for protecting the turtles far beyond King's Sound, where they are being killed for their eggs. The proposed contract is that these people shall, within 12 months, provide to the satisfaction of the Government a capital of not less than £25,000; that they shall erect factories, plant and machinery to the value of not less than £5,000, while the Government reserve the right to all products other than turtles on any part of the foreshore leased. Now in regard to this matter, it is not very many years ago since the whole of the pearling beds at Shark Bay were cut up and leased out to various pearlers with the object of giving them exclusive right to particular beds.

Mr. Butcher: That was 20 years ago.

The PREMIER: Anyhow, there is nothing novel in this proposal, and it stands to common sense that a man cannot start an enterprise of this kind except he have some measure of exclusive-

ness. Do we not give the exclusive right to pastoral areas, and say that people other than the lessee shall not run their herds over those areas? It is practically the same principle. We give the pastoral lessee the right to the grass on the land, and at the same time we sometimes grant the right to cut mature timber over the same area. All that is asked is to give these people the exclusive right to gather turtles over a certain area. If any hon. member likes to suggest in Committee that we should restrict this, and that no person should have a lease of the coast line for a distance of over 150 or, say 200 miles, the Government will be prepared to consider it.

Mr. DAGLISH (Subiaco): Certainly it is necessary to grant some form of concession which shall give the exclusive right over a certain area. The member for Kanowna (Mr. Walker) put that very clearly indeed. But it is right also that the State should get a fair return, apart altogether from the employment of labour, from whatever concession it gives. It seems to me it would be more satisfactory if, instead of any firm securing a concession on its own terms and its own offer, in every case a three months' option were given to the public of submitting tenders that might or might not be more favourable to the State than the terms originally offered. In other words, that every concession given by the public should be given as the result of public tender, so that there should be an opportunity for all who might be willing to embark their capital in any particular industry to do so. Therefore, something on the lines adopted in the recently granted timber license concessions might be adopted here, namely, that it should be required that the person or company should hold only such area as he is prepared to work. Some provision should be required to bind the person who secured the concession to work the whole, failing which, in the same way as the timber areas can be reduced or taken away, the concession for the coast-line should be liable to reduction or withdrawal. The tender condition is essential if the public are to get a fair return.

Mr. Gordon: How would you call for tenders?

Mr. DAGLISH: By announcing that a concession was to be given. The tenderers would submit the terms, and the best would be accepted. There may be no real grounds for objection to the Bill, but at all events, under the tender system it can never be subsequently alleged that the Government had accepted less than the best possible offer.

The Honorary Minister: Two or three people have already got them and failed.

Mr. DAGLISH: That does not affect the question; there are always a large number of people who for one reason or another fail in commercial enterprises, sometimes from want of capital, sometimes from want of knowledge, sometimes from a variety of other circumstances. It proves nothing. It is far better that there should be for any Government a guiding principle, something that would take away from any Government in office the power to grant concessions on unfair terms. At any time the Government may grant a concession on unfair terms. I can well remember when I was in office having, on several occasions, to deal with offers of different sorts to pay the Government certain amounts for certain concessions, and it was, on many occasions, almost impossible to arrive at the value of the concession sought for. The only guide was the reports of public officers coupled with the offers made. If these concessions were offered by public tender the tenderers would actually fix the value, and afterwards there would be no complaint made that because some party, company, or syndicate got in first there was given to them a big concession for far less than its actual value. The Honorary Minister will recognise the value of that point to a Ministry that happened to have the granting of the concession. At any rate, if he does not recognise it now, should he be a member of a Ministry that grants a concession, he will recognise it pretty soon after the concession has been granted. However, from the point of view of the public it is desirable that the State should get a fair return for the exclusive right it gives away to any private company or syndicate.

Mr. TROY (Mt. Magnet): Nobody denies that in order to carry on opera-

tions people must have a title or right to the particular business, but what I take exception to is the want of limitation in this particular Bill. An exclusive right can be given to a corporation to exploit the whole of the coast if the Government in power so desire it. It may be done, or it may not be done; it all depends upon what administration is in power. The Premier tells us that this is granted in the case of the pearl fisheries.

The Premier: I said the Shark Bay beds.

Mr. TROY: What were the conditions—that one company should have the exclusive right to the whole of the bay?

The Premier: The bay was divided into blocks and surveyed and mapped, and each individual had his particular block.

Mr. TROY: That is laid down in the Act, but there is no such provision in this Bill. According to the Shark Bay Pearl Fisheries Act it is lawful for the Minister to grant licenses to any person to gather, collect, or remove pearl shell from the waters of Shark Bay; and the licenses are to be of two kinds—there is the exclusive license, which gives one the sole right to remove from a specific area. It is not from the whole coast.

The Premier: That is the only point raised.

Mr. TROY: I find that the specific area for these exclusive licenses at Shark Bay is a length of six miles.

The Honorary Minister: But pearl shell is quite different from turtles.

Mr. TROY: The provision is quite different in this Bill. Here we have a measure that comes from another House, and without the slightest explanation the Minister tries to pass it through this House, and if it had not been for the discussion there would have been no limitation to the extent of territory that any corporation could exploit. I sympathise with the Premier in his desire to safeguard these turtles from the "brutal Malays," but the Premier must not forget that it was he who moved at the Premiers' Conference for the introduction of these Malays.

The Premier: No; not for the introduction, but simply to keep them up to the standard.

Mr. TROY: I was in the Eastern States at the time and I can produce the motion. While the Premier shows a deep concern for safeguarding the interests of the State against the Malays he was the one person at the Premiers' Conference who moved to introduce them.

The Premier: I moved to allow them to be kept at their present numbers, and I would do it again to-morrow.

Mr. TROY: I do not doubt it. It is that number of Malays that the Premier complains has been exploiting the turtles and that is so harmful to the State. All that we require in this Bill is that there should be some limitation to the area given to a corporation; otherwise we may have one company exploiting the whole coast-line. The Premier also made an extraordinary remark in favour of giving to these people a certain area. He said the turtles became very frightened and removed from one part of the coast to another.

The Minister for Works: I said that. I said that they removed from one island to another.

Mr. TROY: Then why confine the area at all?

The Minister for Works: The hon. member did not listen, or he does not understand when he listens.

Mr. TROY: I understand an insult, and I understand bluff, and that the Minister who has made a most extraordinary and illogical statement desires to bluff out of it. We are told by one Minister that the whole coast-line, or the greater portion of it, is productive of turtles.

The Minister for Works: You have not been told that.

Mr. TROY: The member for Canning should know something about this. I have discussed it with a gentleman who was engaged in this occupation at one time. He does not make a similar statement. He says that the number of turtles is limited, and that the area on the coast-line is limited.

The Honorary Minister: We know that their habitat is over 1,000 miles.

Mr. TROY: One might say the same of any species, though they are not found in large numbers over that area. However, I shall be content if there is a limitation in regard to the territory such as there is in the Shark Bay Pearl Fisheries Act.

The Honorary Minister: We will fix that up.

Mr. GEORGE (Murray): While I know nothing about any proposed concession in regard to turtles, I know there have been several bodies of people who have had a try at the turtle industry and made a failure of it. I have the best reasons for knowing it because I bought portion of their plant. I understand that the reason why they did not succeed was because they could not get a sufficient supply of turtles; it was not that the turtles were not good enough. I think members on both sides will agree that if we have a possibility of developing an industry, which we cannot develop by any other means than by giving a concession, it is better for the State that we should give the concession and have further employment in the State, provided the concession is properly guarded. The largest industry we have on the coast is the timber industry, and had it not been for the concessions given 30 years ago, I question whether that industry would be so large as it is to-day. The Jarrahdale concession was granted in 1872. The concessionaries got a big area of country and there was very little return to the State, but the value to the State from the fact of its being an avenue of employment was incalculable. That was the case when I took charge of the concession in 1890. At that time Jarrahdale was practically the only place where men out of employment could get work. They were sent to us by members of Parliament, magistrates, and others, and if they came up we generally gave them work. Of course nowadays if anyone wanted a concession of a similar nature he would have to pay very much more than Jarrahdale did in the first instance. In connection with this industry, provided we do not give away all the turtles, what harm

is there in allowing someone to have a go at it, and perhaps we may establish half a dozen other concerns. I think that in Committee we can settle the area for which any of these concessions should be given, and if necessary the contracts could be laid on the Table of the House at the next meeting of Parliament for confirmation. I am satisfied that if a concession were granted and we knew that the interests of the State had been studied, both sides of the House would agree to it. Of course if it were otherwise both sides of the House would be anxious to smash the contract, and I would be as eager as members opposite to do so.

Mr. SWAN (North Perth): When the Minister introduced the Bill I was satisfied that unless we got more information I would oppose it. There is nothing in the Bill to show that the operations of the company are to be confined to turtles, though it would seem that turtles are the only food fish the product of the sea that are to be included among the rights to be given to the company. I do not think we have had sufficient information and I am going to vote against the second reading.

Mr. ANGWIN (East Fremantle): Following on the remarks of the member for North Perth, I was not aware from the Minister that the Bill was brought in for the express purpose of one company.

The Honorary Minister: No.

Mr. ANGWIN: I notice from a remark just made that in Committee it is the intention of an hon. member to move to strike out the words "the product of the sea." I do not know whether this applies to sponge fishing, but I know a number of gentlemen in Fremantle are prepared to invest a sum of money to try to open up the sponge industry of the State. Australia imports from £80,000 to £100,000 worth of sponges, and according to the opinion of experts on West Australian sponges, it is clear that this money can be kept in this State instead of being sent to Europe.

Mr. Scaddan: It does not affect sponges, which come under the existing Act.

Mr. ANGWIN: Sponges are a product of the sea. Up to the present it has been a matter of impossibility to obtain an exclusive area for sponge fishing under the existing Act. I know that for some time an application has been made in that direction, and as far as I can gather the only objection which has been lodged against the application for the area is that there is no power in the hands of the Government to grant a concession to any person to engage in this industry.

Mr. Scaddan: This Bill does not apply to sponges at all.

Mr. ANGWIN: If by inserting these words in the Bill, the power desired will be given, then I think we should include them and try and engage in the establishment of that industry or in any other industry which might be for the benefit of the State. I agree with the member for Mount Magnet that if it is intended to give an exclusive right to any corporation for the whole of the coast line of Western Australia, it is the duty of hon. members to block such a proposal from coming into vogue. When we take into consideration the hundreds of miles of coast line that we have, the Government should surely protect it especially after past experience, not only here but in other places. We should all see that no person is given a monopoly. I sincerely hope if the Bill will give the power, that we will have in the near future a sponge industry established in Western Australia. The last proposition that was put before the Government was for a prospecting right for about two years, and then that those applying might be allowed to secure an area and work it under a seven years' right. The people who made this application were prepared to spend between £3,000 and £4,000, and I think it is right, just as is the case in connection with gold mining when a person goes out prospecting and finds a property which he thinks is suitable for working, he receives protection, so should a person fishing for sponges receive protection from the Government for such a period as to enable him to make a start with his operations. I hope the second reading will pass

and when the measure is in Committee the Minister will explain its details to us.

Mr. SCADDAN: Apparently the member for East Fremantle has not read the principal Act which this Bill is intended to amend, otherwise he would know that there is a provision contained in it to grant exclusive rights to any portion of our coasts for such a pursuit as the recovery of sponges. It would be as well to read a section of the principal Act which is being repealed by this Bill. Section 30 dealing with exclusive licenses says—

"The Governor may grant to any person or persons on such terms and conditions as to the Governor may seem fit, a license to the exclusion of all other persons to collect and gather, for any term not exceeding fourteen years, from any portion of the coastal waters of the State, any product of the sea not being food fish."

I am absolutely certain that sponges are not food fish. It is evident therefore that the intention of this Bill is to amend in the direction of giving exclusive rights for people to collect food fish as well as those specified in the second schedule of the principal Act. But it goes further than that in view of the fact that it says: "... any marine animal life or product of the sea not being any of the fish mentioned in the Second Schedule." It now creates the power to give the right to search for pearls, exclusive of any other person. I am sure no one desires that. Moreover, exclusive rights of this nature mean that a person found on the waters within that particular area will have to show that he is not there for the purpose of recovering the particular food product of the sea mentioned in the agreement between the person who has a lease of that portion of the sea and the Government. I would like to ask why various individuals and companies have failed to continue the industry of recovering turtles on the coast. It has been said that there were not sufficient turtles to make the industry pay. What I would like to know is, whether an exclusive right to any particular portion of the coast will be the means of breeding turtles? If not, the arguments used must fall to the ground. I can see no

reason why licenses to recover turtles may not be granted to a company under the existing law. In the event of competition in the same waters the Government could ask the House to amend the Bill in the direction now required. Under existing conditions it has not been stated even by the Minister that any of these companies or individuals have failed in this industry owing to competition. Until such time we should not give exclusive rights as intended by this measure.

Mr. MALE (Kimberley): I only wish to say a few words with regard to this measure. As far as I can see the object of the amending Bill is merely to extend the powers of the principal Act. In the principal Act power is already given in Section 30 to grant an exclusive license. Exclusive licenses do not apply to food fish. The definition of "turtle" might be a marine product, and at the same time it might be a food fish; and I think when an application was made to the Government for an exclusive right to fish for turtle, they came to the conclusion that turtle was food fish, and therefore under the Act they could give no such right; hence this amending measure to enable the issue of a right to fish for turtle only. Mention has been made of the fact that companies have tried this turtle venture before. It is not altogether new, even in Western Australia. Exclusive rights for fishing for turtle were granted something over twenty years ago, but the company that obtained that right forfeited their lease, and in fact did not start operations at all. Exclusive rights were again granted some ten years ago, and the company started operations, but it was not owing to an insufficient quantity of turtle that the company collapsed. It collapsed rather from want of knowledge of how to treat the turtle, and also from want of capital to go on further and get men to do the work. The men who went up to carry out this work for the company knew absolutely nothing about curing the turtle in a practical way. They were local men. One had been engaged in the butter and cheese industry, and the other had been engaged in pastoral

and many other pursuits, and neither had any knowledge of the turtle industry or of curing. The position I take up to-day is that an influential company with a considerable amount of capital behind them are prepared to exploit the coast and see if the turtle industry can be started, and I think every inducement and every facility should be offered to them to come here and carry out their operations. That we have turtles on the coast there is not the slightest doubt, but at the present time the industry is not one that can be worked by small men. It will require a considerable amount of capital to get it going, and it will require the opening up of the home market to dispose of the product. The turtle which has a valuable shell on its back is not so plentiful in these waters, and if it is thought advisable it might be excluded from the license. I take it that the turtle the people require is the green back, from which soup is made. There are plenty there, and I see no reason why an exclusive right should not be given to any company or person prepared to put sufficient capital in it to show to us whether the industry can be built up or not.

Mr. Scaddan: They do not require an exclusive right.

Mr. MALE: They do require it if they are going to work on certain islands. I might point out in the amending Bill if it is passed the words "fore-shore or adjacent land above high water mark" are mentioned. The amendment is necessary to permit of the license being made to apply to food fish.

Mr. Johnson: Food fish is defined in the principal Act, and turtles are not included. *

Mr. MALE: With regard to the application of this amendment to other industries besides the turtle, I might mention that trepang, which is a fish, is not included in the schedule, and it would come under the scope of this amendment. We might even go so far as to include the fin shark, which is a valuable product and which is used for food purposes, and I think the whole ground

will be covered. It is my intention to support the second reading of the Bill with the hope of seeing a new industry started on our coast.

The HONORARY MINISTER (in reply): I trust that the House will pass this measure, and I want to disabuse the minds of hon. members who apparently think that some improper scheme is under way; that the object of the Bill is to give exclusive rights to any one company, and that in connection with the lease which has been applied for by a company in London who are prepared to put up a considerable amount of capital, the Government propose to give exclusive rights to the foreshore to any one individual. I feel certain hon. members opposite are just as desirous as we are to see the establishment of new industries in Western Australia. To-day this industry is practically non-existent, and I think the hon. member for Broome has given us fair reason from his own personal experience why in the past various companies which have attempted to exploit this fish have failed. A very valid objection has been raised to the Bill, in that it would be quite possible if any Government improperly desired to give an exclusive right to a company it could be done under this Bill. I recognise the validity of that objection, and in Committee shall be prepared to rectify that defect. I shall not take the Bill into Committee to-night, because I wish to have an opportunity of consulting with the Fisheries Department as to what course to adopt. I do not see how it would be feasible to put on the Table of the House every contract arrived at; a better plan would be to limit the area which could be granted. I am satisfied that the Leader of the Opposition, when he considers the matter, will not throw any obstacle in the way of establishing a new and profitable industry in the State. We can fix the matter up satisfactorily; I am sure, to all members when we get to the Committee stage.

Question put and passed.

Bill read a second time.

BILL—INFLUX OF CRIMINALS PREVENTION.

Second Reading.

Debate resumed from 23rd September.

Mr. BATH (Brown Hill): In moving the second reading of this Bill the Attorney General was particularly candid with members, and pointed out that it was a very drastic action to take, and unless the Administration were wise that possibly injustices might be done under it. It certainly is a very good reason that the other States—that is New South Wales, Victoria, and South Australia—having introduced and carried through similar legislation, Western Australia is under the necessity of protecting itself from any influx of criminals who may be prohibited in the other States, and come to Western Australia in order to avoid the penalties imposed by those States. At the same time I realise with the Attorney General that there is a considerable danger, because of the criminals who would come to Western Australia after they have served their sentences. There is, undoubtedly, a percentage who come here in order to make a fresh start and, of avoiding as far as possible, the effects of their past and of keeping away from criminal practices in the future. It certainly would be a very serious thing if men came here for that purpose in life, were placed in the position of being harried by the officers of the law in Western Australia. On the other hand, we know that South Australia had the experience of an influx of criminals, who carried on a considerable number of crimes of a very serious nature, and yet, I think, South Australia was the last State forced into the position of passing a measure of this kind to protect the State. I am not going to offer any objection to the second reading of this Bill, I shall have several suggestions to offer on the measure in Committee, which I hope the Attorney General will give favourable consideration to. As a matter of fact, the treatment of criminals has undergone a very considerable change within recent years. The experience of the past has been that measures of very great severity have had very little effect

in minimising crime; and, as a question of history, the matter is altogether beyond dispute that in those days when criminals were treated with the greatest rigor, and sometimes with absolute cruelty, the amount of crime was not diminished. The trouble I see as to the administration of the measure in Western Australia is, that in our administration of the law, both in our courts and in the general administration by the police, we have the old theory of the big stick for the suppression of crime, and it has even been a matter for complaint that men who are desirous of making a fresh start in life, and avoiding criminal courses, have had great difficulties placed in their way by the fact that they have been placed under surveillance and harried from place to place by the officers of the law. In some instances, I believe, these complaints have been justified; but, in other instances, the offenders have naturally come under the eye of the police officers and detectives, because they have resorted to their old haunts, which are habitually under the surveillance of the police, and as they resort to these places they are brought under the eye of the law. In our existing legislation we already have power in our criminal courts to deal with criminals who come here and continue their criminal practices in this State. Naturally, the police force come into contact with them, and they are tried and punished for their crimes. If we carry this Bill, it would be possible for men who have served a sentence of over two years in other States, even if they avoid criminal practices in Western Australia, to be brought up under the law and sentenced to imprisonment or deported; that is the danger that underlies the measure. It seems to me that before we could have perfect administration of it without doing an injustice, there would have to be a different conception of their duties in the minds, not only of the police but of the justices. I have come to the conclusion that the time has arrived in any community that considers itself enlightened, to insist on a standard of competency on the part of those justices. Before appointing our justices of the

peace they should be compelled to pass some examination determining their fitness for the position, and not merely haphazard appointments made. Because some man has been a good friend to a member of Parliament or a Minister, and has been a strong supporter, therefore he is rewarded by being placed on the bench irrespective as to whether he is fitted for the position or not. The same in connection with the police force. Our affairs are becoming so complex that I think the time has arrived when even the qualification for a police officer should not be because a man happens to be big and muscular, but other qualifications also should be considered essential. There should be some degree of intelligence, which will enable the police officers to grasp the general ideas moving in the community as to the administration of the law. If we had first the justices, and then the police officers come up to that standard, there would be less danger.

Mr. Gordon: They do have to pass some examination.

Mr. BATH: The examination, I think, is the usual measurement of the chest and muscular development. I do not think the examination is very high. I do not think they have to undergo an examination as to many matters that come under their control later on as police officers.

Mr. Collier: No examination, either physical or educational.

The Attorney General: There is an examination in the police regulations, I think.

Mr. BATH: I do not think the examination is a very high one, and judging by the fact that the greater number of our police officers are fairly stout in their build, I should say when applications are called, that is one of the qualifications.

The Premier: You want the men to be able to hang on to a burglar, though.

Mr. BATH: I think when we get into Committee we might be able to safeguard that, or amend the Bill in such a way as to minimise the chance of injustice being done, or drastic action being taken that would perhaps, deter the putting of an officer in the way of a criminal who is desirous of starting a new life by limiting

the number of persons who should be empowered to grant warrants under the Bill. I do not think that is a power that should be reposed in all justices. I think that we should compel them to apply to certain magistrates, or Judges of the Supreme Court. If that were imposed there would be a minimum of injustice under the Bill. As I said before, I do not intend to oppose the second reading, but I shall offer suggestions in Committee to make the Bill one which will meet the purposes intended by the Attorney General, and not to impose a hard life on those who come to Western Australia to make a fresh start.

On motion by Mr. Walker, debate adjourned.

BILL—HEALTH.

Received from the Legislative Council, and on motion by the Premier, read a first time.

BILL—EMPLOYMENT BROKERS.

Second Reading.

The HONORARY MINISTER (Hon. J. Price) in moving the second reading said: This is a Bill which passed another place last session, and was introduced into this House and read a second time, but owing to the pressure of business it was one of the slaughtered innocents. This session it has already passed another place, and it is now before this House for consideration. I think the object of the Bill, while possibly, after reading the speech of the Leader of the Opposition, not going as far as he would desire, still, so far as it goes, I think it will meet with the sympathy of all members of the House.

Mr. Bath: You have dropped the amendment you carried last year.

The HONORARY MINISTER: The measure is designed to protect a class of people who are not of the best business capacity and who frequently, when dealing with unscrupulous individuals among employment brokers—for while there are many respectable firms engaged in this work others are not of too reputable a character—are "taken in" by improper

and extortionate charges being made against them. The Bill proposes that other persons than those now having the right, shall be able to object to the granting of licenses for employment brokers. Up to now this work has been entirely in the hands of the police but it is provided by the Bill that certain officers of the Government, among others those in control of factories, etc., may make objections to the individuals applying for licenses. The Bill provides safeguards which will result in only reputable individuals being licensed in the trade. Clauses 15, 16, and 17 make it incumbent upon an employment broker to display conspicuously on his premises the scale of the charges he makes. To-day, unless the person seeking employment makes an arrangement beforehand, he is entirely at the mercy of the employment broker as to the charges, but this will no longer exist. Again it is provided that a copy of the scale shall be sent to the Minister and, if any alteration in the scale is made at any time, the Minister shall be notified.

Mr. Collier: That is of no use.

The HONORARY MINISTER: To-day a person seeking employment has no knowledge of what he is to be charged. It often happens that after obtaining a situation the employee has to continue for some time paying the charges made by the employment broker. A deputation of employees waited on the Minister in charge of the department and instanced many cases where those seeking employment had been victimised. The Bill is a decided improvement on the present state of affairs, by which, unless some specific agreement is made beforehand, the broker can charge what he or she likes. If this Bill becomes law all charges must be stated and be the same for everybody.

Mr. Swan: Put a scale in the Bill.

The HONORARY MINISTER: That would not be possible.

Mr. Scaddan: It is done elsewhere.

The HONORARY MINISTER: I believe it is done in New Zealand.

Mr. Bath: And in Victoria.

The HONORARY MINISTER: We must leave something to individual en-

terprise. I do not think we should cut every trader or every employment broker out of the same pattern and say that there must be one set of charges to be adhered to by all. I can well imagine that an employee would rather pay a higher charge to a certain broker from whom he knew he would receive reliable information, and a better selection for a situation. If some members had their way they would put all employment brokers on the same level with regard to fees, so that those who were not too reliable as to their information, or who did not offer such a selection of employment, would command exactly the same figure as the better class of broker.

Mr. Johnson: We only desire to fix the maximum.

The HONORARY MINISTER: Members must admit that in going as far as we have the Government have at all events gone some distance towards remedying the present state of affairs.

Mr. Troy: Why not go the whole distance?

The HONORARY MINISTER: Because we do not believe in going the whole distance. It is quite possible that people who think on other lines than those taken by the hon. member are right; he has not the acme of all truth concentrated in his one person.

Mr. Troy: There is a distance you know you should go; why not go it?

The HONORARY MINISTER: I know there is a certain distance to go to a certain place below, but I do not want to proceed there. I want merely to explain that this measure is about as far as the Government at present think it desirable to go, and it is certainly a step in advance.

Mr. Collier: Where is it a step in advance?

The HONORARY MINISTER: I have explained the whole matter once, and I am sorry if I have not made myself clear. Briefly, the improvement is as follows. There are safeguards in this Bill for securing reputable individuals when licenses are applied for; there is on exhibition permanently in the broker's office the scale of charges and fees; there has to be sent to the Minister a

copy of this scale and a notification of any alteration in that scale; there is also provision against any contracting out of the scale.

Mr. Collier: All of which are of no value.

The HONORARY MINISTER: That is a matter of opinion. It was sufficient to induce the member, among others, to pass the second reading last session. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—ADMINISTRATION AMENDMENT.

Second Reading.

The PREMIER AND TREASURER (Hon. N. J. Moore) in moving the second reading said: This is a very small measure consisting as it does of but two clauses. The Bill affirms no new principle, but is introduced with a view to increase the amount which will be received from probate duty. Copies of the Bill have been circulated among members, who have had an opportunity of comparing the present schedule with that in the existing Act of 1903, which was introduced by the then Premier, Mr. Walter James. This Bill is introduced exclusively in the interests of the Consolidated Revenue Fund. I have no wish, and I do not think the people have any wish, to increase direct taxation, and it would be at present only under great compulsion that I would resort to that course, and it is only the exigencies of the financial situation that compel me to resort to measures less direct such as the one I am submitting for approval. There is much lee-way to be made up before we will have a balance to the credit of the Consolidated Revenue Fund; there is something like a balance of £300,000 between us and that happy condition and I hope this measure will go some little way towards reducing the deficit. It is not going to make any great difference, for all it aims at is to bring us more in line, in these duties, with those levied

under probate duty in the Eastern States. Up to now the Western Australian rate has been lower in probate duties than any of the Eastern States, and the present tendency throughout the world is to steepen these duties. As a matter of fact in the course of his Budget recently, the Right Hon. Lloyd George went a very great way in increasing the amount levied in the old country by this means; the settlement estate duties, and the legacy and succession duties were greatly increased. The duties levied under this Bill will be practically on the lines of the Victorian measure, that is from £7,000 upwards. In Victoria a start is made with one per cent. on £100, but we commence at £500, the scale being: exceeding £500 and up to £1,000, two per cent.; exceeding £1,000 and up to £2,500, three per cent.; exceeding £2,500 and up to £4,500, four per cent.; exceeding £4,500 and up to £6,000, five per cent.; exceeding £6,000 and up to £7,000, six per cent.; exceeding £7,000 and up to £8,000, six and two-fifths per cent.; exceeding £8,000 and up to £9,000, six and three-fifths per cent.; exceeding £9,000 and up to £10,000, six and four-fifths per cent.; exceeding £10,000 and up to £11,000, seven and one-fifth per cent.; exceeding £11,000 and up to £12,000, seven and two-fifths per cent.; exceeding £12,000 and up to £13,000, seven and three-fifths per cent.; exceeding £13,000 and up to £14,000, seven and four-fifths per cent.; exceeding £14,000 and up to £15,000, eight and one-fifth per cent.; exceeding £15,000 and up to £16,000, eight and two-fifths per cent.; exceeding £16,000 and up to £17,000, eight and three-fifths per cent.; exceeding £17,000 and up to £18,000, eight and four-fifths per cent.; exceeding £18,000 and up to £19,000, nine per cent.; exceeding £19,000 and up to £20,000, nine and a-half per cent.; exceeding £20,000, ten per cent. Under the present Act the charge for £20,000 is eight per cent., but we make it in the Bill nine and a-half per cent.; also instead of commencing at £30,000 for the ten per cent. charge we commence it at over £20,000.

Mr. George: Why not take the lot?

The PREMIER: Any suggestion of that kind will be given full consideration to: I am only asking to increase the tax, on lines already outlined, which will bring us more into line with the Eastern States. I do not know that we can be accused of doing anything unreasonable. There is a general tendency to increase these duties and it is recognised in the income tax in some of the Eastern States that there should be a great difference in the rate imposed upon wealth acquired by personal exertion as compared with wealth left to an individual as the result of another person's labours—new added wealth he had not hitherto enjoyed. Taking the death duties as collected last year the new scale would mean that there would have been an increase of something like £7,000 to the revenue. With respect to estates between £500 and £7,000 in value the scale of charges included in the Bill is in substance the same as that now in force in Queensland and South Australia. It should be noted that the provisions of Section 86 of the existing Act, under which the parents' issue, and issue of husband and wife pay half duty, are unaffected. I anticipate that the annual increase of revenue from this new taxation will approximate £7,500.

Mr. Johnson: How do you calculate it?

The PREMIER: By taking last year's death dues and applying the proposed tax to those dues. That is the only basis one can have. As a matter of fact even under the existing scale they will be far in excess this year of what they were last year, for at the end of this month we will have received an amount almost equal to the amount received during the whole of last year. It will be noted that the provisions under the 1896 Act, by which the parents' issue pay half duty are unaffected. That principle applies right through and we have not made any proposal to alter it. I do not know that I need say anything further in connection with the matter. As I say, there is no new principle in it, nor have I to defend the principle in force at the present time. It is simply a question of taking steps to bring us into line with the Eastern States. And

while they, with their huge surpluses, still continue to gather this tax, surely it is only fair and reasonable that we, in time of financial stress, should bring these duties into line with those obtaining in the adjoining States. I move—

That the Bill be now read a second time.

Mr. BATH (Brown Hill): The Treasurer, I think, had had an assurance of support from at least some members on this side of the House, for this increased measure of taxation. I remember that some time ago, in a debate on a Budget Speech, this was one of the methods I urged the Government to adopt as a means of leading them to financial solvency, and I am pleased to see that in some slight particular the Treasurer is prepared to follow the advice of this side of the House.

The Premier: Occasionally some good comes out of Nazareth.

Mr. BATH: While I have no objection to offer to the increase I think the Treasurer might very well have provided for the continuation of the scale between the maximum, here, of £20,000 and the maximum of £50,000 as it existed under the Administration Act of 1893. I think we should continue the graduated scale between £20,000 and £50,000, and by sliding scale increase the duty from 10 to 20 per cent.

The Premier: They do not get up to 10 per cent. in the old country until they reach £200,000.

Mr. Scaddan: You ought to confiscate all over £50,000.

Mr. BATH: I think the Treasurer could very well adopt the suggestion for continuing the graduation of duties between the £20,000 and the £50,000. In the United Kingdom this is a fruitful source of revenue.

The Premier: So it is in New South Wales, where recently they got £350,000 from one property.

Mr. BATH: In the United States it is being strenuously advocated by some of the most prominent politicians, including ex-President Roosevelt and President Taft. And not only is it being advocated as a means of raising

revenue, but as a means of protecting society. They have in America scores of moral and mental degenerates, men of the calibre of Thaw, for instance, who have been the recipients of wealth left by other people, and who have thereupon embarked upon a career of debauchery and immorality, not only to their own injury, but also to the injury and degradation of a very considerable proportion of the population of the United States. And this principle is seriously being advocated at the present time by prominent politicians and writers as a means of enforcing some protection for society against the debaucheries which have resulted from the sudden acquisition of wealth. While of course there does not seem to be the same necessity in Western Australia for that sort of thing, I think it is one of the means of raising revenue which is least objectionable; because, after all, when a wealthy man shuffles off this mortal coil it hurts his feelings but little to have to contribute in this way to the revenue of the State. I do not think there will be any very strong opposition on this side of the House to the passage of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Daglish in the Chair: the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Repeal of second schedule:

Mr. BATH: Would not the Treasurer be prepared to adopt the suggestion to extend the schedule from £20,000 to £50,000?

The PREMIER: One of the reasons it had not been so extended was that 10 per cent. was the limit of duties to be found anywhere in Australia. Even under Mr. Lloyd George's new budget proposals it was not proposed to put on a tax of 10 per cent. until the value of the estate reached £200,000. Under Mr. Lloyd George's schedule the tax was only 5 per cent on the values in respect to which the tax proposed in the Bill was 10 per cent. In the Eastern States Victoria had 10 per cent. for £20,000.

while New South Wales had 5 per cent., Queensland 10 per cent., and South Australia 6½ per cent. for the same amount. Under the existing schedule in Western Australia 8 per cent. was charged for £20,000. As proposed in the Bill the rate would be in excess of that charged in certain of the Eastern States, and would be on a level with that in Victoria. Certain information which he had obtained in connection with this matter he would put before the Committee in order that the suggestion made by the Leader of the Opposition might be fully considered at a later date. At the present time the Government were of opinion that 10 per cent. was a fair maximum, and without giving the matter further consideration he was not prepared to adopt the suggestion made although, naturally, his inclination as Treasurer would be to fall in with the hon. member's views.

Progress reported.

(Sitting suspended from 6.15 to 7.30 p.m.)

BILL—LICENSING.

Second Reading.

Mr. ANGWIN (East Fremantle): It is not my intention to delay hon. members any length of time in dealing with this Bill, as the various clauses have been fairly discussed by members who have preceded me. I am pleased a Bill of this nature has been brought down, not only for the express purpose of consolidating the licensing measures, but with a view of bringing the licensing question to a far better condition than it has been in the past. There are many items in the Bill that in Committee will need a little discussion and, in all probability, amendment; but there is one portion of the Bill to which I wish to draw particular attention, that is the part dealing with the licensing courts. The other night I interjected that it was almost a matter of impossibility at the present time for one who was a total abstainer to become a member of a licensing court, but Ministers did not agree that such was the case. However, I have actual proof

where persons have been, through their interest and attention as justices of the peace, recommended as fit persons to become members of a licensing bench, and the only objection alleged against them was that they were total abstainers. If the Bill were amended with a view to having elective licensing courts a good deal of this difficulty would, no doubt, be removed; and as the member for Fremantle said the other night, those persons who to-day get no representation on these licensing courts will have an opportunity of securing representation; that is, if the boards are elected. The hon. member seemed to be afraid that if licensing courts were elected we would have members of these courts elected who would be biased one way or the other; but I do not see how such could take place. In some parts of the world the laws relating to the liquor traffic are administered by those who are total abstainers. In Nova Scotia those administering the liquor laws, and the inspectors appointed to see that the Act is complied with, have to be before nomination, and have to continue to be, members of total abstinence societies. It shows that in Nova Scotia they are not afraid that any person who is a member of a temperance organisation is likely to be biased, or not act fairly and justly to those engaged in the liquor traffic. I hope in Committee the Bill will be amended for the purpose of having our licensing courts elected, because I feel certain that elected courts would give greater satisfaction. I speak as one who has, perhaps, attended more sittings of licensing courts than any member; perhaps I ought to say as many as any member of the Chamber. I have seen the fallacy of nominated benches and the injury they have done, and the farce created by some of those who are put on the bench to decide on these licenses.

The Attorney General: Can you give instances?

Mr. ANGWIN: I have done that previously.

The Attorney General: Have you any court in your mind?

Mr. ANGWIN: As I said during last session of Parliament, I have seen a li-

cense granted in defiance of the request of the inspector of police that the applicant for such license should be placed in the witness box; and I have seen the justices on the bench combining together behind the police magistrate to give a license, for the express reason that at the same sitting there was an application for a building of which one was the owner. I certainly think that if the people were to elect the persons to fill the positions of licensing magistrates, they would exercise greater care than the Government do in regard to appointments. I see that the Bill again provides for wine licenses and gallon licenses. Almost every member who has spoken has referred to the injury caused by these licenses, and I shall again go to Canada—to Ontario this time—where we find that the holders of licenses of this description are not allowed to sell any other merchandise except tobacco, cigars, and cigarettes. A few months ago, during the passage of a Licensing Amendment Bill, I moved that a wine license should not be granted to any place carrying on any other trade or business. In a large number of instances we find that these wine shops are merely decoy shops, shops that are brought into existence for the express purpose of decoying the young and bringing them up with the intention of making them the drunkards of the future. The Bill contains a wise provision, that no children under 14 years shall be admitted to a hotel bar: but what is the use of having this provision when we have at every street corner, almost, in fact, I may say, between hotels, two or three wine shops, where the children can go as freely as they like, and drink as much wine as they can, and not be required to enter hotels to get what the Government evidently wish to prevent them partaking of. I trust that in the Committee stage I shall have an opportunity of stopping these licenses being issued, more particularly the wine licenses. The local option clauses are the principal feature of the Bill; at any rate they are the clauses to which the public attention is mostly drawn, most of the other clauses being purely machinery to which the same public attention is not

given. I hope that this session, at least, these clauses will be made a fair proposition. I hope members will try to put into the measure some clauses which will lead to the possibility of a Licensing Bill becoming law, but I am afraid the suggestions put forward in the Bill will not allow the Bill to become law for some considerable time, because of the compensation clauses; rather I should call them the so-called compensation clauses, which are really the basis on which local option is granted. I think there will be such a difference of opinion in regard to the manner in which this compensation should be raised that it will be almost an impossibility for such a Bill as this to become law for a considerable time. By the time the compensation to be paid by those engaged in the trade is to be provided it will be found that the expenses of the board and their employees, necessitated by travelling about the State in connection with the local option laws, will leave but little for the purpose of what is termed compensation. When the Bill reaches the Committee stage I intend to move that no poll for the closing of hotels shall be taken until 1919. That will provide that those having hotels licensed now, and who have complied with the provisions of the Act, as to keeping their houses in proper order, can claim the right of renewal for 10 years. It has been said there is a legal right to compensation. I do not know if there is one or not, but I do know that Western Australia to-day is differently constituted from any of the other States or the old country. In Victoria there have been a large number of hotels closed, and many of those so dealt with had been in existence for so many years that it was beneficial to the State that they should be closed; but in Western Australia the major portion of our licensed houses have been erected comparatively recently. We have also to realise that in a number of instances the persons who built the houses have really not reaped the advantage of the licenses granted for them. I know of one instance, for I was particularly concerned in that, as I went from door to door get-

ting signatures in opposition to the granting of the license, where the person who built the hotel had to pay a high fee to get the transfer of the license. Therefore, in that instance the man who gained the profit from the license being granted was not he who built the hotel, it was the man who sold his right that did so well out of the transaction. Again, I know of an instance where an application was made for a license, and the magistrates pointed out that the building was not sufficiently commodious, nor was the position suitable enough to influence them to grant the license. They compelled the owners of the property, who had erected a building at a cost of £4,000 or £5,000, to spend about £8,000 before they gave him his renewal. Whether there is legal right or not, morally those persons who have spent so much money in building premises, really upon the instructions of the licensing courts, should be given some security of tenure for a few years before there is power to close them by the vote of the people. If the Government would only nationalise the liquor traffic, if they would only take over the hotels, then, if the public desired to close any of the hotels, they would be the losers and no one else. Under the present circumstances if we decide to close a great many hotels immediately, in many instances a large number of persons would suffer considerable and unwarrantable hardships. When speaking the other night the Premier referred to the speech made by the late Prime Minister of England, Mr. Balfour, but in those references he forgot to mention the position held by Mr. Balfour as the leader of a party. We should not be influenced altogether by what Mr. Balfour said on that occasion in reference to compensation. Mr. Bath said he could not expect anything from Mr. Balfour but what was in the interests of the trade. I find by the report of a debate, which took place in the British House of Commons a few months ago, that a member, referring to members on the Opposition benches now led by Mr. Balfour, said there were 50 supporters of the Opposition who would not be occupying

seats in Parliament but for the influence and co-operation of the drink traffic. That shows clearly that Mr. Balfour was to a large degree tied, he had to speak according to the wishes of his supporters who were sent there to keep him in his honourable position as Prime Minister. Members can form their own conclusions from this, and if they do so they will realise that the difference between England and Western Australia is such that we cannot take England as a comparison when dealing with the compensation clauses. In England there are hotels which have existed for generations past and have now reached the stage when they should certainly be closed; but in Western Australia we have only those hotels in existence which, in the majority of cases, are not more than five, six, seven, or eight years old. Seeing the varying conditions here, as compared with England, a comparison between the two countries cannot well be taken. Here we should allow the owners a fair time before doing away with the licenses. There is another new provision included in this Bill, and I am very glad to see it; that is one providing for State hotels. A considerable mistake has been made, however, by neglecting to make the same conditions apply to State hotels as to hotels privately owned. It is provided that when a hotel is required for a certain district the Minister can put it where he likes, and can keep it open so long as he likes. Surely there should be provision that if a State hotel is erected it should be under the same conditions, so far as the local option is concerned, as any other hotel.

The Attorney General: There will be no desire on the part of the Government to foist a State hotel on a district not wanting it. The difficulty will be to give State hotels to all who want them.

Mr. ANGWIN: Before a private hotel can be erected, a local option vote has to be taken and the private individual has to get a majority vote in a given area before he can be granted the license.

The Attorney General: Why should the Government wish to foist a hotel where it is not wanted?

Mr. ANGWIN: I am afraid the Government will be like other persons, they will put up the hotel where it is likely to catch the best trade. There should be a provision that the will of the people in the district should be taken before a State hotel is put there. If this is not done we shall have many hotels erected in places where the majority of the inhabitants do not want them. Then, again, the State hotels should be managed under exactly the same conditions as the private hotels. Why should the Gwalia State hotel, for instance, be exempt from rates? If that hotel were let to a private person it would bring in a rental of £1,000 a year, or more. The rating which would be received by the roads board on such premises, if owned by a private individual, would amount to about £100 a year, but now, as it is a State hotel, no rates whatever are paid. That is not fair. The member for Ivanhoe (Mr. Scaddan) when speaking the other night referred to the Sunday trading clauses. I think, and I believe it is the wish of the people, we should, if possible, try to retain the present Sunday closing of hotels.

Mr. Scaddan: You have not got it at present.

Mr. ANGWIN: I do not think the member would agree for one moment that we should repeal the Early Closing Act, or the Factories Act simply because we know the Government have not enforced the provisions of those Acts. If the Government did not enforce the provisions of the Licensing Act, surely that is no reason why the clauses which provide for the closing of hotels on Sunday, should be repealed. I am of opinion with him that the bona fide traveller clauses should be wiped out of existence. I was speaking the other night to a man who has been engaged in the trade for many years, and he said that so long as the hotelkeepers have one thing or the other they do not mind, but the bona fide traveller clause was a source of danger to them. That is the opinion of a very large number of licensed victuallers. These people would like, if possible, to have their Sunday rest, to close their hotels altogether, but so long as we retain in the Act the

section providing that they are almost compelled to provide liquor for bona fide travellers on Sunday it is impossible for them to get a Sunday off duty.

Mr. Brown: Under the Bill they can refuse to serve a traveller.

Mr. ANGWIN: That may be so, but what would be the position of a licensed victualler who continued to refuse to serve such customers? The member for Ivanhoe pointed out that it would be impossible for a man to retain his trade if he refused customers on Sunday. It is the duty of the Crown to protect the licensed victualler, and to see that he is not annoyed in the manner he has been in the past. I trust the plea put forward by the member for Ivanhoe will be the means of inducing the Government to take stricter measures, more particularly on the fields, to see that the Sunday closing clauses are not evaded in the future as they have been in the past.

Mr. Scaddan: Do not trouble about the goldfields: it is not there that the Sunday closing clauses are so evaded. Look at the packet licenses on the coast. They do not exist on the goldfields.

Mr. ANGWIN: I hope the member will assist me to wipe out packet licenses altogether. As to the hours of opening and closing of hotels: I do not so much object to the hour of opening being fixed at 6 a.m., but there is no necessity whatever for extending the closing hour at night. If anything, the Government should have reduced the hours considerably. Our stores have to close at 6 p.m. Why should hotels be allowed to keep open?

Mr. Underwood: What about the gingerbeer shops?

Mr. ANGWIN: I believe before we can make our Early Closing Act effective it will be necessary that we should close all the places, not only the hotels, but the grocers' shops and even the gingerbeer shops which the hon. member speaks about. I notice that in the various States of America they make it a practice of closing the hotels each Saturday evening particularly early. As far as Canada is concerned, in Ontario the hotels are closed at 7 o'clock on Saturday night and

they do not open again until 6 o'clock on Monday morning. In Nova Scotia they close at 6 o'clock on Saturday evening and do not open until 7 o'clock on Monday morning. I think we could, with advantage, reduce the hours as far as the opening and closing of hotels is concerned. There is not the least doubt that if it had not been for the business of the hotels in the metropolitan area, the Saturday half-holiday as far as the shop assistants are concerned, would have been an accomplished fact to-day. I do not see why other businesses should have to close at regulated hours under the Early Closing Act and why the hotels should not come under the same Act. I am pleased indeed to see the restrictions which the Bill provides with regard to clubs. I can only hope that hon. members will agree to bring clubs under the local option clause. I would like to go further: I would like to see Parliament House put under the local option poll. I do not know why the people of Perth should have a place for the sale of intoxicating liquor in their midst without having a say in regard to it, merely because it is in Parliament House, and if hon. members in this Chamber are genuine in their belief in local option, I hope they will cast their votes when the Bill is in Committee for the express purpose of taking the first vote under local option in connection with the closing of the Parliament House refreshment room. I think that while there is to be, and will be, an attempt to bring clubs, wine licenses, gallon licenses, and almost every license so far as the sale of intoxicating liquors is concerned, under the local option vote, I see no reason whatever why Parliament House should be exempt. Hon. members should show they are willing to abide by the popular will of the people in the same manner as they expect people outside to do. There are many clauses in the Bill in regard to which I intend to move amendments when the measure is in Committee, and I shall reserve further remarks until that stage. I hope hon. members will give the Bill at this stage such consideration that when it reaches another place it will not excite their wrath to such an extent that they will throw it into the waste paper basket.

Mr. WALKER (Kanowna): After the very many eloquent and well reasoned speeches that have been delivered on this subject I feel almost that an apology is necessary for engaging the time of the House any further; but it appears to me that notwithstanding the debates we have had here, the brains that have been brought to bear upon the subject, the mass of information by means of which it has been treated, there yet has been lacking, in my humble opinion, a due appreciation of the character of the evil we are dealing with, for I take that as my starting point, that in dealing with the drink traffic we are dealing with the regulation of an evil. It is so recognised in every aspect at the present day, for it is not only associated with penalties and with restrictions, permissions and all kinds of police supervision, but the principal part of our machinery of summary jurisdiction, at all events, is concerned with the results of this traffic. We are the more puzzled in our treatment of the subject by the fact that it is no new evil, nay, it is only just on the eve of being recognised as an evil. There is no traffic that has a more venerable history associated with it than the drink traffic. The dearest associations of mankind, the sublimest ideas, have been intimately interwoven with the drink traffic. Our finest literature, especially from the hands of the ancients, is tainted with the glow and the stimulus of it. If we were to look for the origin of the finest development of Greek thought, that which gave the foundation for the modern drama, we open our Euripides and we find that one of his finest plays was devoted purely to the treatment of drink under the title of "The Bacchanals." Nay, more, where Sophocles and Euripides and Aeschylus competed for the crown in poetry, there was the temple of Bacchus. It was in the temple of Bacchus that all the great intellect of Athens congregated for the purpose of expanding their thoughts. All the festivals of old Athens, those in which the greatest and the lowliest commingled in giving honour to their poets were held in the temple of Bacchus. The Dionysian festival was devoted to Bacchus.

Mr. Draper: Was that entirely a drinking festival?

Mr. WALKER: It was at this time that the streets flowed with wine, when they indulged in wine, when there was a cask opening day—

Mr. Draper: I am not aware of any cask opening at Dionysia.

Mr. WALKER: The hon. member may pretend a familiarity with the festivals of Bacchus. I do not know whether he means that the opening of a cask was a tragedy: I am not alluding to that aspect of it, I am saying that the festivals devoted to Bacchus in Athens were festivals devoted to the wholesale consumption of wine.

Mr. Bath: Socrates got drunk.

Mr. WALKER: Socrates and other great men were proud of their indulgence in wine, and those days went on to the Roman period when Bacchus had his temple, and when it was considered the greatest honour, even in an emperor to be able to drink much without getting drunk. One knight was knighted because he could drink three gallons without showing any effects. Another was knighted not because he could drink three gallons, but because he could drink six gallons and still walk straight. Coming to the old Roman days, the hon. member whose familiarity with the ancients he desires to show so forcibly, will remember that the old Romans drank their hemlock before going to the table that they might be compelled to drink and to cope with the effects of the poison. Nay more, on these long drinking festivals they retired at certain stages, took emetics, and returned for more. These are no fairy stories; they are what the hon. member, if he is faithful to his reading, must vouch for. I am pointing to the fact that drinking habits were associated with sacred things; they were attributed to the god of wine. They were associated with social pleasures, the highest entertainments, and associated with the worship of Bacchus, and Bacchus had linked with him, as I have been saying, the fine arts, the grandeur and all the beauties of Greek and also Roman thought; and that association has passed

on from that day to this. Perhaps I might ask the hon. member to tell us that little story of the travel of the youthful god Bacchus to Hellas. It is said that this youthful god travelled to Hellas, grew weary, and laid down to rest, and at his side was a little plant. Interested in it he plucked it and carried it a little further on his journey, when lo! it commenced to grow and expand, and he feared that the sun might wither it. He looked for shelter and he found a bird's skeleton; he put the little plant within it, then he went further and found that it had outgrown the skeleton of the bird. He secured the bone of a lion and put it within that; still it grew, and before night came on he had to look for still further protection. This time he found the bone of a donkey, larger still than that of the lion, and he put the skeleton of the bird and the bone of the lion which contained the plant within the bone of the ass. Still it grew, and when he reached the end of his journey he could not extricate the little plant. He planted them all together and up grew a beautiful vine. From this vine wine was procured, and that accounts for the fact that when anyone takes, in his club or elsewhere, a little drop of this wine, the first effect is that he commences to sing like a bird. Then when he has taken a little more, he has the bravery of a lion. He then takes a drop further, and he becomes as stupid as an ass. I know it is detestable for one to speak frankly and plainly to you of an evil which I shall demonstrate is an evil before I have finished my speech. But it is not alone in those olden times that this wholesome indulgence in intoxicants in the name of Bacchus took place, but all through English history we have been proud of being able to drink, to take our glass. If he were to take special scenes in history, the hon. member would remember that on the marriage of Richard II. the whole of Cheapside literally ran with wine. There were fountains; there was a rude castle built, and on each tower was placed a girl; and as the king and queen approached they blew rose leaves towards them, and each maiden

stepped forth and presented a cup of wine to the king; and from these fountains all the public might drink all day long. On the occasional travels of Queen Elizabeth where tuns of wine were carried along in the possoession—it cost the peasantry and the nobility immense sums to pay the drink bill during these travels of our Queen. In those days drink was not suspected to be an evil; on the contrary it was looked upon as something still religious in our body. I want to take a few little samples to show how drink was considered as being peculiarly akin to the clergy. In the year Anno Domini 1693 an entry in one of the church books reads thus—"For Mr. Thompson who preached the forenoon and afternoon, for one quart of sack, 13d." Again, "Anno Domini 1650 (Commonwealth), for six quarts of sack to the ministere when we had not a ministere, 9s. Anno Domini 1666 (This is in the time of Charles II.), for one quart of sack bestowed on Jillet when he preached here, 2s. 4d. Anno Domini 1691 (This is the time of William and Mary), for a pint of brandy when George Bell preached here, 1s. 4d. When the Dean of Durham preached here, spent in a treat with him, 3s. 6d. For a stranger that preached, a dozen of ale, 1s." Before this time it was no uncommon thing for the parsonage and the public house to be one building. The clergyman would have his own lodging, but a part of his lodging would be a public house. They kept taverns. We have evidence of that in the public records of the time. In the year 1237 Alexander Stavenby, Bishop of Coventry, forbade under penalty any priest to go to a tavern or to keep a tavern or scot-ale. Now, you will see it would be useless to forbid a priest to keep a tavern if there were not those who did so. In Anno Domini 1240 Walter of Cantilupe, Bishop of Worcester, wrote—

"We forbid the clergy to take part in those drinking parties called scot-ales or to keep taverns."

In Anno Domini 1255 Walter de Kirkham, Bishop of Durham, wrote—

"We adjure all priests, by Him who lives for ever, and all the ministers of the Church, especially those in Holy

Orders, that they be not drunkards, nor keep taverns, lest they die an eternal death; moreover we forbid scot-ales and games in sacred places."

It was customary in the British churches to hold their Whitsun-ales and their bride-ales, and at each particular season of the year to turn the church into a sort of drinking place, and it is only in recent years that we have learned to recognise evil in these practices.

Mr. George: How many years ago since they used churches for these practices?

Mr. WALKER: How many years ago! Not one; in all our sacred temples to-day a part of the worship is the drinking of wine, I say it with all reverence, and with all respect to those who differ from me. In our own times this evil has grown to be recognised. While the hon. member was a youth his forefathers, whom he probably saw, thought it no disgrace to indulge in drinking, or to become intoxicated.

Mr. George: But no church in England has been used for the purpose you speak of for the last hundred years.

Mr. WALKER: What of that! Has the hon. member not sufficient imagination? Can he not see that I am tracing a change, that the worship of Bacchus was a part of the religion of olden times, and that even to-day the drinking of wine is not wholly dissociated from our religious festivals.

Mr. George: But you speak of recent years! I say the churches have not been used for drinking of the sort for the last hundred years.

Mr. WALKER: Has there not been a wake in a church for the last hundred years?

Mr. George: No.

Mr. WALKER: Then my friend does not know Ireland. However, I will show the state of England during the eighteenth century only. That is not going very far back. My friend must perceive that there has been a change since then. I am quoting now from a review of Lecky's *England in the 18th Century*—

"The consumption of British spirits in 1735 was ten times what it had been in 1689, and more than double what it

had been in 1714. Physicians saw in gin a new and terrible source of disease and mortality. The grand jury of Middlesex formally presented it as the cause of much the greater part of the poverty and crime of the metropolis. On the signboards of noted gin shops it was announced that a customer might get drunk for a penny, and dead-drunk for twopenny, and have straw for nothing. Faith was kept by providing cellars strewn with straw, on which the customer who had got his twopenny-worth was deposited till he was ready to re-commence!"

Mr. George: That is not the church. I say it has not been done in English churches for the last hundred years.

Mr. WALKER: Will the hon. member allow me to proceed? If he has not the brains to follow the gist of my argument, must I stop to educate him here? He must try and remember that he is only one in the Assembly, that he has not the commissioner of this Parliament.

Mr. George: Why don't you—

Mr. WALKER: Your egotism will not allow you to keep still. I am endeavouring to express my opinions, and I am entitled to be respected in the course I take.

Mr. George: I respect you, but I do not respect your statements.

Mr. WALKER: Will the hon. member reply to them when I am finished?

Mr. George: I would like to have the chance.

Mr. WALKER: The hon. member could not. This record continues—

"The ill-success of the first repeated attempts to grapple with the evil may be judged from the fact that in 1749 the number of private gin shops, within the Bills of Mortality, was estimated at more than 17,000. Disease, vice, crime, disorder, lawlessness, profanity, immorality of all sorts, had proportionately increased. In a pamphlet published in 1751, Fielding describes the increase of robbers as in a great degree owing to a new kind of drunkenness unknown to our ancestors; he states that gin was the principal sustenance of more than 100,000 people in the metropolis, and predicts that, should the drinking of this poison be

continued at the same rate during the next 20 years, there will be very few of the common people left to drink it." That is in the 18th century, and we know what it has been since. I do not want to weary hon. members by following further the quotation. But this is the point I insist upon: We are faced with an evil that has all these associations about it; it has the church associations about it: it goes back into the sacred realms of paganism with all the sacred associations there to be found; and in our modern days it is wrapped up with every social custom. We cannot entertain our superiors but we must invite them to a banquet. And what does the banquet consist of? Not of eatables, but of drinkables. We cannot show our sociability without the aid of Bacchus, without falling back into the old habit of drinking. If we transact business we must have drink to do it; if we meet companions we must show our gratitude and our joy in seeing them by asking them to drink. If we attend the wedding of a friend we must get drunk, or at all events we must have drink there. A few decades ago it would have been considered a disgrace to have a marriage and no drink; but we are changing all that for the better. It was not so many years since that they used to have glasses that would not stand—glasses with round bottoms, so that when they were filled you were compelled to drink them empty. We have changed that, and to-day we get the little tumbler. It was the boast not many years ago for most people to swill down their "long sleeves." They no longer make that boast. In every department of life we meet this evil, and no ceremony or function is considered complete unless characterised by an abundance of liquor. That is supposed to be the essence of generosity. When we meet with an evil wrapped up with all these customs we cannot put it on a level with the ordinary trade; we cannot put it on the same footing with, say, a grocer's business. When, therefore, one strikes at this evil, naturally there is a feeling that we are striking at the sociability, the bonhomie, the good nature of human creatures; that we are

making men miserable and sad, and taking away the light and joy of life. That is what is felt, and so some people say we must not attack what is of so much comfort to us because if we use it aright it is a blessing. It is the abuse of it that is the curse. I was very much pleased with the logical argument, from his standpoint, used by the member for Kalgoolie (Mr. Keenan). He took this stand: "Who has the right to say to me that when I am thirsty I shall not have a drink?" He is taking the ground that if we attack his right to have a drink we are attacking his right to personal liberty—that he shall have his glass when he desires it. But I ask the hon. member where his consistency is if he votes for the Bill? He approves in one sentence of local option. Now what is local option but the right to say you shall not have your drink. Local option says all these hotels shall be closed if there are enough wishing it. Where, then, if all hotels are closed, is the right of those who want their drink to get it? They are interfered with: the right to purchase their drink is gone, for the supply has been taken away against their will. Therefore, if one votes for local option, one votes to limit the liberty of others. If there is a majority in any particular district, a sufficient majority that says there shall be no hotels in the district—in other words, that there shall be no liquor sold—then that majority says to the minority, "You shall not drink." So consistency at once vanishes when we analyse it; our liberty is curtailed for the welfare of others, always and repeatedly. I would like to know where is the consistency of the Attorney General. He brings in this Bill for local option—I approve of it—the argument being that we cannot go further than this Bill provides, because we should interfere with those who have rights, vested interests, etcetera, and because we should interfere with the liberties and wealth and welfare of others if we did. To use his own language, we must compromise—that means to say we must cease to recognise it as legal. I am not saying whether his argument is good enough for a moment, but I am wondering at his consistency.

because I notice that on our files there is a Bill to prohibit the smoking of opium, that is, the Opium Smoking Prohibition Bill. Where is his consistency? Is opium a much greater danger than alcohol to our community? Yet that Bill says, "Thou shalt not smoke opium;" lays it down as a law. Where is the consistency? There are vested interests in the opium trade, and all the arguments used by the member for Kalgoorlie (Mr. Keenan) in regard to liquor can be used in regard to opium. It is not every smoker of opium who will abuse it; and the smoker of opium will say, "What right has Chen Yow to interfere with me? If he cannot keep right when he smokes opium I can keep my pipe going without any particular ill-effect, and I am all right next morning." It is the same argument as that used by the hon. member. There are vast numbers of Asiatics, and doubtless some white people, who can smoke opium and the evil of it cannot be detected, at least for a long time. Are we going to interfere with their liberty? Here is a trade, here are vested interests, here are individual liberties: yet in one instance we prohibit with severe penalties, and in the other instance we say it will not do to interfere with people's liberties. Here, at this stage, let me object to that argument that looks upon liberty as a purely selfish thing—as a thing that concerns one and one alone. The misfortune is that those who speak in this way are the examples of those who cannot restrain themselves once they have tasted the poison. It is through trying to be like those men who can take their glass, as they call it, and leave it alone, that the drunkard falls; it is through that the incentive is given; and I want to remind hon. members that alcohol is a poison. Whether it takes effect immediately or in the course of long years, it matters not; it is a poison; that is a scientific truth. If we open our *Huxley*, for instance, at his *Physiology*, and see what our blood current consists of we see that there are two streams flowing in the arteries of man, red and white corpuscles. The red corpuscles are so numerous that ten million can be placed side by side in the

space of a square inch, and in a cubic inch we can get fifty billion of them, more than eight times the population of the globe. These corpuscles are carrying the life, the building material, the nutriment of all parts of the body. If alcohol comes in contact with them it takes from them the necessary moisture, their vital element, alters their shape, and makes them disorganised: and when we see on those who have been constantly drinking the effect on the broken red corpuscles at the tip of the nose, it is because the corpuscles do not build as they formerly did, the red blood and the red spot remain there. That is due to the effect of alcohol in the system. I want to borrow nothing or guess at nothing. Able authorities undoubtedly testify to the fact of alcohol being a disease and the creator of disease. In the *American Journal of Politics* is an article by Dr. Keeley, who says—

"Alcoholic inebriety, alcoholism, and drunkenness are convertible terms, meaning the same pathological condition. The disease consists of the variation in type of the nervous and other cells and nuclei, which has alcohol as its factor: and this new function of variation from the physiological type is single in character, and consists simply in a craving for alcohol."

Again, we are told "A man cannot be a drunkard until he has drunk sufficiently to cause disease." I do not want to take one authority, but Dr. Wilson, of the Edinburgh University, says—

"To repeat then, drunkenness is a neurosis, and takes its place in the family tree of diseases alongside of insanity, epilepsy, and the like. It may crop up here and there in a family in whose members there are many neuropathic disorders; or it may be the first evidence of a tainted stock, and initiate a series of gross pathological conditions in the individual and in the family; or it may be simply that many people consider drunkenness to be—a culpable failure on the part of an ordinary individual to conduct himself, and control his desires, in accordance with the ethical

standard of his time. But, whatever be its origin, and whatever its relationships, drunkenness is on the way to mental death; and unless a stronger factor intervenes to check the process, or a fortuitous illness anticipate the end, the drunkard and his seed after him are moribund."

I can offer many evidences of this fact from many authors, but I think I have quoted sufficient. Alcohol is a poison; drink it in small quantities, or in large, it is deleterious to the system. We are, therefore, dealing with a traffic that has evil as its basis. Now, in these circumstances can we treat this matter as we would an ordinary business concern? I say frankly that, as a matter of right, no person can claim that he has a vested interest in wrong; there can be no right to injure the people. If once we believe that the wrong is being done, then it is our duty to do what we can to stop it; and can it be denied that there is in this world any greater source of evil than intemperance? I agree with the Leader of the Opposition that is not the only evil; but it is wedded to every other evil; it associates itself with every other evil; it is the handmaiden of every other vice; it is the stimulus to every other wrong; it is, in the first place, the destroyer of intellect and moral force. In my short life I have met and encountered those who stood on the highest eminence in the political and intellectual world; I have been the companion of those who have electrified the constituencies and the country in which they lived by their eloquence and great powers of thought, yet were taken to their graves by alcohol. Greenwood, who gave us the first Secular Education Bill, free, secular, and compulsory education, in New South Wales, plucked from the happiness and joys of life by alcohol! Daniel Henry Dennehy, the hope and pride of New South Wales, taken to his grave by alcohol! Thomas Garrett struck low by alcohol! Why these names? Greater than these. Lamb, Robert Burns, Edgar Allen Poe, stand conspicuously before us: Adam Lindsay Gordon who, despairing, took his life on Brighton Beach, paralysed in morals and

soul by alcohol, and Henry Kendall, father of our Australian poetry—the breezes blow on his grave, too soon killed by alcohol. Innumerable instances must occur to everyone of us, and even in Western Australia I have in mind—and others will have in their minds—bright intellects, geniuses, men who commanded the respect of their fellows everywhere by their powers of thought and utterance and intensity of feeling, plucked from the midst of the companionship of mortals by the evils of drink. Graves are filled by the victims of this trade and traffic. But it is not alone the victims who are taken from us that we must pity. What about those left to mourn their fate? What about the widows this traffic has made? What about those children left fatherless from the effect of this evil habit, homes made desolate, lives withered, and hearts broken in every part of the world by this alcohol? Yet there are those who say, "Hands off me; if I want my glass I am going to have it." It is pure selfishness; it has no regard for sentiment, no regard whatever for the mortals who are weak. And they know not when their turn may come, when they may need the pity that they give in a way disdainfully to others. The supposition is that he only becomes a drunkard who has some weakness in his character, who is weak at the start. It just depends upon how we define weakness; because it is the susceptible nature that is most prone to the influence of this alcohol, it is the man who is delicately organised, the man who has rapid feelings, the man who is sensitive to the feelings of his fellow men, the man who for the most part can tell a good story and keep the table in a roar, to whom companions flock for the joy and sunshine he can give them; that is the man alcohol touches first and touches deepest. The ordinary phlegmatic, cold-blooded mortal, who goes through life without a deep emotion, who has never felt the heights of enthusiasm, or the depths of despair, that man may, perhaps, drink from his cradle to his deathbed, without experiencing any physical effect of the injury done. I want to emphasise this

fact, that by our Licensing Acts, as they now are, this evil is getting into quarters still more pitiful. There was a time when one would not see a woman tottering from complete or partial intoxication. Now one can. They do not go into public houses it may be, but into the wine shops; they chat there as men chat in clubs and hotels, over a wine glass, and when they go into the open they are drunk. There are women who are getting into that habit to-day, in consequence of the ease with which the liquor can be obtained in our wine shops. Moreover, another source of drunkenness more painful, because more deleterious, is in consequence of the supplies through the grocery avenue. The beer is taken to the homes and secret drinking eventuates. There is no drinking more harmful, more serious, than that done in secret. When one spends time between drinks in joviality there is not the same effect; but the silent drinking, the drinking merely for the sake of the drink that makes a wreck of the mental and moral nature. This is the evil of drinking. It destroys the will of those who come under its influence; it destroys the high nerve centres, that is the effect. One after another the least developed brain centres are paralysed. The effect on the nerve is to paralyse it. Sometimes the drinking makes the paralysis complete, but it always produces partial paralysis. What is the cause of that jollity wine is supposed to produce, say at the banquet table. A man, who is cold and callous, in a little while reaches the stage of "hear, hear." is jolly, red in the face, bright in the eye: a man becomes capable of speech who was tongue-tied an hour before. What has done it? I have said that alcohol has the effect of paralysing the nerve force. Along every blood-vessel of our body there run the nerve current which regulates the amount of blood to go to any particular spot. Every artery is regulated by a nerve current, and the moment alcohol gets into the stomach along that track, there passes the paralysis. The nerve track is paralysed, the blood rushes unchecked to the head, the face becomes red, the eyes bright. The

man who has been drinking is blushing, for joy, apparently, and if he could be seen he would be found to be blushing all over the body in the same way.

The Premier: Does it not stimulate as well as paralyse?

Mr. WALKER: Look at the kind of stimulation; the blood rushes to the head, the heart beats faster; the rush of blood is unchecked, and that is what stimulates. It ends by exhaustion.

Mr. George: I have only had a cup of tea.

Mr. WALKER: The hon. member may have had tea, but he has not got over the effects of that long ago glass of something. It is an observable effect that one can tell which mental faculty of a mortal was developed last in the course of his growth, by whatever faculty is attacked first. Some men with a "little drop in," as it is called, are unable to walk: their heads are clear, they can talk right enough, but if they get up they make bee lines and cross lines, crooked lines. Others can walk as straight as a die, but ask them to pronounce the word "Shibboleth" and where are they, their tongue is gone. Go back to the babyhood of these individuals, and you will find that the man who gets drunk in his legs before his tongue, could speak before he could walk, and vice versa. One faculty after another goes, first the highest nerve centres, the moral centres, those which make one feel self-respect, manhood, dignity, responsibility, and relationship to one's fellows. When that nerve centre is paralysed one does not care what happens; he becomes rollicking, a good fellow; a man who is mean and stingy as a miser a moment before wants to lend his fellow man £10.

The Premier: That is a good effect.

Mr. WALKER: It may be on some. The effect on others is that the liquor makes them equally stingy. It depends upon which faculty was developed best or latest. The faculties last developed are first attacked. Observe the process: the moral faculties go, then the intellect becomes clouded, the memory commences to fail, one can scarcely walk and scarcely talk, or the emotions may be let loose,

and without any cause a man may begin to cry over his brother's misfortune. What happens a little later? Step by step the lights of the brain and the moral windows are put out, one by one; they go until all the faculties are paralysed, and the man lies there dead, absolutely dead, and in the morning he does not know where he was the night before. This is the effect. It may be humorous, we may laugh at the misfortunes of others, but behind all the mirth are the tragedies of this drink traffic. The heavy hearts, not only for a day, but through life. There are those who never see the sun shine as it shines, who never know there is a bright gleam in the scintillation of the stars, who never feel that nature has warmth for them, who pass their existence in gloom and trouble and sorrow with nothing to cheer them—all caused by alcohol. Not only that, but upon children born from drunken parents a curse is placed. It is perpetuated, it comes down generation after generation. The horror of this evil none can imagine. None can measure its influence, judge of the graves it has dug, and the hearts it has broken, of the evils it has placed upon mankind. It is too serious to joke about, when it is looked at from that point of view. In the meantime there are those who are engaged in the trade, and I am free to confess there are those in the trade who are as fine characters and as good men as we wish to find upon earth. They are mistaken, it is true. They do not know there is evil associated with it. They have been trained in the old school; they have the same opinion as the member for Kalgoorlie, that there would be no harm if the people could look after themselves, and naturally they see no wrong in the evil. I must confess that they, having been trained by society to look upon it as no evil, cannot be charged as criminals, cannot be arraigned as men guilty of wilful misconduct towards their fellow mortals. They have been compelled, too, by the law to invest their money in certain forms of this trade, once they have undertaken it, and the State has recognised more or less the evil, participating in the evil by granting licenses and by taking money

for the licenses. The State has put its assurance upon the continuance of the traffic by saying, "You must build your house in such and such a way, an ordinary dwelling will not do for the sale of this liquor; you must have so many rooms, so many acres, such a style of stables, etcetera," all according to the nature of the licenses sought for. The State has enforced certain conditions upon the applicants who have to spend their money in a particular way. In such circumstances the publicans have some equity to compensation if they are cleared out. While I recognise they have no moral right, and deny that they have real legal right, if the State should buy out all the public-houses in Western Australia to-day there would be no conceivable way of spending more profitable to society. If we could buy them all out we would get rid of the evil very cheaply. I am of opinion that it is not the way we shall get rid of it. Upon this point of compensation and local option, we still recognise that we cannot get rid of the evil. The very fact that we make it possible to vote for a reduction and also to vote for increases shows that we provide for the continuance of the practice. We are providing for the continuance of the evil by the very Bill which we shall vote upon to-night, and if we help in some measure to get rid of it by compensation, however provided, by time, or by funds raised by the publicans themselves, or by payment by the State, I care not, if we are sure of effecting a diminution of the evil by this means. I want to say too, that while I am in accord with the principle, we are preparing for a monopoly of a very serious character in connection with the liquor traffic. What are we providing? That if there are four hotels in a village and we vote to get rid of three of them, we vote to make one the master of the trade; we give that one a complete and entire monopoly. That must not be forgotten. We increase the value of the security of the public house remaining after the local option has voted reduction, so that we are not by this means altogether getting rid of the evil. We perpetuate it with a sort of ulterior restriction, and I want to say that I look upon

the evil as one that cannot be cured by legislation. One will never get temperance by means of laws on our statute book; indeed, we degrade people more or less by the laws we have upon our statute book. Our law against Sunday trading, for instance, has made more drunkards than almost any other law one might mention. The fact that one cannot get a drink on Sunday makes one determined to get it if one is in the habit of obtaining it. I may say here that those who do not know what the effect of alcohol upon desire is, cannot imagine the force of that lust which asks for drink. It is no mere matter of jest, or of laughing at the man who cannot take care of himself. He is a victim. There is no influence like it. That craving for drink when it has once got a thorough hold of man is stronger than all other lusts. The love of wife, the love of children, the love of home life, the love and respect of mortals are all insignificant in the face of that one burning desire to drink. Once that desire comes; talk about controlling it? Have we not seen men who would sell home, who would sell fortune, their position in the world, their hope for the future for one drink? There is no power on earth like it, once it has got into the system. Talk about the self-control of that individual, he cannot control himself; he does not know the meaning of the word; all a man's ambitions, aims, ends, purposes and love are as a mere nothing in comparison with this burning desire. He will go through fire and water, he will strike to earth the wife of his bosom if she stood in the way of gratifying that thirst. He would dash his children to the ground and trample over them to seek the glass. That is the power of the control of this fiend, when once it has taken possession. To tell a man in that state that he cannot get a drink on Sunday is an absurdity, he will have it, and he will become drunker on that day than on any other day. While he has a minute to drink he must drink, apart from all sociability, merely for the lust of drinking. If a lie stands between him and drink in merely saying that he is a bona fide traveller, it will not stop him from gratifying that thirst that would drive

him mad if he did not gratify it. There have been those who, not knowing the nature of the desire, have tried to make people sober by force. I have one man in my mind, a bright lawyer, and he will be remembered by the hon. member for Kalgoortie, who had this power so much upon him that he forgot all the respect that he ought to show to the world and drank till he lay in the gutter, and out of compassion, I believe, the police found it necessary to place restraint on him. They took him to a private hospital where under the circumstances they refused to supply him with drink. Having the craving for it he had become a victim of the fiercest delirium, and in the midst of all the pangs of that lustful yearning for the slaking of this poisonous thirst he breathed his last. It is not one case. The police records teem with instances of men from the streets being put in the police cell and being found dead next morning. We are not dealing with a trivial evil, we are dealing with a potency that takes hold of mortals and rushes them to death. I say you have made drunkards liars, and demoralised men by having the bona fide clause upon the statute book. If you are going to recognise drink as a possible thing, it is no greater crime to drink at 10 o'clock on Sunday morning than it is to drink at 10 o'clock on Saturday night. If it is right to drink on Saturday it is no crime to drink on Sunday, and therefore no law has been more absurd than this. It is childish, and if it were not for the vested interests wound up with this traffic we should not have the want of common sense in the legislation that we have on the subject. We are trying to please the temperance people on the one hand, and the publicans on the other, and making, therefore, all kinds of absurd inconsistencies. I was coming to the point that there is only one cure, and that is education and the training of the people. You must convince the people intellectually and morally of the danger they are running if you are going to effect reforms in the future. While you put it up merely as a political problem the evil cannot be stopped. You want to educate your children, you want everlastingly to be

giving information to the politicians who for the most part, I say it with respect, have never gone into the scientific aspect of the subject, who have not studied the effect of alcohol on the nervous organisation, and therefore, are not qualified, if I may presume to say so, to express an opinion upon such great issues as are involved in this Bill. To me it is par excellence, the evil in the world. At the same time I recognise that we are fulfilling a wise principle and going in the direction of education by giving the people this local option poll. To that extent I thoroughly approve of the measure. We cannot submit the local option vote to the people without discussing this question, and every time the question is discussed, the minds will open and the cobwebs of ignorance will be swept away, and the people will begin to grasp the sound principles upon which to reason, and the Bill on that account is good. I for one would have liked the voting in connection with the poll to have been on the day of an election, but I am quite aware that this would cause confusion between it and other issues, and we would have temperance men and publicans wrangling as to who should be their candidate, and so there would be the likelihood of the greater issues of the day being obscured. The Bill will have a good effect; it will teach the people what temperance means, and we lead the way to get this question once and for all out of the scope of politics, and getting it settled in the right direction. This can only be done by education, only by bringing the people to a conviction in the matter. It cannot be done by compulsion. Whilst the craving is there it will be gratified. That is the cause of the failure of prohibition in other parts of the world, not complete failure as has been represented, but those who have been outvoted have still, despite the laws, determined to obtain their supplies and they have done so. These are the things that make the problem of prohibition look ridiculous. The people who are living in a constituency, and who are deprived of the places for the sale of alcohol will, if they want it, obtain their supplies in some other way.

We cannot deny that these laws in America and New Zealand have done good, but there will be drinking just as there will be opium smoking after the passage of the prohibitory Opium Bill. So that if you had prohibition here, you would have an evasion of the law to-morrow just as you have a theft in spite of the laws, just as you have murder in spite of the divine and human commands upon the statute books of our sacred history, and so will you have the offences of drunkenness in spite of laws. You cannot make human nature perfect by the mere passages of a law. It is discipline, training and the cultivation of a healthy public spirit, ramifications for better purposes and grander ideals, these are the things that lift up out of the slough of despond, and if you wish to remove intemperance from the ranks of human society, you will not do it by a law on the statute book, nor by your policemen, nor by the courts of justice or the gaol, but you will do it by removing those unclean and oppressive conditions that have ground human lives into the dust. Remove that keen struggle for existence that is in every avenue and aspect of society, and give the people hope, give the people a sense that whilst they live upon the earth they shall never have to beg for a crumb, give them the feeling that they have the right to live amongst us, that they are companions with the rest of mankind, that they are not stamped with the sale of slavery, that they are not to be humble and lowly and meek and distressed, give them the sense of manhood, go to the slums and sweep away all those gloomy, dark, and dank surroundings that chill the very marrows of mortals, give them the sunlight of the earth, give them the confidence in their own existence, make men feel that they are wanted, and needed, and are welcomed amongst men, and the gin palace will lose its glitter, the sparkle will disappear from the wine, and the glow and enjoyment will have lost its mysterious efficacy in rousing man from the torpor of existence. There will be a healthy sense of life, the love that comes from the vigour of a healthy organism, well fed, nourished and cared for. Remove these conditions

and you will have no Bills of this kind. It is a sense that haunts every mortal that in old age he may have to ask for bread. I know of men living whose balances at the bank are enormous, whose property meets one at every street corner, and who cling to their possessions. No mortal passes them that they will help willingly unless it is put to them with a special recommendation. The general mortal of mankind may pass by, he may die in despair, he may suffer and starve, but the other clings to all because deep-rooted in his breast there is a conscience that his wealth may be taken from him, that some disease may come, and in the days when he may need it most, when his limbs are feeble and his eyes are dimmed, he may need all he has to pass to the grave with comfort. But if every mortal in life felt there was no fear of penury, so long as a fellow man knew there was no need for assistance, if every mortal in life was made welcome to live, made equal in companionship and standing with all others, where then would be the need of this sense of despair? It is that sense of evil, that conscious despair, a feeling of the cold possibility of ruinous fate, that sends us to the glass for comfort. There are men who drink because it is the only joy they have; their only pleasure is in temporarily forgetting the weight of care that is upon them, the depth of sorrow about them. For an hour they can forget everything; for one brief night they can share in the joys of Bacchus; for one little period they are oblivious to the world's cruelty, to the world's lack of justice, to the world's want of heart. Rouse up your fellow men, all of you, to a better sense of duty to others. Remove these wretched conditions that afflict your fellow mortals; give an equal hope to all mankind, and you will cure the drink evil. You will give them a better purpose in life, a better sense of the dignity of existence, a better consciousness of what true manhood means. If that be done these Bills will be the records of the devious paths we have trod towards reform, as those records I referred to in the commencement of my speech are footpaths upward. As the world has bettered, drink has disappeared.

As we have grown wealthier in thought and soul we have not needed that comfort that Bacchus once gave. It has become a thing of the past; but we are not at the end of our journey by a long way. There is work to be done, and part of that work is the passage of this Bill, doing away with those harassments that prevent a majority expression of the people's will and giving the people the right to vote for those who shall constitute the licensing bench. Perhaps a better form of compensation might be found, but I agree with the giving of compensation if it will relieve us of some of the present evils. In the meantime we will take thought; it will arouse public thought, and by that means we shall get to the ideal when we shall not compel publicans to stop the trade, but when there will be no trade for the publicans to undertake.

Mr. UNDERWOOD (Pilbara): I have no intention of delivering a sermon on this question. Still I may offer a few words. With others I would like to compliment the Attorney General on his very able speech in introducing the Bill; and although it might be said that he side-stepped one or two important issues, still he did it with such grace that it lent additional charm to his comprehensive and lucid address. I also listened with much pleasure to the able address of the Right Hon. Mr. Balfour, as translated by the Premier. And in listening to one or two other speakers, the member for Ivanhoe and the member for East Fremantle, I was struck with the fact that those who have never tasted intoxicating liquor in their lives know a great deal about the subject. Let me say that according to my experience those members are wrong—including the member for Kanowna—who say that there is a great deal of drinking encouraged in many young people in the wine shops. I can claim to know more on this question than those who have never tasted intoxicating liquor. As one who has been in Australian wine shops, I can say I have never seen women or children drinking in those shops. It has been usual for every speaker to state the point of view from which he views this subject. My point of view seems to be best ex-

pressed by my own favourite poet, Henry Lawson:—

The track of life is dark enough,
and crossed by many a rut;
But, oh, we'll find it long and rough,
when all the pubs are shut.
When all the pubs are shut, and gone
those doors we used to seek,
And we go toiling, thirsting on
through Sundays all the week.

There appear to be two parties who have spoken so far, apparently the only two parties taking an interest in this question, namely the temperance party and the liquor party. I wish to say I belong to neither, but to the third party. I am not on the books of either of these two parties. I enjoy a drink of alcohol, and I hope to continue to enjoy it. The member for Claremont when speaking complained that there have been many insults thrown at the temperance party—that they were called temperance cranks. On the other hand I think we will find practically the same things have been said about those who do not agree with the temperance party. We were told even by the Leader of the Opposition that the liquor traffic was very rich, that those engaged in it made very great profits, that they had great wealth, and that they employed this wealth practically in buying the support of men to their cause. I think those people who use that sort of stuff should not complain about insults thrown at themselves. I will repeat that I am not on the books of either party. I wish to say that I know some very fine men and women in the ranks of both parties; but I am under compliment to neither party. The member for Ivanhoe was at some trouble to find out how it was that the temperance party had on one or two occasions voted against the Labour party. My experience is that the temperance party—Langsford, Prowse, and Mather—will vote against the Labour party; and so also will the publicans, and I feel sure they will continue to do so. I want to say that I am not going to be made a tool of in connection with this Bill by either party. I am going to do what I think right, and both parties may vote against me in future as they have done in the past. It might be just as well

to inquire for a moment as to whether alcohol is the curse that the member for Kanowna would lead us to believe. As he has told us, alcohol has been used since the very beginning of things, so far as we can find out. And it does appear strange that people should go on using for thousands of years something that is continually poisoning them, and that humanity has not yet died out through that poisoning. We look around and endeavour to find some people who have not used alcohol, and to examine them and see if they are better than those who have. When we look for a nation that does not use alcohol who do we find? Afghans and Turks. Now, surely, after the centuries of teetotalism in Turkey a great improvement should have shown itself. I would ask those who hold these views to place the other races of the earth in comparison with the Afghans and Turks, and then say whether alcohol is as bad as we are told, and whether we have deteriorated, and whether the Turks are so much superior to us. Again, it is well known, as the hon. member has pointed out, that the Britisher of a few centuries ago was a hard drinking, hard living citizen; and that that same hard drinking citizen built up one of the most marvellous empires in the world's history. If he can build it up on beer then I reckon beer is a good thing to take. Our impression of a German is that he is a man who can sit down with a pot about a foot long and drink lager beer. Yet which is the most prosperous nation on the earth to-day? Which is the race beating all others on the earth to-day? It is the German; and this is the race drinking the most beer. The races that are going back to-day are those of the Turks and Afghans. Again, notwithstanding the evidence read by the member for Kanowna I would point out that there is scarcely a medical man who does not prescribe alcohol at some time or another.

Mr. Walker: Do not forget that a medical man wrote this book.

Mr. UNDERWOOD: I am of opinion that the gentleman who wrote that book

devoted his life to writing, and not to curing diseases.

Mr. Walker: He is the assistant physician of the Royal Asylum, Morningside, Edinburgh.

Mr. UNDERWOOD: We have been told this evening that alcohol is merely a stimulant, and that it lifts one up for a moment after which the depression becomes greater than ever. Now I know a little of this of my own experience. I have been working in the North-West, in summer time, down a pretty deep mine. When one comes to the surface one has to 'cook his own meal. If he takes a whisky he can eat a good meal and go and get a sound sleep, but if he have no whisky in camp then he will find that he cannot eat at all. There is no stimulant about that; it is a positive appetiser. It undoubtedly stimulates the appetite and causes a man to eat, which is absolutely necessary in a country like that. We are told about all the insanity and the deaths caused by alcohol; but I am convinced there is a great deal of insanity prevented by alcohol. This is a new proposition. I have known men in the bush who have been out year after year by themselves, and if they come in periodically and get blind drunk it does them the world of good; and those who would attempt to live out there without having a periodical drink have often to be carried down to the lunatic asylum. So much for alcohol and whether it is good for humanity! I still say it is, and I am going to have a drop of it, and I think most of my friends will have their drop of it. But it must be recognised by every man in the House that the drink traffic should be controlled. There are evils in it. One of them is excessive drinking. What the State should do, if possible, is to remove the evils from the traffic as much as possible and retain the good. One of the evils is drunkenness, habitual or temporary. There is also the adulteration of drink, and we are told about the immorality and obscenity it causes, and there are evils brought about by hotel combines, particularly in Perth. What do we propose to remedy these evils? The member for

Kanowna proposes education, he proposes to educate our children; but I would ask in the meantime: what is the favourite brand; what are the means to be employed in the meantime for removing the evil? We are told that local option is going to accomplish everything; in fact, Prowse, Mather, and Company are of opinion that if they can only get the sort of local option they require they are going to wipe out every public house in Australia and drown the publicans—in their own beer, I suppose—and I and others will go thirsty on Sundays and all the week as well. Perhaps local option will do this, but I am doubtful. It is necessary in examining into this question that we should certainly look at some other country that has gone in for this system. New Zealand has. The Leader of the Opposition has told us that Mr. Lesina had no authority to write his pamphlet from the standpoint of labour. I agree with that.

Mr. Scaddan: He did not do so.

Mr. UNDERWOOD: It has struck me that there has been no one who has attempted to refute the statements in the pamphlet. Merely to pour contumely on a man while not refuting his statements cuts no ice. We have also the report of Mr. Carson from another standpoint; and if we read the two, apart from the difference in language and standpoint, their arguments are identical; and to back them up we have the *New Zealand Year Book*, showing the result of local option in New Zealand. In these pamphlets, and in the *Year Book*, there is one hard, stony fact that stands up like a quartz blow on a plain, that with the decrease of licenses there has been an increase in the consumption of liquor. We have been told that they are going to wipe all these out, that they are going to do away with police and absolutely abolish crime with the decrease of licenses; but with a decrease of licenses in New Zealand there has been an increase in the police force in proportion to the population. Again, with the decrease of licenses in New Zealand there has been an increase in crime. That is the result, so far as I can see, in a country that has

tried this scheme; and I certainly do not feel too anxious to follow the footsteps of New Zealand in this matter. If any person can refute these statements in Mr. Carson's and Mr. Lesina's pamphlets I would like him to do so. I have never heard anybody try it. I think we can say that the New Zealand system has proved a failure after 15 years' trial. Therefore, we should look around for some other means to overcome these evils that undoubtedly do occur in the drink traffic. The best method that occurs to me is to have State control throughout the whole of the country, and I am convinced that until we have State control we are not going to move forward in this country to any great extent. Of course, something small might be done in the way of remedying a few of the evils: but the main evils to be remedied can only be removed, in my opinion, by State control. As I have said, one of the greatest evils is excessive drinking, the men and women who drink to excess. I contend that with State control we have some possible chance of preventing these confirmed drunkards from getting liquor. While we are giving private individuals licenses to sell liquor we will never have the power to prevent these people getting more alcohol than is good for them. One or two other matters have been mentioned. The member for Claremont said that the Government took the money for a license for a hotel and then had to put on a policeman to watch the hotel. It is a general impression that granting a hotel license needs an increase in the police protection, but I will just give an instance of the police up in the Pilbara district. The Attorney General has told us that the Pilbara district has 11 hotels more than it should have, according to the assumption of some people who seem to assume that they know exactly how many public houses are wanted, and these people are generally those who never go into a public house and, therefore, ought to know something about it. The member for Claremont holds that we have to employ policemen to look after these hotels. There are 19 hotels in my electorate and 10 policemen; that is, roughly, half a policeman to a hotel; and, in

addition to looking after two hotels, a policeman has to provide the stock returns for the whole of a district of over 40,000 square miles, and he has to provide electoral returns and put names on the roll, and he has to check drovers' waybills—and to check a waybill of 200 head of stock is a big undertaking, for a policeman may have to ride out 200 or 300 miles to meet the drover to do it, and see that there are no brands in the mob other than those on the waybill—he has also to prepare the population statistics and make inquiries about missing persons, and he has to attend inquiries on persons who have died, and he has often to bury the remains of men who die in the bush, while he has to collect natives to place them in the lock hospitals, and he has to patrol the coast in times of willy-willies, while he also acts as the representative of the Society for the Prevention of Cruelty to Animals, and has to examine teams of bullocks, horses, and camels, and he has to act as agent for the Curator of Intestate Estates, and is sometimes called upon to collect dog and other licenses. How is a policeman with an area of 40,000 square miles to do all that work and look after the hotels as well? I want to know what time is taken up by half a policeman in looking after a hotel? Indeed, I need hardly say that the statement of the hon. member is drunk and disorderly. I wish to call attention also to the fact that the teetotallers and temperance advocates at times require the attention of the police. I would call the attention of the member for Kanowna to Jabez Spencer Balfour, of London, to Mr. Abigail, of New South Wales, to Mr. Larkin of Melbourne, to Crooks and his snuffing colleagues of the Commercial Bank of South Australia, and I could run throughout the whole of the towns of the world and show that these snuffing hypocrites of teetotallers require a considerable amount of police attention. The hon. member claims that every evil passion in human nature has its beginning in drink, and, therefore, I presume he claims that those who do not drink possess all the virtues that ever were given to mankind. I admit that there are evils in the trade,

but there is another one that has been made a lot of, and that is in regard to people spending their earnings. My opinion is that those who have not touched drink all their lives have not as much left as I have; and when we reckon it up, it is quite possible that when they do not take to drink they take to dancing or brass bands; and seeing that they do not spend much on drink, they might just as likely spend it on something else; so that we may pass over that argument. As I have stated, I do not agree with the idea that drink is responsible for all the evils; and even if it were, I must say I do not hanker after the time when all mankind will be saints. I thoroughly agree with local option. I agree with it not only under the present system, but I would agree to it even with State control. I am of opinion that liquor is good for mankind, and I am also of opinion that mankind has enough sense to recognise it, and I am quite prepared to give mankind the option of saying so. In fact I have never seen anything fairer than a request to say whether one will or will not have hotels in a district in which he is living. That is a fair and just proposition, but that it will have the effect in the slightest degree of remedying the evils of the drink traffic I totally deny. Take Leederville, where I am living. Attempts have been made since I have been there to get a hotel built in the vicinity, but we have always objected to it, and I contend we have a perfect right to object. The Bill will give the people the right to object to or ask for a hotel. If they do not want one they need not have it. Again, under the local option clause I would certainly give the people the right to say whether they are in favour of the present system, or of State control. Give the people a chance by a vote on State control, and I feel pretty confident what the result will be. I am certain that State controllers will altogether out-vote the temperance advocates. If there is State control the drink traffic will be so controlled that there will be no desire to close the hotels. Therefore, I intend to submit an amendment to include in the Bill a provision whereby the people will be given a chance to say whether they will have entire State con-

trol in their district or not. There is very little difference of opinion as far as I can find out in regard to the vexed question of compensation. We find that people are talking a great deal about it, but when one gets down to their real opinions, they seem practically to agree with the clause in the Bill. The member for Ivanhoe, for instance, prefers time compensation; the member for Guildford, I believe, prefers State-paid compensation. I am totally opposed to the State paying anything in compensation for these supposed rights of publicans. I hold that the holders of licenses have made ample out of them to be able to afford to close their houses forthwith.

Mr. Scaddan: You are not correct in saying the member for Guildford supports State-paid compensation.

Mr. UNDERWOOD: I thought he said he had spoken on the platform and supported State compensation.

Mr. Heitmann: No.

Mr. UNDERWOOD: The present proposal is a very fair one. It appears right that those who are to benefit from the closing of the hotels—and those whose licenses are allowed to exist will certainly benefit by the others being closed—should pay compensation. So far as the Government are concerned they will collect the money, and hold some of it for three years free of interest, and that fact should be sufficient to pay for the cost of collection. Therefore, the Government stand clear on the position. What objection can there be to the fund being established? The only one is that it will take some considerable time to raise sufficient money to close up all the hotels. That is so, but the other compensationists want time compensation. In the meantime what money there is will go to reduce the licenses.

Mr. Angwin: Where is the compensation when one has to pay it oneself?

Mr. UNDERWOOD: In my opinion the word compensation is not the right term to use. The only objection, as I have said, is that it will take some considerable time to get the money. Almost every member is in favour of giving some consideration in the way of time to the publicans who are to lose their licenses. I do not agree with the Leader of the Op-

position when he says this is recognising a right. The Bill does not give any right as against the State any more than against the publican. In 10 years the publicans will not have even the right to get compensation.

Mr. Scaddan: What about consistency? Why not compensate new licensees?

Mr. UNDERWOOD: I would prefer that the period should not cease in 10 years. However, in my opinion, by the end of 10 years people will have had quite enough of local option, unless they are given a vote as to State control. It has been said there are too many hotels. The member for Subiaco, when I asked him to prove this, turned round and said, "There is no section of the community that does not agree on that." That was merely an assertion, and I begin to think that when a member is content to allow his case to rest on mere assertion there is not much sound argument lying loose about the surface. There may be some under the surface, but it cannot be seen. It is difficult to say what is the proper proportion of hotels to be established in a district. Some districts require more than others. The Pilbara district, for instance, would necessarily require more in proportion to the population than one down South. I have always thought there were too many hotels, when I have seen places where two or three of them have been burnt down. The licensees of hotels are generally the best judges of whether there are too many hotels in a town, and if one goes through a town, as one can in many places in Western Australia, and sees only the walls of hotels left, the remainder being burnt out, he can come to the conclusion that there were too many hotels there. On the contrary, if a hotel is well looked after and doing enough business to keep the publican and his wife in reasonable comfort, one can come to the conclusion that there are not too many hotels in that town. I am confident that in many cases excessive hotels do not cause more drinking. There would be as much drinking in a town with one hotel as in one with two. I was in charge of a way-back house myself at one time.

Mr. Scaddan: Were you burnt out?

Mr. UNDERWOOD: No, the miners were getting alluvial gold there, and I took very nearly all the gold that was got out of the place. If there had been half a dozen hotels there they could not possibly have got any more money. As a matter of fact, most people spend all the money they are going to spend on drink if there is one hotel or six hotels in a town. If a monopoly in hotels is created, one does not get the attention that exists when there is competition. I am not in favour of very considerably decreasing the number of hotels, as that will be making a monopoly, with the result that the licensees can treat the customers as they like. Competition is good for publicans as for anyone else.

Mr. Angwin: How would that apply to nationalisation?

Mr. UNDERWOOD: Then we shall always have Parliament to keep the hotels up to the scratch. Supposing we do get local option of a most virulent type I do not believe we shall have any great rush to close up the hotels. I agree with Lawson when he says—

Let the preacher preach in style, and rave,
and rant and buck;
But I rather guess he'll hear awhile the old
war cry, "Here's luck!"

There are one or two other small matters, in connection with the Bill, I should like to refer to. One is in connection with the abolition of barmaids. I am strongly in favour of preventing women serving behind the bars, or being employed in connection with the sale of liquor. I am not taking this action on account of the hoodlums who pay sixpence to lean over a bar and talk with the barmaids. That is an experience, of course, members who have never touched alcohol have not gained; but, in all seriousness, I do this for the sake of the women themselves. I know very many splendid women who, through being barmaids, have become drunkards, and there is nothing more degrading in nature than a drunken woman. I hope this House will consider the question, and allow the amendment providing for the abolition of barmaids on the system introduced in South Australia. One other question as to employment is with regard to Asiatics. I

am a white Australian, and I believe in giving my principles a "fly" on every occasion. There are many white Australians in this Assembly and I am sure they will vote with me on the point. It has been thought wise to prevent the employment of Asiatics on mines, also to prevent their employment on Government contracts in connection with mails, and in many other directions. If it is a good thing to prevent them from taking part in such works, surely it is good to continue the policy. The publicans cannot plead poverty in this direction, and it cannot be said that hotels cannot be run without Asiatics. I will not be asking in vain, I think, when I ask members to insert a clause to prevent the employment of Asiatics in connection with licenses under the Bill. I am in favour, first and foremost, and all the time of entire State control of the liquor traffic; I am in favour of local option to apply even to the present system, and if State control comes in to apply also to State hotels; I am in favour of imprisonment for adulteration. The member for Claremont pointed out the other night that a man who had been convicted for adulteration only had to keep quiet for six months and all would be well. I would keep him quiet for six months at least. In conclusion, I hold the opinion that alcohol is good, and as I began by quoting Henry Lawson, I might finish in the same way—

The world may wobble round the sun, and
all the banks go bung;
But pipes will smoke and liquor run while
Auld Lang Syne is sung;
While men are driven through the mill, and
finty times are struck,
We'll find a private entrance still, "Here's
luck, old man, here's luck!"

The ATTORNEY GENERAL (in reply): Hon members will perhaps be relieved to hear that I do not propose to follow the hon. member for Kanowna in his long and eloquent excursions on the drink question, in all its aspects and in all the ages and periods of the world's history. I was somewhat surprised that the hon. member did not quote the somewhat disreputable example of that otherwise reputable patriarch,

Noah, as one of the first instances of the awful effects of strong drink, but possibly the reason why he did not cite that example was, that even the ingenuity of the hon. member was incapable of persuading the House that Noah became drunk because he was threatened in his old age with the spectre of poverty. My remarks to-night will be of a simpler and more practical kind. I have to deal with the Bill. First I would like to thank those hon. members who have taken part in the second reading debate not only for their reception of the Bill but also for their kindly and generous references to my own part in introducing it. The general effect, as I take it, of the criticism adverse to the Bill is, that it does not go far enough, that it is too tender in regard to the claims of licensees and owners of licensed premises, that it does not sufficiently reflect the views of the more advanced wing of the temperance party. Criticism of this kind was necessarily to be anticipated in the case of a Bill that makes its appeal not so much to that well meaning section of the community which holds most pronounced views on the evils of the drink traffic as to that much larger constituency of average men and women who are not hostile to the use of alcohol, who indeed regard it as playing some part in promoting the amenities of social life, and whose antipathy is only aroused when moderation gives place to excess and that which rightly used may be a benefit becomes by abuse a source of injury to the individual and a nuisance and indeed a menace to the community. I think I may claim that the reception accorded to this Bill throughout the country affords the strongest possible evidence that the Government have accurately gauged public opinion and have succeeded in framing a Bill which meets not merely with the consent but also with the active approval of by far the larger body of electors. If we examine the criticism to which the Bill has been subjected outside this Chamber, and the sources from which that criticism has come, we shall find that, almost without exception, the objections advanced against the measure have come from bodies which are representative, it is true, but not so in the widest sense of

the term, but rather as embodying the views of a certain section of the community who are regarded rightly and wrongly as looking with a not too friendly eye on what I may call the cakes and ale philosophy of life. While I should be the last to question either the sincerity or the high aims of these estimable people, I confess that I should view with some disquiet the prospect of a Bill becoming law which reflected their views rather than those of the ordinary average individual who looks on the foibles and weaknesses of his fellow men with a more tolerant and kindly eye. In saying this I do not wish to reflect on anyone. All honour to those men and women who appeal for a higher standard of conduct and a stricter rule of life. I contend, however, that when they seek to effect by legal compulsion what belongs more closely to the domain of moral suasion, they are not only weakening their own influence in the community, but are in danger of setting up a fictitious standard of virtue which may act as a screen behind which the old evils and the old abuses continue to flourish, a more potent source of danger, because, being not exposed to view, they create a false sense of national righteousness. Nothing to my mind can be clearer than that if in this Bill are inserted provisions which represent the *Ultima Thule* of extreme temperance aspiration one of two things will happen—either the Bill will fail to become law, or if it does become law, it will not achieve real and permanent reform. In its present shape, while it provides numerous restrictions on the abuse of liquor selling, its main feature is that it recognises that the liquor traffic is a matter of local, domestic, and personal concern to the citizen, and as such is best dealt with by him directly in his capacity as a voter instead of being regarded as one of those general questions of public policy or action which he is in the main content to leave to his elected representatives in the Parliaments of the State and the Commonwealth. The recognition of that principle and the carrying of it into practice do not necessarily mean, as the hon. member for Pilbara has just shown, that the facilities

for obtaining drink will be restricted. Quite conceivably it may happen that they will remain much as they are at present, and it is not outside the bounds of possibility that they may undergo a more or less substantial increase. But we shall have done this—we shall have placed the responsibility and the power of dealing with the traffic upon the shoulders of those most immediately concerned, and it will be impossible to say, once the compensation period has expired, that licenses exist in any local option district in opposition to the broad general direction of the great body of the voters. It is argued, however, by those who take the view that the Bill does not go far enough, that the effective accomplishment of the popular will is checked in two important directions—by the provisions which we have made in favour of dispossessed licensees and owners of licensed houses, and by the alleged impediment, which we are accused of having placed both in the way of securing a local option poll and in rendering effective a vote in favour of no-license. Dealing first then with the question of compensation, I see no reason to diverge from the opinion which I expressed in moving the second reading of the Bill that Section 33 of the Licensing Act, 1880, gives to the licensee a right to renewal under definite and precise conditions. To some hon. members I seem to have conveyed the impression that I had a doubt on the point because when dealing with it I did not follow up an interjection made by the hon. member for Subiaco. The fact was that in order to keep my speech within the limit I had set myself, it was necessary to resist the temptation to digression and to follow my notes with absolute closeness. I do not now propose to resume the argument which is essentially a legal one although I should be glad to do so in another place. The reason why I do not regard the legal aspect of the matter as being important for discussion in a legislative chamber is only because I hold strongly to the view that even, if, as in England, there were here no legal right to renewal, we should none the less, as in England, be compelled to recognise the equitable right. A publican's license has by long estab-

lished custom become a species of property to be dealt in, to be bought and sold, and to be leased. In actual fact it is of course the premises in respect to which the license is granted that are so dealt with, but the value placed on those premises is not merely a value *qua* premises; it is also a value *qua* license, and it is conceivable in some cases that if you divided the amount paid into the sum given for the premises and the sum given for the license, that the amount paid for the latter would be the higher of the two. Where you have a license, a franchise or a right—call it what you will—treated and dealt in by long established custom as a species of property, something for which money passes, you are not entitled in any equitable sense to arbitrarily take it away by legislative enactment without giving something in the form of compensation, either money or a time notice. That is the broad principle, a principle recognised by both of the great political parties in the mother country, and a principle embodied in the licensing legislation of every State of the Commonwealth that has given effect to the principle of local option. In the Bill now before hon. members we make no provision for a money compensation paid by the community; so far as the community, the body politic, is concerned, the compensation we give is a time limit of ten years. But in order that we may have immediate local option, not only in respect to new licenses but also as to existing ones, we provide for the establishment of an insurance fund to which the contributors are the licensees and the owners of licensed houses. From this fund, in the event of an existing license being abolished in consequence of a local option vote, before the expiration of the time limit period, the owner and licensee will be reimbursed. What has struck me as extraordinary in the discussion both in this Chamber and the public Press, is that the opponents of this money payment have all along regarded it as something specially in the interests of the public house owners and the licensees. I assert unhesitatingly that the first reason and practically the only reason for its introduction in the Bill was to enable

local option to be applied immediately, not merely over new licenses, but over existing ones, and thus to secure a substantial amount of reductions almost from the very date of the passing of the Bill. Let me assume for the sake of argument that the House, when the Bill reaches the Committee stage, refuses to assent to those clauses which provide for the raising of an insurance fund, and for the contributions of licenses and the owners of licensed premises. The position will then be that we are thrown back upon the provisions of the Bill introduced by the member for Subiaco when Premier of the State and leader of the Labour party. Clause 58 of that Bill provides that for a period of ten years from the date of its passing all existing licenses shall be subject to renewal as a matter of clear statutory right, and that during that ten years' period they shall not in any way be subject to a local option poll. The issue of this question is mainly in the hands of the temperance party, and of those hon. members in this House who from their utterances may be presumed to represent that party. The choice is between either immediate local option in respect to existing licenses and the payment of a money compensation out of a fund furnished by the trade and only by the trade, as provided for in the present Bill, or no local option in respect to existing licenses for a period of ten years as provided for by the Labour party's Bill of 1905. It is for the temperance party to make their choice. Personally I have no very strong feeling either way, but as regards the attitude of the licensing victualling interest, I don't think there can be much doubt. The majority of those concerned in it will naturally prefer a ten years' clear run and no contribution to an insurance fund. If that is also the view of the temperance party—as we may assume that it is of the Labour party, because their own Bill says so—then we shall be in the happy position of pleasing those supposedly antagonistic elements, the liquor interest and the temperance interest; but we shall have no local option, except in regard to new licenses, for a period of ten years. If, on

the other hand there is—as I cannot but believe—a genuine desire to immediately reduce existing licenses, then there is no alternative but to accept the proposals of the Government set forth in the present Bill; because I think we may take it for granted that if a majority were found in this Chamber prepared to abolish even the time limit, that a decision of that kind would to a certainty mean the rejection of the Bill in another place. I can only say that neither for the postponement of local option in regard to existing licenses, nor for the consequent rejection of this Bill if a majority of the members of this House refuse to allow a time limit, will the Government accept the responsibility. This Bill is not a party measure; we do not desire in regard to it to employ, even if we could, any lever of party compulsion; but we offer to hon. members the most advanced measure of liquor law reform that has yet been submitted to the Parliament of this State. If by the influence of the extreme wing of the temperance party the salient features of the Bill are rejected, then the blame for throwing back the cause of liquor law reform will rest on its shoulders, not on ours. A further objection advanced against the local option proposals is to the provision that before a local option poll is taken in any district there must be a preliminary petition asking for it; such petition to be signed by at least 10 per cent. of the voters on the roll. The selfsame people who ask us to believe that public opinion is irresistibly in favour of local option assert almost in the same breath that, so languid and indifferent is public opinion, that if a preliminary petition from only 10 per cent. of the voters is insisted on, it will mean that in a large number of districts no poll will be held because no petition will be forthcoming. It is not for me to say which of these two mutually destructive arguments we are to accept. But I will say this, that before going to the expense of holding a poll we are entitled to some evidence that there is a desire for it. If any genuine desire does exist, to secure the adhesion of 10 per cent of the voters can be no very difficult task. If, on the other hand, no petition

is forthcoming then it is only reasonable to assume that the voters are satisfied with the existing state of things, that they neither desire an increase nor a reduction of licenses in their district. It may not be necessary to make the preliminary poll a permanent feature in our local option legislation. If it should be found that throughout the State the petition is always forthcoming, then it will be possible at a future date to so amend the law as to remove this preliminary test. But in the early stages of local option, when the public desire is necessarily a matter of conjecture rather than of actual knowledge, it is a very necessary provision, and one which can work no actual harm. I cannot believe that the most impassioned and enthusiastic supporter of local option will seriously urge that it should be forced upon the voters quite regardless of their actual wishes. That would be to negative the very principle for which the supporters of local option are contending. Strong objection has been taken by the hon. member for Subiaco, and by several other hon. members of his way of thinking, to the proviso that in order to make a no-license resolution operative at least 30 per cent. of the persons on the roll must record their votes, and out of the total number voting, three-fifths must vote in favour of no-license. I notice from speeches made outside this Chamber, that some confusion has arisen as to the precise majority required, it having been stated that a three-fifths majority is requisite. Let me say at once that that is not so. The majority required is a majority of one-fifth, that is to say, assuming 1,000 votes to be the total number polled for and against "no-license," if 600 votes are polled in favour of no license and 400 against it, then the resolution will be carried. But I gather from the remarks of the hon. member for Subiaco and of other hon. members who have spoken to the same effect that nothing less will satisfy them than the allowing "no-license" to be carried by a bare majority of the persons actually voting; and that no matter how small may be the number of persons voting in proportion

to the number entitled to vote, the poll shall be just as effective as if the full strength of the persons on the roll had exercised their right to vote. I cannot but regard it as somewhat singular that when the hon. member for Subiaco was himself engaged in the task of drafting a measure of liquor law reform he did not even provide for the issue of "no-license," but contented himself with substituting three resolutions, namely: 1, The number may be increased; 2, The number may not be increased; and 3, The number may be reduced when possible. It is of course open to the hon. member to say that since he drafted that Bill he has changed his mind, as he is fully entitled to do; but it is impossible to ignore the fact that when he introduced the Bill he occupied a position of greater responsibility and less freedom than he does to-day; and it is conceivable that there was then driven home to him the necessity of subordinating to some extent his personal convictions in order to secure the passage of a measure which would have represented at least an instalment of liquor law reform. Now, if hon. members compare the two Bills, that of the Labour party's Government in 1905, and that of the Moore Government in 1909 they can only arrive at the one opinion, that the present Bill goes very much further in the direction of reform than did the Labour party's Bill. If, however, the temperance party were to be asked which of the two Bills they would prefer I have not the slightest doubt that they would vote solidly in favour of accepting our measure. Now, I appeal to the hon. member for Subiaco, and those other members who think with him, and who, if they consider for a moment, must recognise the virtual impossibility of passing an Act that will reflect the full desires of the more advanced wing of the temperance party, not to press their views to a point that will interpose an obstacle in the pathway of all reform of the drink traffic. The hon. members for Subiaco and Brown Hill have had experience of the necessity for compromise, if practical results are to be achieved; and here is a direction in

which something less than they now demand may well be accepted, seeing that they are being offered very much more than they were themselves prepared to give when they had the opportunity. The closing of all public houses and drinking saloons in a district, which is what the carrying of a no-license resolution would involve, is a change of so drastic a character and involves so large a degree of interference with the liberty of the subject, that it should not be possible to carry it into effect by a bare majority. Suppose that a little more than half the voters in a district favour prohibition and a little less than half are opposed to it, is it seriously contended, in a case where opinion is almost evenly balanced, that because there is a vote or two more on one side, that the other side, the minority, is to be seriously impeded, if not entirely prevented from indulging in a perfectly legitimate and natural desire to obtain liquor? Does anyone who knows an Australian community think for a moment that they would, in fact, be prevented! Everyone is aware that, under such circumstances, prohibition would be a delusion, a hypocrisy, a transparent pretence. The law would say one thing, the people would do another. Majority rule may be a good and a sound working principle, but even majority rule may be carried to unjustifiable extremes. While it may be possible to defend prohibition when it represents a considerable majority of the people in a given locality, the matter assumes a different complexion when but little more than half the voters endeavour to force their particular views on the liquor traffic down the throats of the remainder. This line of argument, I am well aware, will not appeal to those persons who may regard alcoholic liquors as more dangerous and more noxious—because more subtle—than the most deadly poisons. Neither will it appeal to that well-meaning class who are so obsessed with the evils of intemperance that they regard every moderate drinker as a potential candidate for perdition. But surely our object in dealing with the question of liquor law reform should

be, in the main, to study the legitimate requirements of the average individual? While we may arm the community with full powers to deal with and prevent any unreasonable expansion of drink-supplying facilities, we should insist that where "no license" is demanded such demand shall not be given effect to unless there is a strongly preponderating body of public opinion in its favour. The issue is too important, its consequences are too far-reaching, to decide by a bare majority of the voters, or by what may well prove to be a minority of those actually on the roll. For somewhat similar reasons I should be loth to see, at any rate at this stage of the movement, the local option vote extended to gallon licenses and clubs. The main argument in favour of giving the people in any locality a direct vote in the issuing or withholding of licenses is that a public house or drinking saloon may—and not without some degree of reason—be regarded as a nuisance in a modified sense. There are few people, for instance, who would prefer to live next door to a public house or in the immediate vicinity of one. Residential districts around Perth could be mentioned where the strongest opposition of that kind would be offered to the establishment of a hotel. I have in my mind the repeated efforts made some years ago to obtain a license at the corner of Havelock and Hay streets in West Perth. The residents all round—I was myself one of them—offered the most strenuous opposition, and they were successful on each occasion in defeating the application until, at last, the gentleman who made the application abandoned it in despair. But no equal opposition—I doubt if any at all—was offered to the granting of a gallon license to a grocer carrying on business at the same intersection of streets. And the reason, it appears to me, is manifest. The public house was regarded as a nuisance or, at best, as not being required; the gallon license, on the contrary, supplied an undoubted convenience by enabling liquor to be purchased by people for use in their own homes. Here again, I am well aware that my argument will not appeal to

those persons who think that no one should be allowed to have liquor in their houses; but I address myself rather to the great mass of moderate thinkers and moderate drinkers who, after all, form the great majority in every Australian community.

[The Speaker resumed the Chair.]

Mr. Angwin: Why cannot they get it somewhere else?

The ATTORNEY GENERAL: They could, but only by driving them into the public house; and surely the hon. member does not desire that? Is it not infinitely preferable that the person who wishes to buy liquor for consumption in his own house should have it sent to him in sealed bottles from the grocers, rather than that he should have himself to go to a public house and possibly, if he is liable to succumb to temptations offered there, indulge freely there, and benefit the publican rather than himself?

Mr. Angwin: There is a bigger temptation in getting it at the grocers.

The ATTORNEY GENERAL: The hon. member seems to think we can sit on the safety valve, so to speak, that we can prevent people indulging in what are, after all, not unnatural desires. Let the hon. member try by moral suasion to prevent people drinking. The coercive powers of legislation we may carry too far; we may carry restriction too far in our legislation. Make no sufficient allowance for the varying tastes and aptitudes of our fellow-men, and we shall, undoubtedly, defeat our purpose.

Mr. Angwin: If they have local option the people will have to decide.

The ATTORNEY GENERAL: But the hon. member wants to make his provision for local option such that if 501 people vote in favour of "no license" and 499 against it, the 501 are to prevent the 499 getting drink under any pretence. Is there any sense, justice, or reason in a proposal of that kind?

Mr. Angwin: You never heard me say that.

The ATTORNEY GENERAL: I know that is what the hon. member and those who think with him advocate, that we

should have a bare majority poll, on the issue of "no license." If it does not amount to that, then I am glad to think that I have misjudged the hon. member, and that he is not one of those members who have been advocating that "no license" should be carried into effect by a bare majority.

Mr. Bath: It would not prevent people obtaining liquor.

The ATTORNEY GENERAL: Of course it would not. Show me any country with legislation that goes beyond the legitimate province of legislation and I will show you a country where the laws of the State are broken.

Mr. Bath: It would not prevent them from getting liquor legitimately.

The ATTORNEY GENERAL: Only by sending away outside the district to another district to obtain it. But if we have a bare majority of the voters in every district of the State voting for "no license," then if the hon. member has his way, the only manner in which one could get liquor would be by importing it from the Eastern States on his own account; and I very much doubt, if the hon. member is prepared to give that enormous power to a bare majority, whether he would hesitate to prevent those of us who wish to drink, and to drink in moderation, from getting it from any part of the world.

Mr. Walker: You do it in opium smoking.

The ATTORNEY GENERAL: Opium has been mentioned. The anti-opium Bill deals with a matter that cannot, so far as I am aware, be called a Western Australian vice. I do not know that there are a considerable number, or that there are any white men in Western Australia who desire to smoke opium; and though I introduced the Bill, as I explained to hon. members, it was introduced mainly at the request of the Federal Government. Personally, I have never professed to be in any great sympathy with, or to have any great feeling for, any extreme legislation of that kind; and I can quite well believe that if opium smoking were as prevalent a habit as moderate drinking in this State, it would probably be the height of folly to pass

an Opium Smoking Prohibition Bill. The justification for that Bill is that opium smoking is a much more deadly vice than drinking, and that, as it is practically unpractised by the white people here, we may stop it before it has obtained any sort of a hold on the community.

Mr. Bath: But we are giving power to a bare majority on much more important matters than those contained in this Bill, on taxation for instance.

The ATTORNEY GENERAL: Undoubtedly we do, but in Western Australia we do not give the power to two people who do not drink to say that one person shall not be allowed to drink.

Mr. Bath: We do it in all our penal laws.

The ATTORNEY GENERAL: I make a distinction—and the member apparently does not—between drinking a whisky and soda and picking somebody's pocket. Members are perfectly well aware, if they look at this calmly and dispassionately, that whatever we may do in some communities we cannot coerce an Australian community into moulding its habits and its pleasures into the form provided by an Act of Parliament, even on the specious plea of the sacred rights of the majority. The minority also has its rights, and, if tyranny indeed be practised, I do not know that it is less odious, or that it is less tyrannical, because it is exercised by a majority, because the power of the numerically strong is used to coerce the numerically weak. I am well aware that it is difficult to lay down any specific rule for the application of these general principles. We all, of course, recognise, as the member for Brown Hill has just pointed out, that in very many cases the will of the majority must necessarily prevail, but applying these general principles to the matter now in issue, it can scarcely be questioned, I think, that in the case of this Bill we shall act wisely by refraining from proceeding on the assumption that there is any general or widespread desire in the State to make our liquor legislation representative of the most advanced tenets of the restrictive school. A practical difficulty in the way of the inclusion of licenses of clubs

in the local option vote is to secure a definite direction from the voters; to do that one must have a somewhat cumbersome form of voting paper, which allows of a separate vote being taken in respect to every class of license submitted to the decision of the voters; or if one does not do that he leaves the licensing benches in doubt as to which class of license, gallon, or public house, or club, the voters were actually aiming at. In the Labour Government's Bill of 1905, in which the various classes of licenses were made the subject of local option, distinct resolutions were provided for, and I am perfectly ready to admit that if we were to go to the length of including gallon licenses and clubs in the vote, that would be the preferable form of voting paper, because, it is above everything, advisable, when we ask for a direction from the voters, that there should be no sort of ambiguity in that direction, that it should be clear and explicit in every respect. There is the further objection to a resolution which does not discriminate between each class of license, that it will be a matter of extreme difficulty to secure a vote in favour of reduction, say of public houses, if the same vote that is levelled against public houses must be regarded by the licensing bench as levelled also against clubs and off licenses. Many people who will vote for the closing of drinking saloons, will hesitate to do so if they know that their vote will also be turned against clubs and off licenses. More than one member has objected to the members of the Licenses Reduction Board and the licensing courts being appointed by the Governor instead of being elected, and a great point has been made of the allegation—I will not call it a fact—that the existing licensing courts, the members of which are appointed by the Governor-in-Council, have not given satisfaction. I am free to admit that no court, however appointed, will win universal approval. There is always to be reckoned with, the disappointed litigant and the unsuccessful party to an application. No one willingly blames himself or his own cause. The drunkard does not censure his own infirmity of purpose; he regards himself rather as an interest-

ing and ill-used individual whose moral and physical wreck is no fault of his own, but is the result, perhaps, of some taint, and had been assisted by the temptations placed in his way by the publicans. The criminal places the blame for his misdeeds, not on his own shoulders, but on those of society. In the same way, it also happens that no court which has to adjudicate in regard to conflicting interests can hope to give equal satisfaction to both parties. To that extent then it may be true that the existing licensing courts have not won universal approval—but that is only to say that their members, being human, are not capable of performing miracles. As to any real or solid basis for dissatisfaction, apart from mere assertion, there is no evidence forthcoming. When the member for East Fremantle spoke on this point I directly challenged him to mention an instance, and he mentioned one case that, I understand, happened at Fremantle. During the few months I have been in office, if there had been any complaints as to the licensing courts and the action of the benches such would have come before me. The only complaint was in a case where a license was refused, and I think properly refused. Nor is there any reason to suppose that if, by a popular vote, gentlemen are chosen who have to perform judicial functions, the result will be by any means so satisfactory as that attained by the present method; very easily it may not be so satisfactory, if there happened to be elected gentlemen who instead of having judicial views on the question of licensing, had strong prejudices either in favour of or against the liquor trade. There are other points with which I might deal, but this debate has already occupied a considerable time—though not more than the importance of the subject warrants—and I do not wish to delay the second reading stage, or to keep members here until an unduly late hour. The other matters are, in many cases, mainly ones of detail, and can be better handled in Committee. I will, therefore, draw my remarks to a close. I conclude by entreating hon. members in dealing with this Bill not to forget the saving virtue of moderation. If passed as it now

stands the Bill embodies a very considerable instalment of reform, something, I contend, decidedly worth winning. Those who declare that they would rather have no measure than one that does not give them all they ask, such persons, I say, display much more the unreasoning and uncalculating fervour of the zealot than the practical sagacity of the statesman. Few are the abuses that would have been removed in this or any other country if such had been the spirit of the larger number of those who fought for their removal. It is an unfortunate and melancholy circumstance that reform in the drink traffic has in the past been impeded as much by the ill-considered actions of some of those who are among the most anxious to see it accomplished, as by the efforts of its avowed and determined opponents. While in other directions of social amelioration beneficent change has in the main been achieved by the exercise of the twin political virtues of moderation and compromise; it has happened more than once, particularly in the mother country, that effort has been negatived, enthusiasm chilled, and the forces of opposition strengthened by the determination of the "whole-hoggers" of the temperance party to accept nothing less than the utmost limit of their demand. I am, however, sanguine enough to believe that in the case of this Bill, no similar mistake will be made. We have ample evidence to persuade us that it is a measure which enjoys in the main the support of the great body of outside public opinion. I cannot think that within these walls less moderate counsels will prevail, that within these precincts, which should be consecrated to dispassionate argument and the nice adjustment of conflicting interests, prejudice and fanaticism, however honest and well-intentioned, will be allowed to run their baleful and devastating course. Opportunity beseeches us and surely will not be denied. Hon. members cannot but recognise that some reform is superior to no reform, that to travel half the distance is better than to remain stationary. Nor can they be blind to the heavy burden of responsibility which will rest on the shoulders of those who fail to grasp

the fact that the weapon of effective action now lies within their reach and is waiting to be used. To all who in this Chamber or outside it can by their influence and their actions help forward this measure I would say, using the language of one of the greatest of our poets—

Miss not the occasion! By the forelock take
That subtle power, the never-ceasing time,
Lest a mere moment's putting off should make
Mischance almost as heavy as a crime.

Question put and passed.

Bill read a second time.

House adjourned at 10.52 p.m.

PAIRS.

For the day.

Hon. J. Mitchell	Mr. Bolton
Hon. F. H. Piesse	Mr. McDowall

Legislative Council,

Tuesday, 5th October, 1909.

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

BILL—PUBLIC EDUCATION ENDOWMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a small Bill extending a principle that was granted some years ago in connection with the proposed establishment of a university in Perth, that is to make certain endowments of land for the purpose of providing funds in the future for the institu-