able stuff. A better way would be to prohibit the publication of advertisements of those undesirable medicines, because the cessation of the advertisements would stop their sale. He could not see why any newspaper should publish advertisements which offended against common decency.

THE ATTORNEY GENERAL: There was no wish on his part that the operation of this clause should work harshly on people who had stocks of patent medicine; and if the Committee passed the clause, he would insert a further proviso that it should not come into operation till 12 months after the passing of the Bill. Some unpleasant observations had been made about the medical profession. The medical profession in this colony or any of the Australian colonies was very much prejudiced by the use and abuse of these patent medicines, but had borne the thing calmly. This proposal had not come from that profession, but had been inspired from another source. It was, however, quite evident that the medical profession ought to be protected; and, above all, protection should be afforded for the public health. Skilled men who devoted the best years of their life to the medical profession, for the benefit of the public, should not be set aside by these wretched medicines.

MR. A. FORREST: A doctor would give Epsom salts.

THE ATTORNEY GENERAL: Of course he would, if required; but he would not do so if a gentle stimulant were wanted. The clause was really a good one, and it would also bring in a little revenue.

MR. WALLACE: If the operation of this clause were delayed for twelve months he would still oppose it.

Question—that the new clause be added to the Bill—put and negatived.

Schedules (5) and title—agreed to.

Bill reported with amendments.

THE SPEAKER suggested that it would be well to have the Bill reprinted, as so many alterations had been made.

Ordered that the Bill be reprinted as amended.

ADJOURNMENT.

The House adjourned at 10.35 p.m. until the next Tuesday afternoon.

Legislative Council.

Tuesday, 6th September, 1898.

Papers presented—Petition (from British investors): Dual Titles on Goldfields—Question: Perth Police Court, Fees Received — Question: Ivanhoe Venture Company's Lease, and Alluvial Trouble—Question: Kingsley Hall Reward Gold Mine, and Nonforfeiture—Question: Messenger (additional) for Members—Question: Shorthand-writer and Type-writer for Members—Motion: Government Boats at Fremantle—Immigration Restriction Act (1897) Amendment Bill, first reading—Shipping Casualties Bill: Select Committee's Inquiry (motion)—Bankruptcy Act Amendment Bill, Recommitted and reported—Public Education Bill, Recommitted and reported—Customs Duties Amendment Bill, second reading, debate concluded, Division; in Committee, reported; motion for Recommittal, Division (negatived); third reading—Wines, Beer, and Spirit Sale Amendment Bill, in Committee; Division on new clause—Adjournment.

THE PRESIDENT took the chair at 4.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Woods and Forests Department, Report for 1897-8; Perth Public Hospital, Report of Board of Management for 1898.

Ordered to lie on the table.

PETITION: DUAL TITLES ON GOLDFIELDS.

THE PRESIDENT reported that he had received a petition from 110 mining companies in London, praying for an amendment of the Goldfields Act.

Petition received, and read by the Clerk.

QUESTION: PERTH POLICE COURT, FEES RECEIVED.

HON. F. WHITCOMBE asked the Colonial Secretary,—1, What is the amount of fees received at the Perth Police Court in respect of informations and summonses between February 1st, 1898, and the present date. 2, When will the same, or such portion thereof as is payable to any

person, be available for payment to the persons entitled to the same.

THE COLONIAL SECRETARY (Hon. G. Randell) replied:—1, £234 12s. 8d. 2, The fees are paid into the Treasury weekly. No portion thereof is payable to any person.

QUESTION: IVANHOE VENTURE COMPANY'S LEASE, AND ALLUVIAL TROUBLE.

HON. H. G. PARSONS asked the Colonial Secretary,—1, Whether an interim injunction, upon notice, was granted today by the Chief Justice against the Ivanhoe Venture Gold-Mining Company, on the application of Burke and party, returnable on September 14. 2, Whether, pending the decision of the dispute, the Government intend to intervene.

THE COLONIAL SECRETARY (Hon. G. Randell) replied:—1, It is believed that an interim injunction was granted by the judge in chambers on the *ex parte* application of the plaintiff. 2. The Government has no intention of intervening, so long as the parties proceed to assert their alleged rights by legitimate means.

QUESTION: KINGSLEY-HALL REWARD GOLD MINE, AND NONFORFEITURE.

HON. H. G. PARSONS asked the Colonial Secretary,—1, Whether the Kingsley-Hall Reward Gold-Mining Company (985E), Smithfield, Broad Arrow, was floated in August, 1896, on conditions giving 60,000 fully paid shares to the vendors, in full payment, and providing £20,000 working capital. 2, Whether such capital was ever provided. 3, Whether the company was reconstructed without sufficient notice to the colonial shareholders. 4, Whether such reconstruction scheme provided for the cancellation of all vendors' shares, or any vendors' shares. 5, Whether exemption was refused by the warden to the new company, in the interests of the vendors. 6, Whether forfeiture was recommended by the warden in favour of the vendors. 7, Has the Minister refused to endorse such recommendation, although the labour conditions have not been complied with, and the vendors' holding is now necessarily worthless. 8, Has the new company provided any working capital, or has it attempted to sell the lease and machinery. 9, Under these circumstances, why has the Minister refused to sanction the warden's recommendation. 10, Whether, having regard to such reconstruction, the Government will support an amendment to the Act passed last session providing for the enforcement of local share registers.

THE COLONIAL SECRETARY (Hon. G. Randell) replied:—1, 2, 3, and 4, There are no records in the Mines Department of the internal arrangements of mining companies. 5, The warden refused to recommend an application for exemption. Such application was objected to by Mr. M'Intyre on behalf of the original shareholders of the Kingsley-Hall Reward claim. 6, Yes; forfeiture was recommended by the warden in favour of Peter Marshall and William Morgan Kingswood. 7, The Minister refused to indorse recommendation, as he was satisfied that every endeavour was made to comply with the labour conditions at the time stated in the plaint. There is no information in the Minister's possession as to the value of the property. 8, See answers to questions 1, 2, 3, and 4. 9, The Minister's decision was arrived at after due consideration of all the circumstances brought before him. 10, The Government are considering the question of making provision that all companies should have local share registers.

QUESTION: MESSENGER (ADDITIONAL) FOR MEMBERS.

HON. H. G. PARSONS asked the Colonial Secretary,—Whether, having regard to the fact that there are no messengers available in another place for the use of members of this House, a messenger will be stationed there for the convenience of members of this House.

THE COLONIAL SECRETARY (Hon. G. Randell) replied:—I think we have no right to station a messenger in "another place" for the use of members of this House. I would recommend the hon. member to confer with the hon. the President on the matter.

QUESTION: SHORTHAND-WRITER AND TYPE-WRITER FOR MEMBERS.

HON. H. G. PARSONS asked the Colonial Secretary,—Whether a shorthand-writer and type-writer cannot be

provided for the use of members of this House.

THE COLONIAL SECRETARY (Hon. G. Randell) replied:—I beg to refer the hon. member to the hon. the President.

MOTION: GOVERNMENT BOATS AT FREMANTLE.

HON. R. S. HAYNES moved:

That a return be laid on the table of the House—(1) Showing the number of sailing and pulling boats at Fremantle used by the Government officers. (2) The cost of each. (3) Annual outlay on each. (4) Purposes for which each used.

He said he wished to ascertain, also, the number of days upon which the boats had been used during the last six months. The Estimates would be under consideration in a short time, and he would then be able to show that the expense in connection with these boats at Fremantle might be curtailed considerably. As to the boats and steamers which were at the service of a number of Government officers at Fremantle, he would not say they were of no use to the Government, but they were of very little use. In the old days a Government officer was content to go out in a sailing-boat, and then the officials had to go longer distances; whereas now these officers had to go a shorter distance, and yet they had steamers to go in.

Motion put and passed.

IMMIGRATION RESTRICTION ACT (1897) AMENDMENT BILL.

Introduced by the HON. F. M. STONE, and read a first time.

SHIPPING CASUALTIES INQUIRY BILL.

SELECT COMMITTEE'S INQUIRY (MOTION).

HON. R. S. HAYNES: The Committee had met and taken evidence at considerable length, and, from that evidence, it would appear that the Bill would have to be redrafted. The Committee had considered whether they should not report that the Bill, as at present drawn, was unworkable, and that it ought to be withdrawn and another Bill introduced in its place. He moved that the time for bringing up the report be extended for a week, so as to enable the draftsman to go through the Bill and make the amendments which had been suggested by witnesses. The Bill had been badly drawn; though he (Mr. Haynes) did not say it was the fault of the draftsman, but the person who gave instructions to the draftsman did not give him sufficient information to go upon.

Motion put and passed, and the time for bringing up the report extended for a week.

BANKRUPTCY ACT AMENDMENT BILL.

RECOMMITTAL.

Order of the day, for the third reading of the Bill, read.

HON. R. S. HAYNES moved that the Bill be recommitted, for the purpose of considering clauses 52 and 53. There would be no discussion on these clauses, because those members who had different views in regard to the clauses had come to an understanding. There was a new clause he would like to see introduced. Under the present Act, if a person became insolvent and called a meeting of creditors and appointed a trustee, the trustee, in all good faith, distributed the assets amongst the creditors, and the debtor was thereby discharged; but if the debtor became bankrupt within twelve months, the trustee was called upon to pay all the money so distributed into court. An instance had occurred in the court this week, in which a trustee had been ordered to pay moneys, which he had *bona fide* distributed under a deed of arrangement. A provision should be made by which a trustee, who acted for the benefit of creditors, should be protected.

Question put and passed, and the Bill recommitted.

IN COMMITTEE.

Clause 52—Not to sell estate to pay costs:

HON. R. S. HAYNES moved, as an amendment, that in line 4, after the word "solicitor" the words "or agent" be reinserted.

Put and passed, and the clause as amended agreed to.

Clause 53—Solicitor's or agent's charges:

HON. R. S. HAYNES moved, as an amendment, that in line 1 the words "or agent" be struck out.

HON. W. T. LOTON: What arrangement had been come to between the parties interested he did not know. He was under the impression that all arrangements should be made in the House. In the earlier part of the debate the principle embodied in the clause under discussion cropped up, the question being whether an agent could appear for a debtor in the matter of preparing a schedule and so forth; and it was decided, by an amendment, that an agent should be allowed to appear, on the ground that what was wanted was a clear and concise statement of accounts. It was now proposed to strike out the words "or agent," and it would appear that, while under clause 4, an agent could appear, he could not appear and be remunerated under clause 53.

HON. A. B. KIDSON: It was proposed by Mr. Haynes to submit a further amendment, allowing an agent remuneration for the work he did.

HON. W. T. LOTON: If that was the intention of the clause, it met the objection, but he would like to know what amendments were to be proposed.

HON. F. T. CROWDER: The contention of Mr. R. S. Haynes originally was that the clause gave power to the agent to do solicitor's work and charge for it. That contention was questioned by him (Mr. Crowder), and to make the matter certain an agreement had been come to, so far as he and Mr. Haynes were concerned, that the words "or agent" be struck out, and that an amendment be subsequently moved providing that all agents, performing duties in this matter of calling the first meeting, should be allowed to charge for the work done.

HON. R. S. HAYNES: That was all that was wanted.

HON. A. B. KIDSON: That was all that was wanted.

THE PRESIDENT: Mr. Haynes was rather to blame himself for not having explained to the Committee his full intentions as to the amendments to be moved.

HON. R. S. HAYNES: There was only one member, so far as he understood, interested in the Bill. As the words "or agent" remained in clause 4, they ought to remain all round. Clause 53, as it stood, allowed a solicitor or agent, acting under instructions, to make a fair and reasonable charge, but as to what was a fair and reasonable charge, in the case of an agent, there was no rule provided. A solicitor had to have his bill of costs taxed, and, if he received more than the amount on the face of the bill, he had immediately to pay the balance into court. Mr. Crowder had put the case very fairly, and had evidently, in the first instance, misunderstood his (Mr. Haynes's)) intention. On the understanding now arrived at, the accountant could not interfere with the solicitor, or *vice versa*. He moved that the words "or agent" be struck out.

HON. W. T. LOTON: After the explanation offered, he was in favour of the words "or agent" being struck out.

Amendment put and passed.

HON. R. S. HAYNES moved, as a further amendment, that the following words be added to the clause:—"And any agent acting under instructions of the debtor in the calling of the first meeting and preparing a statement of affairs shall be allowed a fair and reasonable charge (to be fixed by the Official Receiver) for so doing out of the first proceeds of the estate."

Put and passed, and the clause as amended agreed to.

New Clause:

HON. R. S. HAYNES moved that the following new clause be added to the Bill, to stand as No. 58:—"All public officers now or hereafter to be appointed for the purposes of the Bankruptcy Act, 1892, and this Act, shall in all things concerning the performance and carrying out of their respective duties and powers thereunder, and respecting expenses chargeable by them against estates, be under and subject to the control and direction of the Attorney General, anything in the Bankruptcy Act, 1892, and this Act, to the contrary notwithstanding."

Put and passed, and the clause added to the Bill.

Bill reported with further amendments, and the report adopted.

PUBLIC EDUCATION BILL.

RECOMMITTAL.

HON. A. P. MATHESON moved that the Bill be recommitted for the purpose of considering clause 41. In that clause provision was made for the proprietor

of a private school, other than a State school, to apply to the Minister to have his school examined. When such a school had been examined and passed as satisfactory, the proprietor was entitled to have it gazetted as efficient, and the school remained on the efficient list until the Minister chose to remove it, there being no provision for an examination year by year. State schools had to be visited twice a year and examined once a year, and there was no reason why a private school should be put on a more favourable footing than a Government school. He might state that it had been pointed out to him there were certain schools in which the standard of education was such as to reasonably entitle the establishments to be placed on the list, although there might be objections raised to their being examined. If a school did object to be examined, it stood to reason that the proprietors did not seek the benefits which would follow from their being gazetted. If the standard of education at such schools was so thoroughly recognised that they had no need to advertise, why should these schools be inserted in the *Gazette*? The clause as it stood left a loophole which at some future time might be abused.

Question put and passed, and the Bill recommitted.

IN COMMITTEE.

Clause 41—All schools other than a State or other school established under this Act, may be found efficient:

HON. A. P. MATHESON moved that in line 16, between the words "time" and "cause" the words "shall once in every year" be inserted.

Put and passed.

HON. A. P. MATHESON moved that in line 1, page 10, the word "may" be struck out, and "shall" inserted in lieu thereof.

Put and passed.

HON. A. P. MATHESON moved that in line 5, page 10, all the words after "Act" be struck out.

THE COLONIAL SECRETARY: Serious objection could be offered to this amendment, which would very considerably increase the cost and trouble of administering the schools. It might fairly be assumed the Education Department, and the Minister controlling it, would discharge their duty to the country. Mr. Hackett had drawn attention to the fact that the amendment would affect some schools prejudicially, but the Minister could take steps to satisfy himself, without going to the expense and trouble of an examination. The Minister could ascertain in various ways whether a school was keeping up to the standard disclosed at the last examination; and the amendment, if carried, would involve the appointment of additional inspectors, owing to the distances to be travelled and the number of schools to be visited during the year. Unless very strong objections could be found to the clause beyond the mere fact that a loophole might be left for laxity, Mr. Matheson ought to withdraw the amendment.

HON. J. W. HACKETT: The amendment, he hoped, would not be pressed. Regulations for the arrangement and classification of efficient schools were provided for under the new sub-clause of clause 53. The regulations would have to be laid before Parliament, and, as they would be published in the press, would receive the fullest ventilation. The new sub-clause to which he had referred would give the House and the country ample means of seeing efficiency was maintained. The Bill was wholly intended to deal with public elementary education, but Mr. Matheson wished to push it a stage beyond that, and apply the provisions to recognised secondary schools of a more or less public character. It was an absurdity to ask the Government to go to the expense and trouble suggested, with the present limited staff of inspectors—an expense which he trusted would be kept down as low as economy demanded and efficiency permitted. It was unnecessary to compel inspectors to go to these secondary schools which were far advanced beyond the elementary school stage, and were intended to take up the work of education where the elementary schools left off. He did not suppose any of these secondary schools would avail themselves of the services of an inspector, who would only be sent to examine the pupils in reading, writing, and arithmetic; and yet it was proposed that if the authorities of such schools declined to avail themselves of the inspector, the schools were to be declared not efficient. A practical difficulty to which the amendment gave rise

was that pupils would be declared not to be attending an efficient school, and the result would be a great deal of friction—indeed, no Government would be able to enforce the law. Children of, say, hon. members attending one of these higher schools, would, under the amendment, be simply examined in those very branches of knowledge which they had left behind them in the elementary schools or in the nursery. The amendment entailed work on the Education Department which was not desired, and which would simply cost the Government money and trouble. He hoped the amendment would not be carried, as the clause gave the Minister a certain amount of elasticity and discretion, which were of course subject to Parliament.

HON. A. P. MATHESON: The Minister had either to depend on hearsay evidence or upon examination. If he depended on hearsay, it was obvious that he might be misinformed, and the school, about which he might be misinformed, might be placed on the list in the *Government Gazette*. If a school-master wished his school to be placed on the list in the *Government Gazette* his school should be examined.

HON. J. W. HACKETT: That was provided for in the earlier part of the clause.

HON. A. P. MATHESON: The Minister was given the right to put a school on the schedule without examination; that was to say, on mere hearsay evidence. The Minister might act on any chance information that might come in his way and, being satisfied by that evidence that a school was efficient, in that happy-go-lucky way the school could be placed on the schedule of efficient schools. As this clause read, it distinctly meant if the Minister had certified that the school was efficient without inspection, the school was to be placed on the list in the *Government Gazette*. He would be satisfied if Mr. Hackett could show him that a school would not be placed on the list in the *Government Gazette* without being examined.

Amendment put and negatived, and the clause as previously amended agreed to.

Bill reported with an amendment, and the report adopted.

CUSTOMS DUTIES AMENDMENT BILL.

SECOND READING.

Debate resumed on the motion for second reading, and on the amendment moved by the Hon. C. E. Dempster that the Bill be read a second time this day six months.

HON. J. W. HACKETT: I shall not occupy the House more than a minute or two on this question, as I desire to carry out the spirit of my own wish, that this matter should be dealt with as quickly as possible. Already this tariff question has been held up too long for the good of the country. There has been a disarrangement of business and an interference with trade, which have been shown most unfavourably in the condition of the customs returns this month and last month. As this matter has been decided in another place, and the end of the confusion being in sight, the customs returns appear to be improving every day. I must oppose Mr. Dempster's amendment that the Bill be read a second time this day six months, not because I am altogether in favour of the Bill, because a great deal of what has been said in the House appeals to me strongly. For my part, I should like to have seen the tariff left as it was. I oppose these frequent interferences with the tariff and increases of duties. My record stands strongly in that respect. Moreover, in regard to this Bill, I am quite sure a remission of duties in connection with both live and dead meat will not benefit the consumer, but those who have the control of this trade, and for this obvious reason: the trade is in so few hands that it is very easy for an arrangement to be made to fix the price for the consumer, or the trade. Further, I would point out that duties have been collected under this Bill, and other duties have been remitted in accordance with the resolution of another place, and those duties which have been remitted would have to be followed, and those collected would have to be returned if this Bill is thrown out.

HON. A. B. KIDSON: They cannot be followed.

HON. J. W. HACKETT: I believe they cannot be followed. I should not like to be the person sent in pursuit of them, and given a commission on the amount I col-

lected. We must remember that on Bills such as this depend the financial arrangements of the year. The Government have formed their estimates of revenue and expenditure on the assumption that this Bill would be carried. I would point out that, in regard to this Bill, there has been a remission of duties to the extent of £45,000 on food. The cry on the goldfields and in other parts of the colony has been for the remission of food duties, and the Government have remitted duties on food to the extent of £45,000.

HON. J. E. RICHARDSON: The consumer will not get it.

HON. J. W. HACKETT: The question is, who will get it?

HON. A. B. KIDSON: The consumer will get it in regard to frozen meat.

HON. J. W. HACKETT: I think the consumer may get that, although that is very dubious indeed. The frozen meat trade requires large capital to be invested in it. People cannot send a cable to Queensland or to Sydney for a dozen beasts, to be brought here. There is nothing of that kind done. A large amount of capital is required to embark in this trade, and if the capital is not forthcoming, the business goes into other hands. Still, there has been a remission of £45,000, and I believe there has been great rejoicing in one part of the colony, where it is believed the consumer will benefit. I may be wrong, but I believe the consumer will not benefit. In any case, it will do some good to some persons, and, for my part, I believe that some good will be done to the revenue of the country, which stands in need of all the revenue that can be obtained. The object of the Government was to balance the revenue. They have remitted a good deal, and they have had to look for something to make good the remissions. The Government have taken certain articles of large consumption on which to obtain the revenue, and I think that if duties are to be charged, they should be charged on articles of large consumption, because the cost of collecting the duties on these articles would not be so great as that of collecting the duties on a large number of articles which are not largely consumed; therefore I think the Government have done the best of what, I confess, to my mind, is not a good job. They were bound by a pledge and the impulse behind them, and they could not help themselves. I am not prepared to take upon myself the extreme responsibility of voting for the amendment. I shall vote for the second reading of the Bill.

HON. D. M'KAY: There are three reasons why I shall not support the amendment submitted by Mr. Dempster. If the amendment is carried, it will probably embarrass the Government to a greater or lesser degree. If the amendment is carried, it will be opposed to the best interests of the country, and the question involved is not of vital importance.

HON. C. E. DEMPSTER: I was induced to move the amendment after reading the Bill, and coming to the conclusion that it would certainly be inadvisable to interfere with the tariff at all, because it would not affect the revenue, and would not benefit the consumer; but, upon careful reconsideration of the question, I have arrived at the conclusion that it is undesirable for me to press my amendment. There are many reasons for this; therefore, with the leave of the House, I ask permission to withdraw my amendment.

Amendment, by leave, withdrawn.

THE PRESIDENT: I would like to say a few words on this question, as it is one of those constitutional points upon which the President might be expected to express his opinion. It is acknowledged by all constitutional authorities that the question of taxation rests with another place—the Assembly. The Bill has been sent to us for the purpose of considering a revision of the tariff. Under the Constitution Act, this Chamber has the power of remitting back to the Assembly any question upon which we desire the Assembly to reconsider their decision. That, I think, is a right which has been acknowledged by this House on all previous occasions. When this question has arisen on former occasions, it has always been admitted that we have this power. I think, if members will allow me to say so, it is rather straining the powers of this House when a Tariff Bill has been sent to us, to throw it out on the second reading; and I ask hon. members before voting to look at the question from all points of view. Hon. members will not be deprived of considering the items, and

they will not be obliged to agree to all the items in the Bill; for they can send back every item in the Bill to the Assembly, and ask that body to reconsider the measure. I ask hon. members to consider whether they are not straining their powers to an extreme point, when they raise a question which, if carried, will have the effect of throwing the Bill out.

Question—that the Bill be now read a second time—put, and a division taken with the following result:—

Ayes	...	...	13
Noes	...	...	6
Majority for	...	...	7

Ayes.	*Noes.*
Hon. H. Briggs	Hon. R. S. Haynes
Hon. D. K. Congdon	Hon. H. G. Parsons
Hon. C. E. Dempster	Hon. J. E. Richardson
Hon. J. W. Hackett	Hon. F. M. Stone
Hon. A. G. Jenkins	Hon. F. Whitcombe
Hon. A. B. Kidson	Hon. F. T. Crowder (Teller)
Hon. W. T. Loton	
Hon. A. P. Matheson	
Hon. D. McKay	
Hon. C. A. Piesse	
Hon. G. Randell	
Hon. W. Spencer	
Hon. E. McLarty (Teller)	

Question thus passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 5, inclusive—agreed to.

First schedule—agreed to.

Second schedule:

HON. F. M. STONE moved that a suggestion be sent to the Legislative Assembly, that the first item, ("Cattle, including bullocks, steers, cows, calves, n.o.e. 15s.") be struck out, and that a duty of 30s. be inserted in lieu thereof. A duty of 15s. would make no difference whatever, for it would not assist the consumer, nor would it assist those who had cattle stations, whom we would all like to see prosper. He hoped hon. members would say that those who had stations in the North, and who from time to time had carried on those stations with difficulty, should be benefited. The 30s. duty would assist them in a slight degree. The object in bringing forward the Bill was to benefit the consumer, but the consumer would not benefit by a duty of 15s.

HON. J. W. HACKETT rose to a point of order. Was it competent for an hon. member to propose that an impost or tax be increased? It was not within the competence of a member in another place to move that a tax be increased, without a message from His Excellency the Governor.

HON. R. S. HAYNES: This was not increasing a duty at all. According to the present customs law, the duty on cattle was 30s., and the motion submitted by Mr. Stone was simply to allow the duty to remain according to the law now in existence. We had a perfect right to say that this tax should be 30s., if we so desired, and the President had informed hon. members that we should have full power to discuss every item in Committee. Later on, he intended to move that a suggestion be sent to the Legislative Assembly, that the duty on galvanised iron be taken off; and he could not well ask the Committee to agree to take the duty off corrugated galvanised iron, without making provision in another direction. We had passed the second reading under a misapprehension.

HON. W. T. LOTON: It would be entirely futile to send a mesage such as that proposed, to the Legislative Assembly, for the reason that hon. members in another place could not increase a duty from 15s. to 30s. without a message from the Governor; therefore he asked the Chairman to rule whether that was not the case. It would be competent for a member to move that it be a suggestion to the Legislative Assembly to decrease taxation, but not to increase it.

HON. R. S. HAYNES: This was not increasing taxation.

HON. W. T. LOTON: The present duty was 15s., and it was proposed that the duty should be 30s. It would not be competent in another place to move such an amendment.

THE CHAIRMAN ruled that the motion of the hon. member (Mr. Stone) was out of order. It was not competent for the Committee to send any suggestion to the Assembly to increase the item.

HON. E. McLARTY said he would have voted against the second reading, if he had known that it was not competent to amend the items.

THE CHAIRMAN: This Committee could not make any suggestion to increase taxation. That was his ruling.

HON. R. S. HAYNES: It was quite open for Mr. McLarty to move that progress be reported.

HON. H. G. PARSONS said he had been misled. It was competent, he thought, from what several members had stated, to move amendments to the Bill.

HON. F. WHITCOMBE moved that a suggestion be sent to the Legislative Assembly that, in item 1 the words "cattle, including bullocks, steers, cows, and calves, n.o.e., 15s.," be struck out. That would overcome the difficulty.

THE CHAIRMAN: The hon. member was perfectly in order.

HON. W. T. LOTON: If the words were struck out, it would simply mean no duty at all on stock; and he did not know whether that was the intention of the Committee. It was desirable there should be a duty on stock; therefore, the words proposed to be omitted should be retained.

HON. J. W. HACKETT: What was the present duty on cattle?

THE PRESIDENT: The present duty was 30s.

HON. J. W. HACKETT: The same point was again raised. The present duty on cattle was 30s., and if that were struck out the object was——

HON. F. WHITCOMBE: To revert to the original duty.

HON. J. W. HACKETT: The hon. member did not fall into the trap and say that cattle would be free. The amendment would leave the stock tax at 30s. The Stock Tax Act would not be repealed until this Bill became law; and, if that were so, the motion really was that stock should not be free, but should pay a duty of 30s.

HON. H. G. PARSONS: The Committee were not dealing with conjectural effects under different Acts, nor was the object to lead hon. members into traps, although he considered the whole House had been led into a trap.

HON. J. W. HACKETT: The hon. member baited the trap.

HON. H. G. PARSONS: The object of many hon. members was to have a fair, honest compromise, under which the stock tax would remain, whilst the duty on corrugated iron, building material, and parts of machinery would be reduced. Hon. members had, however, been misled and entrapped; and it might be impossible to arrive at a compromise, although he still contended that a compromise ought to be arrived at, if it were possible. Government supporters were surely not acting in good faith. The strongest supporters of the Government frankly and cynically expressed the opinion that the proposals embodied in the Bill were no remission of the burdens, and that the measure was only an attempt to mislead the country, The Bill would benefit nobody in particular, but the Government had apparently assumed that the Legislative Council was morally bound to shut its mouth and take no steps in the matter. He had had very strong representations from people in all parts of the goldfields, and from agricultural members, who had to pay duty on parts of machinery.

THE CHAIRMAN: The item under discussion was not a tax on machinery, but a tax on bullocks.

HON. H. G. PARSONS: People on the goldfields would be glad to meet hon. members on the compromise which had been suggested.

HON. J. W. HACKETT: What was the compromise suggested—to remove the duty on animals?

HON. R. S. HAYNES: There was no compromise at all.

HON. H. G. PARSONS said he was sorry he could not go into any traps laid by Mr. Hackett. Progress ought to be reported, or the Bill thrown out; otherwise the right of veto possessed by that Chamber would be taken away on a technicality.

HON. J. W. HACKETT: The hon. member had not yet told the Committee what he wanted.

HON. H. G. PARSONS: To keep the duty on stock as at present would be best, in the interests of all concerned, because the reduction was not proposed in good faith.

THE COLONIAL SECRETARY: The Committee ought to treat this matter as one of some importance, and not raise side issues. If the Committee interfered with one item in the way proposed, they would, to a certain extent, upset the whole

Bill. An arrangement had been arrived at to give a reasonable concession all round. There had been an almost universal demand for the reduction of the food duties; and in the face of the immense majority on the question in another place, a distinct promise had been drawn from the Government. The population on the goldfields, on timber stations, and in large towns, had been clamouring for a reduction of the food duties; and the present Bill was an honest effort to give something at any rate, to those people. It must be remembered that £45,000 was a considerable amount to be taken off the duties. The revenue of the country at the present time was not in a state to allow a reduction of this kind without countervailing duties. The Bill had cost the Government a great deal of time, thought, and trouble, and the result arrived at was fair and reasonable to all concerned. If some concession were not made in the direction proposed, it would be impossible to resist the demand which might be made to go into the tariff question as a whole, and, under present circumstances, such a step must be deprecated. Great disappointment, in his opinion, would result in various places, if the tariff question as a whole were dealt with. We were not ripe for such a discussion at the present time, and it would be better to wait. Every hon. member, who represented constituencies of workers, understood a reduction in the cost of living was desired, and amongst the reductions of duties proposed, was that on stock, including bullocks, steers, cows, and calves. It meant a concession of 15s. to the consumer, and he was not prepared to admit the public would not reap some benefit.

HON. W. T. LOTON: The Government would lose the revenue, at any rate.

THE COLONIAL SECRETARY: The Government would lose a considerable amount of revenue, which they would have to make up on other articles. He would have liked to go into the whole question raised by Mr. Parsons, but he would confine himself to the Bill. Producers in this part of the colony had advantages which producers further north had not. Here, producers were close to the market, of which they could avail themselves without expense, railways being close to the place of production. People did not care so much for frozen, preserved, or chilled meat, so long as they could get fresh meat, even if they had to pay more for the latter, because it had greater nourishing qualities, and was more palatable. Any amendment meant a disarrangement of the whole tariff; and he hoped hon. members would take a reasonable view of the matter, and assist the Government. The spending power of the people——

HON. R. S. HAYNES: And of the Government.

THE COLONIAL SECRETARY: The spending power of the Government was certainly less. If the spending power of the people were less, then the spending power of the Government must be less.

HON. R. S. HAYNES: That was not the fault of the House, but the fault of the Government.

THE COLONIAL SECRETARY: Hon. members would, he trusted, give the Government cordial support, because the Bill meant no great burden on any class of the taxpaying community. He appealed to hon. members not to be captious—he did not mean to say that they were captious—but he asked them to give their cordial and generous support to the tariff which has been passed by the Legislative Assembly without any very great controversy or objection. He would not lay too much stress on the fact that the Lower House, or popular House, had passed this measure; yet, in his opinion, the decision of the other Chamber ought to weigh with hon. members. He would not for a moment ask hon. members to forego any of their privileges, responsibilities, or duties. He only asked them to carefully consider the matter, and to support the Government, who had made an honest attempt to meet a demand for a rearrangement of the tariff in certain particulars.

A MEMBER: The tariff did not say much for the ability of the Government.

THE COLONIAL SECRETARY: Any tariff, framed by any hon. member of this House, could be found fault with from beginning to end.

HON. R. S. HAYNES: According to the Colonial Secretary, the Bill had simply been placed before us to look at, and for no other purpose. What were hon. members supposed to be doing here? Did we come to discuss the Bill or not? If

not, we could just as well have read the Bill in our own homes. We were here for the purpose of deciding whether we should support any one clause in the Bill or not. The Colonial Secretary had said that, inasmuch as the measure had been passed in another place, hon. members should pay respect to the Assembly and pass it. If respect had been paid to the amendments made by this House, then we might respect the Bill. He remembered resolutions being passed in this House which were not treated properly in another place.

THE CHAIRMAN: The hon. member must not make hostile remarks.

HON. R. S. HAYNES: The Colonial Secretary had said that we should not debate the Bill.

THE COLONIAL SECRETARY said he certainly did not say anything like that.

HON. R. S. HAYNES: What was the use of debating the Bill, if we could not amend it? What was the use of saying that the clause should not stand, and then vote for it? The Colonial Secretary had told hon. members who objected to this measure to frame a better Bill, but we were not paid to frame Bills. We were here to look after our duties, and to see that members of the Government introduced Bills which we could pass. Again, the Colonial Secretary said the Bill had been arrived at by a compromise. There were two parties to a compromise, and where was the party in this House who had been consulted?

THE COLONIAL SECRETARY: "Compensation" would have been a better word.

HON. R. S. HAYNES said that he could not see that any compensation had been given to the squatter or to the miner. It was suggested that compensation would go to the few, but were the interests of all the colonists to be sacrificed for the purposes of a few individuals? He could not understand the Colonial Secretary saying that hon. members should not suggest or amend.

THE COLONIAL SECRETARY said he only appealed to hon. members.

HON. R. S. HAYNES: If we could not make suggestions it was a farce for us to sit here. There had been a misunderstanding on the second reading of this measure. He did not think there was any intention to entrap hon. members into a false position. Still there had been a misunderstanding. He was told that the duty at the present time was 15s., but according to the Customs Duties Act in force, the duty was 30s. This Bill could not become law until it had received the assent of His Excellency the Governor. Hon. members who came from another place had the idea that we should not consider the Bill at all; but the influential and thinking portion of the community were represented in this Chamber, and the voice of the Chamber on these matters should be heard. He was returned on the solemn pledge, which he would keep, that he would not assist in the abolition of the stock tax.

HON. A. P. MATHESON supported the suggestion of Mr. Whitcombe, for the reasons given by the Colonial Secretary, who had pointed out that fresh meat was distinctly a luxury for the rich, and that frozen meat was what was eaten by those who could not get anything better. He felt most strongly that the rich could well afford to pay what would be not quite a farthing per lb. more. It was a trifling matter, but he was certain that a farthing would not be felt by the consumer. From a comparison between the tax as applied to cattle, and the tax on chilled meat, he found that the proposed tax on chilled meat would amount to three farthings a lb., whereas the tax on cattle for slaughter worked out about a farthing per lb.; therefore this schedule proposed to tax the poor man's food a halfpenny per lb. more than the rich man's food. The squatting community deserved all the assistance which we could give them at the present juncture, and if we could see our way to help them we should do so. It was clear that we would not only be assisting the squatters, but the Government, in getting this item struck out, and leave it to the members in another place to deal with the question again. The Colonial Secretary had dealt with the manner in which we should confuse the general schedule if we struck out one item. The effect of striking out one item would be that we should save the Government, on the basis of last year, £7,479. We were going to save that amount to the Government, and if, later on, we suggested that the duty be taken off frozen meat to an equivalent amount,

we should adjust matters and not leave the Government in any difficulty about the tariff. The amount in question would be about £8,224, leaving the Government a small margin to the good.

At 6.30 p.m. the CHAIRMAN left the chair.

At 7.45 the CHAIRMAN resumed the chair.

HON. F. WHITCOMBE asked leave to withdraw his amendment.

Amendment, by leave, withdrawn.

Schedule put and passed.

Preamble and title—agreed to.

Bill reported without amendment.

THE COLONIAL SECRETARY moved that the report be adopted.

RECOMMITTAL (MOVED).

HON. F. M. STONE moved that the Bill be recommitted, for the purpose of taking into consideration the first schedule, which provided for the repeal of the Stock Act of 1893; and also for taking into consideration the second schedule. Amongst the items which he desired to reconsider were the duty of 15s. per head on live stock, the duty of 2s. on pigs, and the duty of 1s. 3d. on sheep, together with the duty of 5 per cent. ad valorem on machinery, and the duty of 20s. per ton on galvanised iron. Under the present Stock Act a duty of 30s. was imposed on bullocks, 2s. 6d. per head on sheep, and 4s. per head on pigs; and the proposed recommittal was for the purpose of enabling the Committee to consider whether they preferred the stock tax to remain as at present, or whether it should be in accordance with the second schedule of the Bill. He, therefore, purposed moving that the item "machinery, parts of, 10 per cent. ad valorem," be struck out. If any machinery on the goldfields wanted replacing, either through accident or through being worn out, it was necessary to send outside the colony for the parts, and he did not think it was the wish of hon. members that machinery of this character should be taxed to the extent of 10 per cent., but should remain with a duty of 5 per cent., the same as machinery generally. Local foundries could not replace parts except at considerable expense, whereas, if the original manufacturers of the machinery were applied to, the replacement could be completed in a very short time and at considerably less cost than would be the case in this colony. It was the wish of the Legislative Council that machinery for the goldfields and for agricultural purposes should not be overtaxed; but the item as it stood would have the effect of overtaxing these commodities.

HON. A. P. MATHESON: If the motion were carried, would the discussion be limited to the items mentioned by Mr. Stone, or could hon. members address themselves to the second schedule generally?

HON. F. M. STONE: The recommittal of the whole Bill was moved. The items were merely mentioned as arguments in favour of the recommittal.

HON. J. W. HACKETT: These were the flies thrown out by the hon. member.

THE PRESIDENT: Standing order 170 dealt with the matter.

HON. J. W. HACKETT: Had the Committee to discuss the whole question over again?

HON. F. T. CROWDER: What had that to do with the hon. member?

THE CHAIRMAN: The remark of Mr. Crowder was scarcely in order.

HON. F. T. CROWDER: It was only a remark across the table.

Amendment (to recommit the Bill) put, and division taken with the following result:—

Ayes	...	...	6
Noes	...	...	12
Majority against		...	6

Ayes.	*Noes.*
Hon. R. S. Haynes	Hon. H. Briggs
Hon. A. P. Matheson	Hon. D. K. Congdon
Hon. J. E. Richardson	Hon. C. E. Dempster
Hon. F. M. Stone	Hon. J. W. Hackett
Hon. F. Whitcombe	Hon. A. G. Jenkins
Hon. F. T. Crowder (Teller)	Hon. A. B. Kidson
	Hon. W. T. Loton
	Hon. D. McKay
	Hon. E. McLarty
	Hon. C. A. Piesse
	Hon. G. Randell
	Hon. W. Spencer (Teller)

Question thus negatived.

Question—that the report be adopted—put and passed.

THIRD READING.

STANDING ORDERS SUSPENSION.

The Standing Orders having been suspended, on the motion of the COLONIAL SECRETARY, the Bill was read a third time and *passed*.

WINES, BEER, AND SPIRIT SALE AMENDMENT BILL.

IN COMMITTEE.

On the motion of the HON. R. S. HAYNES, the House resolved into Committee to consider the Bill.

Clause 1—agreed to.

Clause 2—Amendment of 57 Vict., No. 25, sec. 17:

HON. A. B. KIDSON asked for an explanation of the principle embodied in the clause. He failed to see why the benefits of a license under the Wines, Beer, and Spirit Sale Act should be extended solely to women living apart or divorced from their husbands. If a woman living apart or divorced from her husband was entitled to a license, why should not a woman who was married and living with her husband be entitled to a license? There was a Married Women's Property Act in force, and therefore why should not a woman be entitled to have a license for a hotel which she might own? He failed to see why any distinction should be created, and why a woman living apart from her husband should be entitled to greater benefit than a woman living with her husband. He moved, as an amendment, that the words "living apart or divorced from her husband" be struck out.

HON. R. S. HAYNES said he could not consent to the amendment; first, on the ground that it was likely to wreck the Bill. The measure only got through in another place on the former occasion after a struggle. What position would a married woman living with her husband be in, if she could hold a license? Would the husband or the wife carry on the business? It was absurd that a woman living with her husband should be able to hold a license, and be the manager of a hotel. If a woman held a license, her husband would manage the hotel, and, according to the present law, the true licensee had to manage the hotel. If a woman was living with her husband, then her husband should take out the license; but if a woman was living apart from her husband, or was divorced, why should she not be entitled to take out a license for a hotel to support herself?

HON. F. M. STONE: The intention of the clause was that a married woman, living apart or divorced from her husband, should be entitled to earn her living, but where a wife was living with her husband this necessity did not exist.

HON. A. B. KIDSON: Supposing the hotel was her own property?

HON. F. M. STONE: Then she could lease it to her husband, and he could take out a license for it.

Amendment put and negatived, and the clause passed.

New Clause.

HON. F. M. STONE moved that the following new clause be added to the Bill:

> The fourteenth section of "The Wines, Beer, and Spirit Sale Act, 1880, Amendment Act, 1886," shall be and is hereby amended by adding thereto the words "nor to a sale of any liquor by such licensed person on a Sunday between the hours of 1 o'clock and 3 o'clock in the afternoon and 8 o'clock and 10 o'clock in the evening of that day. A person shall not be deemed to be a bona fide traveller unless the place where he lodged during the preceding night was at least three miles distant from the place where he demands to be supplied with liquor, such distance to be calculated by the nearest public thoroughfare."

He proposed to allow hotels to open on Sundays between one and three in the afternoon, and between eight and ten o'clock in the evening. According to the clause he proposed, hotels would open after morning church service, and in the evening half an hour after the service commenced. There could be no objection to this clause on the ground that hotels would be open during divine service. From what he had read in the papers, Sunday drinking was going on, and it appeared to him that it would be better to legalise drinking within prescribed hours than to allow the present state of affairs to continue. It was impossible for the hotel-keepers to prevent drinking on Sunday. A man went into a hotel, and, if he did not get served, he went somewhere else and obtained a drink. At the present time a man might go into a hotel and say he was a traveller. A policeman went in afterwards, and found that the man was not a bona-fide

traveller, and the hotel-keeper was prosecuted. If hotels were allowed to be open during prescribed hours, and a person went to a hotel and asked for a drink, the publican could inform that person that he could obtain a drink between the hours his house was allowed to be open.

HON. J. W. HACKETT: Did the hon. member think this would stop illicit drinking?

HON. F. M. STONE: It would, he thought. In England hotels were allowed to be opened between the times he proposed in the new clause.

HON. W. T. LOTON: What about the early morning thirst?

HON. F. M. STONE: A man might have drink at home for that, but it was in the afternoon that men generally wanted a drink. Those who had travelled in England knew that the law was not abused in any way there. In Scotland, where hotels were closed during the whole of Sunday, there was a considerable amount of drinking carried on.

HON. A. B. KIDSON: Not in Scotland?

HON. F. M. STONE: Yes, there was. He had been staying at hotels in Scotland, and he had been into hotels there and had seen the drinking that went on. In Edinburgh a man could go into a hotel and get a drink at any time. In some cases it meant this—he did not say it took place here, but he had known this to take place—a policeman went to a hotel when the bar was full, and the policeman simply got his glass of whisky or beer and walked away again.

HON. F. T. CROWDER: They took a bottle, here.

HON. F. M. STONE said he was sorry to hear it. He had no experience in this colony, but he had experience in England and Scotland, and the opening of hotels in England had been a success. He had seen very little drinking in England, but in Scotland he saw a great deal. Sunday drinking could not be put down here, and why should not a man be allowed to have a glass of beer on Sunday if he wished? Because we could have a glass of beer or whisky on Sunday, we should not prevent the working man getting his drink.

HON. C. A. PIESSE: The working man could do as we did.

HON. F. M. STONE: That meant the working man taking two or three bottles of beer, or a bottle of whisky, home with him; but we did not want to encourage the working man to drink. A man would often go into a hotel and have a glass of beer and be done with it, but if he took two or three bottles of beer or a bottle of whisky to his home he would drink the lot. It was impossible to stop Sunday drinking. The publicans could not prevent the law being broken. There were many publicans in this town who would like to stop Sunday drinking, but they could not. We saw drunkenness on a Sunday now, but if the hotels were allowed to open, we would not see so much of it. Men had now to drink on the sly. At the present time the hotels were practically open all day on Sunday. The hotel-keeper had to see that he was not caught, and he in consequence had to keep a number of men to prevent his being caught. In the old days, when this was a small colony, the hotels were allowed to be open on Sunday, and there was no objection to it then.

THE COLONIAL SECRETARY: Yes.

HON. F. M. STONE said he did not know why the law was repealed. He had no recollection of the reasons given for the repeal of it; the clause might have been left out of the Act by mistake. He said, without the slightest fear of contradiction, that there was not the slightest objection to hotels being opened on Sunday in the old days. There was a strong objection to Sunday-closing, because men were defying the law right and left, and, by passing this clause, we would enable publicans to close their houses up to 1 o'clock, then to open for two hours, and then to close up again until 8 o'clock at night, and then remain open till 10. He could not understand why persons objected to Sunday opening. Was it because those persons objected to Sunday drinking? If so, why not pass a law that no man should drink at all on Sunday? It might be said that drinking on Sunday was breaking the Sabbath. He could not see how it was breaking the Sabbath. We might as well say that a man walking out for pleasure on a Sunday was also breaking the Sabbath.

THE COLONIAL SECRETARY: It was carrying on a business on Sunday.

HON. F. M. STONE: It was not. It was opening the public-houses for the convenience of the public.

THE COLONIAL SECRETARY: Then why not open every other shop?

HON. F. M. STONE: If a petition were sent round in favour of Sunday-closing, the hotel-keepers would be in favour of it. This was not a clause for the benefit of the hotel-keeper, except that it enabled him to keep the law. It was for the benefit of the public, who wished to go in and have a glass of beer or a glass of whisky on a Sunday. The clause would assist the hotel-keeper in keeping the law, because he could then inform any person who went to his hotel for a drink that he could get it at a certain hour. The latter part of the clause provided that a *bona fide* traveller should at least lodge on the previous night three miles from the hotel where he called for a drink; that was, any traveller who went to a hotel between the hours which were forbidden. This provision was also taken from the English Act. In the present day a man might get into the train at Leederville and travel to Perth, and he was then a traveller within the meaning of the Act. He could go to a hotel and produce his ticket, and demand to be supplied with liquor. That was what one wished to stop. This provision had worked well in England. Under another new clause, which he intended to propose later on, if any person represented himself to be a traveller, and the hotel-keeper proved in court that he *bona-fide* believed the man was a traveller, the case against the publican could be dismissed, but the magistrate would order the prosecution of the man who represented himself to the publican as a traveller.

HON. F. T. CROWDER supported the new clause, which had been on the Notice Paper for a fortnight, during which time hon. members had had ample opportunity to consider it. There were many sides to the question before the Committee. Sunday trading had been agitating the minds of the public for many years, and it was time the question was settled one way or the other. He trusted hon. members would approach the question with perfectly unbiassed minds. Only a small minority of people in the colony were able to keep a well-stocked larder or cellar for their refreshment on Sundays, the great majority being compelled to supply their daily requirements from hand to mouth. The members of the Legislative Council belonged to the first class, and was it fair they should pass laws penalising the great majority of people for no fault of the latter.

HON. C. A. PIESSE: Question.

HON. F. T. CROWDER: The hon. member need not interject, because he would have his opportunity of speaking later.

THE CHAIRMAN: Any member had a right, when a representative was speaking, to interject the word "question."

HON. F. T. CROWDER explained he was only reminding Mr. Piesse that he would have an opportunity of speaking later on.

THE CHAIRMAN: Yes; but the hon. member was perfectly in order in calling "question."

HON. F. T. CROWDER: But was it right an hon. member should interrupt?

THE CHAIRMAN: It was not an interruption at all. Any hon. member had a perfect right to say, "hear, hear," or "question," while another member was making a speech.

HON. F. T. CROWDER: The great majority of people were penalised under the present liquor law. To the working classes, who were the bone and sinew of the colony, the daily beer was of as much importance as the daily bread; and surely hon. members would not argue that, because one day in the seven was Sunday, beer was less of a necessity on that day.

HON. C. E. DEMPSTER: People could do without beer on Sunday.

HON. F. T. CROWDER: Sunday was the day of rest, and, more than all, was it the day of rest for the working man. The laws ought to be framed in such a way that working men could remain with their families on Sunday; and that could be brought about by opening the hotels for certain hours on Sunday, so as to enable the working man to procure his beer and have it at home. It might be urged that could be done under the present Act; but let hon. members buy a pint of beer on a Saturday night and drink it with their dinner on Sunday. If any person who did that did not lose

his dinner, or require a doctor, he must have a cast iron stomach. The drink of working people was draught beer, and this must be consumed immediately after being drawn.

HON. R. S. HAYNES: Some beer was bad before it was drawn.

HON. F. WHITCOMBE: Had Mr. Haynes suffered much?

HON. F. T. CROWDER claimed to have made a study of this question in all its bearings, and the conclusion he had come to was that the present Act was most demoralising. It compelled men to break a law to get that which was necessary. How could a man keep his self-respect when he had to sneak down back lanes, and through back doors, and, in many instances, deliberately lie to the landlord, before he could procure what he desired? Such a state of affairs was most undesirable. The present law was not carried out; in fact, it was a dead letter, and ought to be struck off the statute book. Only a fortnight ago there was a long discussion in this House on an amendment of the Police Act, the amendment specially referring to betting on racecourses. It was then argued that, inasmuch as the present Betting Act was a dead letter, it ought to be repealed, and it was repealed; and the licensing law was on all-fours with the betting law. He did not see a respectable man was breaking any law by entering a hotel on Sunday and ordering a glass of beer. A man had as much right to enter a hotel on Sunday and order a drink, as to enter a restaurant and demand his dinner. No Act of Parliament could stop a man from longing for that which he had every day in the week, nor could the law lead a man into a better way, when the front doors of hotels were closed on Sundays while the back doors were left open. Such, however, was the state of affairs under the present Act. The sly grog-shops of Perth and Fremantle were virtually the outcome of the restrictions on the Sunday liquor trade.

HON. A. B. KIDSON: Where were the sly grog-shops?

HON. F. T. CROWDER: There were dozens of them, and the hon. member knew a lot of them.

HON. A. B. KIDSON: All that was asked for was information, seeing that the hon member seemed to know a great deal about the matter.

HON. F. T. CROWDER: Sly grog shops were the outcome of the present stringent Act. The working classes finding it a trouble to obtain drink on Sunday, and having regard to the risk of legal proceedings, looked for places where they could get their liquor without any trouble or risk, and they quickly found it where the police could not find it—at the sly grog-shops. The police knew, and hon. members must have heard that no end of bad spirit was being manufactured in this colony. The police could not find out where this bad spirit was disposed of but he himself fancied most of it found its way to the sly grog-shops. The only way to stop these shops was to allow hotels to be open during restricted hours on Sunday.

HON. A. P. MATHESON: Did sly grog shops only open on Sunday?

HON. F. T. CROWDER: Sunday was about the only day on which sly grog-shops sold liquor; at any rate it was on Sunday they did the biggest trade; and if hotels were open on Sundays, sly grog-shops would not be able to sell. Men would not go into hovels and drink bad liquor, when they could go into proper hotels and get good liquor. To remove the present restrictions from Sunday trading would be trying no new experiment. There was limited Sunday trading in England, and, from what he could find from reading, drunkenness had greatly decreased since that law had come into force in the old country. If that were a fact, and there was no reason to believe that it was not a fact, we in this colony could not be going so far wrong in giving a similar law a trial here. In granting this liberty to the subject there would be no treading on the toes of Sabbatarians, because the hours set forth in the new clause would not interfere with people who were attending church. His knowledge of the licensed victuallers of Western Australia, founded on an experience of over 20 years, showed them to be a straightforward, honest law abiding class. He was perfectly aware that amongst them could be found some black sheep, but that could be said of every class of society. The licensed victuallers, so far as he knew, always en

deavoured to uphold the law, but they found it impossible to do so in regard to Sunday closing. In the first place, they were compelled to supply *bona fide* travellers with drink on Sunday, and how were they to know who was a *bona fide* traveller excepting by taking his word? As a rule, they took the traveller's word, and in many cases the police stepped in, and at the expense of £50 the publican found that the gentleman he had served was not a *bona fide* traveller. Competition was as keen in the hotel business as in any other businesses. If a publican would not take the risk of supplying on Sunday the customers of his house during the week, these customers took their trade elsewhere. Indeed, from whatever point of view the present law was looked at—from the point of view of the licensed beersellers, or that of the consumer—it was thoroughly demoralising. The Premier, who was a clear-headed, common-sense man, had, in reference to this question, said that, so long as a man behaved himself, there was no reason why he should not be allowed to get a glass of beer on a Sunday. The Premier went further and said that, so long as a man behaved himself, he saw no reason why the law should interfere in the matter. That was a common sense view, and that was the view hon. members should take. There was no reason whatever, so long as a man behaved himself, why he should not have a glass of beer on a Sunday, in the same way as on any other day. No matter what law was passed, there were certain classes of people it would be impossible to please. He referred to the people who, while preaching temperance, were very intemperate in the way in which they approached the question; and those were the people who, in their narrow-mindedness, condemned the Premier for his straightforward, honest remarks in regard to the Sunday closing question. He trusted that members would give the proposed clause a trial. If the clause did not succeed it would be very easy to repeal it; but he felt confident, from the study he had given to this question, that if restricted hours of trade were allowed on Sunday, it would better the state of affairs now prevailing in Perth, Fremantle and elsewhere, because there would be less drunkenness. The drunkenness in Perth on Monday morning was, in many instances, the direct result of drinking poisonous grog on the Sunday. The man who sneaked into a hotel on a Sunday, as he had to do at present, felt he might have no other chance of a drink that day, and very often took a drop too much. But in any case a man had a perfect right to get his beer on a Sunday, the same as any other day. Hon. members were all in a position to keep in their own houses what they required on a Sunday, and in the name of justice and morality, he asked them to pass this clause.

HON. D. K. CONGDON supported the new clause. Hotels were public conveniences, and hon. members had been told that now the public had to sneak into the back doors of these hotels to get what they required on a Sunday. That was a very wrong state of affairs, and he saw no reason why these restrictions should be thrown on consumers of liquor. His own conviction was that the fewer restrictions on the liquor traffic the better for the consumer, and also for the hotelkeeper. In London the hotels were open during certain hours on a Sunday, and he himself saw very little drunkenness, either in London or in the country districts of England. He remembered the time when public houses in Perth used to be kept open on Sundays during certain hours, and he was speaking only of what he saw when he said there was no greater drunkenness then—in fact, he believed there was less drunkenness than now.

HON. A. B. KIDSON: Before hon. members pledged themselves to vote for the new clause, they ought to consider fully what the purport of that clause really was. The clause opened the door to what might be a very great evil. It would enable public-houses and hotels to be open for four solid hours on a Sunday for the consumption of liquor: and was such a state of things advisable? He agreed with a great deal that had been said by Mr. Stone and Mr. Congdon as to the difficulties surrounding this question. The safeguards which existed to-day were practically abortive. That was the conclusion he

had come to, not in a moment, but after a long acquaintance with the Act and with the manner in which it had worked. Persons who regarded the question from an unbiassed standpoint could come to no other conclusion than that, by some means, the present evils ought to be checked. This Sunday opening question should not be looked on in the light of a benefit to the working class or to the hotel keeper. The question was, would it lessen the evils which existed at the present time?

HON. D. K. CONGDON: It would be a public convenience.

HON. A. B. KIDSON: It would be a public convenience to a certain extent, but, at the present time, *bona fide* travellers could obtain what they wanted on a Sunday. What was really wanted was to check the evils of secret Sunday trading. The hours proposed by Mr. Stone were too long, and would have the effect of creating a very large amount of drunkenness. It was not pleasing to contemplate the number of persons who would take advantage of the opening of public houses for the long hours proposed, when they ought to devote their time to their families at home. Some remedy was necessary, and public houses should be kept open on Sundays for a certain time in order to do away with the present difficulties. Instead of men being allowed, as at present, to drink in secret, public houses ought to be open for such a time as, in the opinion of Parliament, was fair and reasonable, but four hours was far too long. The argument used was that public houses should be open to enable working men to obtain their beer, but it struck him as rather an anomaly that working men should require two hours in which to obtain beer to take home.

HON. F. WHITCOMBE: It was not proposed to open the public houses for the convenience of only one man.

HON. A. B. KIDSON: But everybody did not go to the same hotel. The longest period which he felt justified in supporting was two hours, and before sitting down he intended to submit an amendment in that direction. He did not take the same view in regard to the necessity of the amendment as did Mr. Stone, but on the ground of expediency he considered it better that the light of day should be let in on Sunday drinking. No doubt drinking on Sundays did take place in secret, and it was almost impossible for the police to obtain convictions; and when convictions were obtained in the police court, in nine cases out of ten there was an appeal to the Supreme Court. The police were disheartened, and the result was that Sunday closing of public-houses was not observed. Sooner than have the present state of affairs—when magistrates were heard stating there was more drunkenness on Sunday than any other day——

HON. F. WHITCOMBE: Owing to the restrictions.

HON. A. B. KIDSON: Something ought to be done to relieve the evils he had indicated; and it could not do much harm to open public houses for two hours on Sunday, if the penalties in connection with a breach of the law were made very severe, not only on the hotel keeper, but also on the customer who got drink after hours. The provision as to *bona fide* travellers was practically no good, because all who wanted drink would say they had travelled the statutory three miles, and it would be impossible to get a conviction. The amendment he intended to move was that the hours for opening public houses on Sunday should be from 1 o'clock till 2 o'clock in the afternoon, and from 8.30 to 9.30 in the evening.

HON. R. S. HAYNES: The hours ought to be 8.30 to 10 o'clock in the evening.

THE COLONIAL SECRETARY: Then the public-houses would be open just as people were coming out of church.

HON. A. B. KIDSON offered to alter the amendment so as to provide that public-houses on Sunday should be open from nine to ten in the evening; thus the opening hours would be outside church hours. It must not be forgotten that hon. members had conscientious scruples about public-houses being open during church hours, and these scruples ought to be considered. No doubt hotels might be allowed to remain open until half-past ten on the Sunday evening, but the amendment went far enough, and seemed to be the only way out of the present difficulty. Neither the public nor hotel keepers could complain if houses were allowed to remain open during the hours he had suggested. H

moved, as an amendment, that the words, "three o'clock in the afternoon and eight" be struck out, and that the words, "two o'clock in the afternoon and nine" be inserted in lieu thereof.

THE COLONIAL SECRETARY: In Western Australia before 1872 public-houses were allowed to keep open from one o'clock to three o'clock on Sundays, and under these circumstances a state of affairs arose, not only in the city but in other parts of the colony, which became a discredit to the community. Men, who did not want dinner beer, were induced to visit public-houses in fact, he doubted very much whether any men did go for dinner beer. Men rushed into the public-houses knowing they had only two hours in which to enjoy themselves. The result was that no person could go through the streets of the city, even in St. George's Terrace, without meeting drunken men. Public opinion was aroused, and a Committee appointed, of which the President of the Council (Sir George Shenton) was a member; and that Committee after careful inquiry recommended that public houses should be closed on Sundays. Every publican in Perth signed a petition to have hotels closed; and what he had now stated was the history of the present Act. There was no doubt, however, that within the last few years secret drinking had been carried on, though for a long time the Sunday closing law answered admirably. There were hotel-keepers in this city who never sold a glass of beer to anyone except lodgers or those whom they knew to be *bona fide* travellers. In England, the hon. member must have gone about with his eyes shut. Many years ago public-houses were closed in England during divine service; and it was the practice of the churchwardens in the village where he (the Colonial Secretary) lived to steal out during church hours and go in at the back doors of the hotels, and the churchwardens always found men in the hotels drinking. Some people loved to drink on the sly. They could get a drink after church hours, but they would go and drink on the sly during church hours. If this clause became the law the publican would have a difficulty in getting rid of men who went into the hotel during the hours it was open. People would remain on the premises. They would not be satisfied with one hour's or two hours' drinking, therefore the opening of hotels would be an evil. This was distinctly a retrograde step. Public feeling was growing on the question of the observance of the Sabbath. His own opinion of the Lord's Day, as it was called, was that it was the charter of our liberties. It had done a great deal for the country, and the observance of that day would do a great deal more yet. Hotel-keeping was a business that had always been considered by the Legislature, and politicians, and statesmen, as requiring some restrictions. It was such a trade that, unless restricted, and unless carefully guarded, and watched over, would become detrimental to the best interests of the community. We should restrict the trade within fairly reasonable limits. It was said that we could not make people sober by Act of Parliament. His answer to that was that we could not make people honest by Act of Parliament, yet we passed laws to punish men who steal, or who committed many other offences. The argument in favour of opening public houses in the interests of the people would not bear investigation. It was not in the interests of anyone to go into a hotel on Sunday to drink, or to encourage a man to leave his family and go to a public house bar and take a drink, which was followed by another drink, till the man could not find his way home. That man was robbing his family of his earnings. It was said this new clause was in the interests of the working men. He did not think it was. Some working men for the sake of something better to do drifted into hotels. He (the Colonial Secretary) went about town on Sunday; and he could point to several hotels where the law was broken. Some hotels were conducted in a proper way. The difficulty would be overcome if we took away from the publican the obligation of supplying the liquor to *bona fide* travellers.

HON. R. S. HAYNES: The publican was not bound to sell to travellers.

THE COLONIAL SECRETARY: The publican was.

HON. R. S. HAYNES: Not liquor.

THE COLONIAL SECRETARY said from his reading of the Act the publican

was compelled to. If he was not there was no justification for opening the hotel at all on a Sunday. There was no logical reason for adopting such a clause as this proposed. If we allowed hotels to open on a Sunday, why should not the blacksmith and the carpenter work on a Sunday? Why should not the grocer, the draper, and the butcher carry on their trade on the Sabbath? Why not open the banks and the insurance offices?

HON. R. S. HAYNES: And the printing offices for instance.

THE COLONIAL SECRETARY: Unfortunately the printing offices did carry on their business, and he did not think there was any necessity for it. He was afraid the Legislature were responsible for some of the work done at the newspaper offices, inasmuch as it was necessary to print *Hansard* on a Sunday. There had been a request in another place that *Hansard* should be published weekly; and that necessitated what he considered an improper practice of printing on a Sunday. The opinion of the country was opposed to the opening of hotels on the Sabbath, and that principle was growing. He entirely agreed with all those who thought that there was no necessity, either in the interests of the publicans or the working men that hotels should be opened on Sunday; and if hotels were not compelled to serve travellers that lessened the reason for opening. With regard to carrying out the law, there had been some laxity, but he did not know who was responsible for that. Mr. Kidson had said that some of the convictions obtained in the lower courts had been quashed in the higher courts.

HON. R. S. HAYNES: Very few of them.

THE COLONIAL SECRETARY said he regretted that there had been an expression of opinion from some quarters in this city in favour of hotels being allowed to serve customers on a Sunday. If we allowed hotels to open we should place a danger in the way of honest publicans who desired to keep the law. Public houses, as a rule, were open from 6 o'clock in the morning in the summer time until 11 o'clock at night.

HON. R. S. HAYNES: Twelve o'clock in places.

THE COLONIAL SECRETARY: That practically meant that persons employed about a public house—the publican, his wife, his servants, and his barmen—had to attend at least eighteen hours a day in the hotel. We passed a Bill through this House only lately, limiting the hours of labour to eight hours a day in certain trades; and now we were asked to add to the eighteen hours which those engaged in public houses worked, by adding other hours on Sunday. His own idea was that the publican should be relieved from selling at all on a Sunday except to his boarders. If he were a publican he would place the public house in the hands of somebody, and go away on the Sunday, so that the temptation placed before him to open his hotel would not be irresistible. If he (the Colonial Secretary) had his will he would soon put an end to this drinking on a Sunday. He would place a policeman in charge of the bar on a Sunday, and thus take care that no drinking was carried on on the Sabbath. He would lock the bar up and place a policeman in charge. He was afraid the millennium had not come yet, and therefore he might be expecting too much, but there were ways in which the liquor trade could be restrained. If the law were carried out and public opinion were aroused it would have a very great effect indeed upon Sabbath drinking. It had been mentioned by Mr. Congdon that the opening of the hotel was in the financial interests of the publican: but he (the Colonial Secretary) did not think anyone desired to increase his substance by violating the law or trading on a Sunday, because the publican was trading; he was selling his wares. The temperance bodies were not the only people who were opposed to the opening of hotels. There was a large section of the community who were opposed to it. Those who had families, and who had been in this colony bearing the heat and burden of the day, and who desired to rear their children to become useful citizens, opposed it, as it was seriously detrimental to them. He asked members to pause before they followed a member who proposed that public-houses in this country should be open for four hours on a Sabbath day. It was only misleading to expect that drunkenness would be diminished by the course proposed, which, in fact, would place additional temptations in the way, and

make it more difficult for the publican to clear his house at the hour appointed. He urged the rejection of the clause in as forcibly a way as he could, and with the utmost sincerity, as an old resident of the country who had seen both sides of the question.

HON. F. WHITCOMBE: The Colonial Secretary did not appear to be stating a historical fact, when he stated that the opening of hotels on Sunday led to increase of drunkenness.

THE COLONIAL SECRETARY: It was his experience of the city of Perth he had laid before the Committee.

HON. F. WHITCOMBE: If that was the experience in Perth 25 years ago, the experience of older countries was that where restrictions were most removed from the sale of liquor, there was the less drunkenness. In countries where hotels were absolutely thrown open from week end to week end, there was less drunkenness than where hours were limited. And if the Colonial Secretary had taken trouble to look into the question he would have found that was a fact, although he was now shaking his head in the most solemn manner. It was to be regretted the Colonial Secretary sought to compare Perth or Western Australia of to-day with Perth or Western Australia of 1872. The people generally, or the working classes, at any rate, were now of a much better moral standard, and in every way more respectable than they were 25 years ago. A very large portion of the community at that time were those who had lost that self-respect which kept a man from drunkenness. Under the clause proposed, the publican would have no greater difficulty in getting rid of persons in his hotel at closing hours than he had under the present law. If it were known that penalties were to be increased for trading during prohibited hours, there would be less difficulty than was anticipated by the Colonial Secretary. The persons who would frequent hotels on Sunday would not be the class the Colonial Secretary feared, but would be in all probability the regular customers of the house during the week, who looked on the house as a sort of club. The clause would enable people to convert the hotel into what would be more of a club than was possible under the present law. Most hon. members of this Chamber had places of resort on Sunday, partaking in almost every respect of the nature of hotels, where they could obtain anything they required. A large proportion of the population of Perth consisted of the working classes who were most of them in lodgings, and, if the clause were passed, these people would, in a limited sense, have the privileges of a club, which at present were only enjoyed by well-to-do people who could obtain refreshments all night and all Sunday if they wanted. The opposition to the amendment was more due to the opposition to the class which required the legislation than to any desire to maintain so-called Sabbath observances. If Sabbath observances were the only question to be considered, that could be better obtained by allowing certain hours during which refreshments could be had, than by prohibiting the sale of drink altogether, and thus forcing people to surreptitiously obtain what they wanted. One way of meeting the difficulty would be the establishment of similar institutions to those of the social club, but that of course was impossible; and the simplest way offered was that contained in the clause. If the clause were passed, it would be necessary, or, at any rate, desirable, to amend section 61 of the original Act, and make the penalties for Sunday trading more severe, extending them to the consumer as well as to the vendor. The late Sir William Fox was one of the most prominent temperance advocates in the colonies, and, after many years consideration of the question, he came to the opinion that Sunday trading could never be put an end to, and he went so far as to advocate the opening of hotels on Sundays during limited hours, while greatly increasing the penalties for breaches of the law. Had the suggestion of Sir William Fox been adopted, the present difficulty of Sunday trading would not have arisen, because the sale of drink during prohibited hours would have been absolutely unknown. As to the large public opinion of which the Colonial Secretary had spoken, it was pretty well known it came, to a considerable extent, from an association which had its domicile in a large building in Barrack-street. People imbued with

the ideas of 1872, and prior to that, who had been brought up to believe that no more was required on the Sunday than a solemn walk from home to church and back again, were not inclined to allow other people any more privileges than they wished themselves. Anybody brought up with those ideas would be unwilling to allow any more liberty to men of more recent ideas. But it was necessary that the colony should march with the times, and, if the population had to be kept here in peace and quietness, they must be given what they in reason demanded, or, at any rate, some advance made towards them. The Sunday opening of public houses had been demanded for many years in the other colonies, and had been obtained in England. The publicans did not ask for Sunday opening, except as a protection for themselves. Every hotel keeper in Perth and in the country was pestered from comparatively early on the Sunday morning until a late hour in the evening to supply refreshment to customers.

HON. C. E. DEMPSTER: They would be better without it.

HON. F. WHITCOMBE: The people themselves were the best judges of that. If there were not these public demands hotel keepers would not desire Sunday opening; but, as the demand was there, they desired to protect themselves. If a similar demand were made in the case of drapers, or any other trade, by customers as a whole, no doubt a measure would be brought forward to that effect, and probably carried without any trouble. There would not be the same conscientious scruples against selling drapery goods as were found against selling liquor.

THE COLONIAL SECRETARY: There were better arguments than that used against Sunday trading.

HON. F. WHITCOMBE: There might be better arguments on different subjects. The evil of the present method of Sunday trading could not be denied, and he was glad to see the principle of the new clause had been accepted, even by the supporters of the amendment to that clause. The principle of Sunday opening had apparently been agreed to, no one with the exception of the Colonial Secretary having suggested the principle was wrong.

THE COLONIAL SECRETARY: Hon. members should be given time to express their opinions.

HON. F. WHITCOMBE: Judging by what had happened in the past, there were hon. members who would rather give a silent vote than express their opinions on this question. Four hours was by no means too long to allow hotels to be open on the Sunday. He would prefer to see houses allowed to open at an earlier period of the day, say, during the morning. Two hours at a time was not too long if a house had to be open at all, and it seemed to be admitted that public houses should be open for the purpose of meeting the demands of the public. It was not with the idea of gain that publicans, for the most part, indulged in the present illicit traffic. If a vote were taken of all the publicans in Perth, none he believed would be even in favour of Sunday trading, provided means could be found whereby an incessant demand by customers could be stayed. Publicans would no doubt like to have Sunday to themselves, but they were afraid to leave their premises lest their servants, through want of caution or knowledge, committed a breach of the law, and so made them liable to penalty.

THE COLONIAL SECRETARY: A publican could lock his house up.

HON. F. WHITCOMBE: And then lodgers who wanted beer for their dinner would not be able to get it. He wanted to give the publicans a certain amount of freedom. He felt satisfied that a majority of members would take one step in advance and meet the demand made by a considerable portion of the community.

HON. A. P. MATHESON: Hon. members who had spoken had not convinced him that the remedy proposed was going to be any cure for the evil which existed. It had been pointed out that an unfortunate state of affairs existed, and that hotel bars were very largely filled through the back doors on Sunday. Mr. Stone suggested that hotels should be allowed to open during certain hours. That would not prevent the bars being crowded in the morning through the back door. Mr. Whitcombe was the only member who

had the courage of his opinion; and he went the whole hog. Mr. Whitcombe had stated that, to meet the case, hotels should be opened in the morning as well; and he (Mr. Matheson) cordially agreed with him. If hotels were to be used, we should go in for a wider class of legislation than that proposed; but when we came to face that proposition, hon. members were aware that public feeling would not permit any such legislation to be carried through at all. The result was that the promoters of this amendment were forced to confine the hours to a few in the afternoon, which would not remedy the evil, but would only give as a result a number of people flocking to a hotel during two or three hours in the afternoon; and there would be a great probability of beastly scenes in the streets afterwards. He was still open to conviction, if hon. members could convince him. As to the *bonâ fide* traveller portion of the clause, he could not for the life of him understand why a man who travelled three miles should be considered a *bonâ-fide* traveller.

HON. R. S. HAYNES: A man was a *bona-fide* traveller without that.

HON. A. P. MATHESON: Anyone who took a ticket from anywhere and travelled a short distance was a *bonâ-fide* traveller.

HON. R. S. HAYNES: A man did not want to take a ticket at all.

HON. A. P. MATHESON: A man might have gone a short distance.

HON. R. S. HAYNES: From here to the next street would be sufficient.

HON. A. P. MATHESON: It was perfectly clear to his mind that if a person travelled three miles he was not a *bona-fide* traveller. He was not a *bona-fide* traveller to the extent of requiring liquor.

HON. A. B. KIDSON: Supposing a man walked that distance.

HON. A. P. MATHESON: Then he did not require a drink.

HON. A. B. KIDSON: He might, on a hot day.

HON. A. P. MATHESON said he did not see that would improve the position in the least. Who was to be the arbitrator to test the statements of so-called travellers? How was the publican to do it? The publican would be in the same position as he was to-day.

HON. A. B. KIDSON: Liquors were sold on the steamers.

HON. A. P. MATHESON: That was so, he believed.

HON. A. B. KIDSON: Why not sell in a hotel, then?

HON. A. P. MATHESON: There was no reason whatever.

HON. A. B. KIDSON: Then the hon. member was supporting the amendment?

HON. A. P. MATHESON said he was not in favour of opening the hotels on Sunday for two hours so that there might be a rush. Mr. Whitcombe had said, keep the hotels open all Sunday. That was a logical position to take up. To open for two hours was not logical.

HON. A. B. KIDSON: Half a loaf was better than no bread.

HON. A. P. MATHESON: But the half a loaf in this case would represent no end of drinking, because people would rush into the hotels and fight for their drinks.

HON. R. S. HAYNES: As the law stood at present the proposed new clause would not make much difference to the publican or anyone else. The question of Sunday opening had agitated the public mind to a considerable extent; but we might as well try to mix oil with water as to make those who had views one way think in the opposite direction. It was perfectly immaterial to him whether the new clause were passed or not. The Bill had been introduced for a certain purpose, and he did not care whether this new clause was passed or not. By the present law the definition of a traveller was most unsatisfactory indeed. A person who went to a place a short distance from his home for the mere purpose of the walk was not a traveller, but the man who went to an inn for refreshment in the course of a journey, whether on business or on pleasure, whether on foot or otherwise, was a traveller. A person was a traveller if he was out in pursuit of health or pleasure, but not if he went abroad for the purpose of going to a public house, and if a publican had reason to believe, when he supplied the refreshment, that he was supplying a traveller, he ought not to be convicted. A person who was taking a ticket for a

journey by railway at the usual time before the starting of the train was a traveller within the meaning of the Act. Persons arriving by train at a railway station distant a mile from the town in which they resided, and persons resident in the town who went to the station for the purpose of meeting the train were travellers. These were the definitions of travellers which had been decided by the court. These decisions had been given in England. In no instance within his knowledge—and he had a pretty good memory of the cases which had been decided—had the court set aside a conviction of a magistrate for Sunday trading. In cases of selling without a license the court had upset convictions, but in no instance had the Supreme Court set aside a conviction for Sunday trading within his knowledge. If the Committee proposed to limit the distance and made the distance three miles for a *bona fide* traveller, then the Committee ought to open the hotels during certain hours.

HON. C. E. DEMPSTER: Nothing of a beneficial character would come from Sunday trading. He agreed with the remarks of the Colonial Secretary with regard to drinking on Sunday. Sunday was a day of rest; and it should be a day of rest to the publican and all his employees, who required as much rest and relaxation as anybody else. Therefore we should be wrong in allowing the publican to sell on Sunday.

HON. F. T. CROWDER: It was impossible to give the publican rest.

HON. C. E. DEMPSTER: If the publican was not compelled to open on Sunday he would have rest.

HON. F. WHITCOMBE: What about his boarders?

HON. F. M. STONE said he was willing to accept the amendment proposed by Mr. Kidson.

Amendment (Mr. Kidson's) put and passed.

New clause as amended put, and division taken with the following result:—

Ayes	7
Noes	5
Majority for	2

Ayes.	*Noes.*
Hon. H. Briggs	Hon. C. E. Dempster
Hon. F. T. Crowder	Hon. W. T. Loton
Hon. R. S. Haynes	Hon. C. A. Piesse
Hon. A. B. Kidson	Hon. E. McLarty
Hon. F. M. Stone	Hon. G. Randell
Hon. F. Whitcombe	(Teller)
Hon. W. Spencer	
(Teller)	

Question thus passed, and the clause added to the Bill.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 9.50 p.m. until the next day.

Legislative Assembly,

Tuesday, 6th September, 1898.

Papers presented—Question: Gold Export and Divulging of Information—Question: Fremantle Harbour Works, Dredging—Question: Peak Hill Goldfields Company, Charge against Warden—Reappropriation of Loan Moneys Bill, in Committee (resumed); Third Schedule, Division on item, Mount Leonora Railway Survey; progress reported—Adjournment.

THE SPEAKER took the chair at 4.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: Perth Public Hospital, Report for 1897-8.

Ordered to lie on the table.

By the MINISTER OF MINES: Kingsley Hall Reward Gold Mine, Papers *re* Non-forfeiture. The MINISTER stated that these papers, being required by the Department, should be returned at an early date.

THE SPEAKER said hon. members might inspect the papers, but that they need not be formally laid on the table,