

the correct thing to do, after the expression of opinion on the subject of increasing salaries which the Government communicated to the House.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) thought, in the face of the terms of the despatch from the Secretary of State, that it was not the intention to increase the salary attached to the office of Colonial Treasurer, but merely to increase the salary of the present holder of the office (Mr. Lefroy), in consideration of his long services. He thought that was a view of the question that ought to be considered by hon. members in dealing with this item.

THE COLONIAL SECRETARY (Hon. M. Fraser) said, if the hon. member for the Swan pressed his motion to strike out the item, he must divide the committee on the question.

The committee having divided, there appeared—

Ayes	13
Noes	7
			—
Majority for	6

AYES.
Mr. Brown
Mr. Carey
Mr. Crowther
Mr. Glyde
Mr. Grant
Mr. Higham
Sir L. S. Leake
Mr. Marmion
Mr. McRae
Mr. Shenton
Mr. Venn
Mr. Wittenoom
Mr. Steere (Teller)

NOES.
Hon. A. P. Hensman
Hon. J. H. Thomas
Hon. J. Forrest
Mr. Burgess
Mr. Hamersley
Mr. Randall
Hon. M. Fraser (Teller)

The item was therefore omitted, and a vote of £1,270 granted for the Treasury Department.

Audit Department, Item £1,125:

Agreed to, *sub silentio*.

Survey Department, Item £14,197:

MR. CROWTHER moved that progress be reported, and leave asked to sit again next day.

Agreed to.

The House adjourned at a quarter before midnight.

LEGISLATIVE COUNCIL,

Thursday, 30th August, 1883.

Eastern Railway Terminus Bill: in committee—Propagation of Oysters—Loan Estimates: in committee—Land Grant Railways Schemes: referred to a select committee—Message (No. 32): Forwarding Secretary of State's Despatch as to terms upon which Responsible Government would be granted—Message (No. 33): Forwarding correspondence with Crown Agents relating to result of placing Loan upon the London market—Consideration of Message (No. 31): Hydrophobia—Consideration of Report of Select Committee on Land Regulations: adjourned debate—Imported Labor Registry Bill: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

EASTERN RAILWAY TERMINUS BILL.

This Bill passed through committee, *sub silentio*.

PROPAGATION OF OYSTERS.

MR. GRANT, in accordance with notice, moved an address to the Governor praying that he will be pleased to place a small sum of money on the Estimates to try the experiment of introducing the edible oyster, and also the mother-o'-pearl shell of commerce, into the waters in the vicinity of Perth and Fremantle. The hon. member said it had often occurred to him that the oyster, which was so plentiful in some parts of Australia, might be successfully cultivated in these waters. There was evidence to be seen on all hands that at one time oysters must have been plentiful enough in the River Swan, and he saw no reason why they should not become plentiful again. He was also of opinion that the pearl-shell oyster might be successfully introduced into our waters, in this part of the colony. The experiment at any rate would not cost much—probably £50 or a £100 at the utmost. He thought, however, the experiment ought to be persevered in for two or three years, and not given up at once in the event of failure at first.

MR. MARMION thought the experiment was well worthy of consideration, and he saw no reason why both the edible oyster and the pearl-shell oyster could not be reared in these waters.

THE COLONIAL SECRETARY (Hon. M. Fraser) said provision was already

made on the Estimates for acclimation purposes, and he thought, if there should be any funds available, the experiment of introducing the edible oyster might well be attempted. He was rather sceptical, however, as to the pearl oyster, and he thought it would be better to limit the experiment to the more delicious bivalve, and, if £50 would do it, he considered it would be well worth trying.

MR. GRANT said he had no wish to press the latter part of his motion, and, for the present, he would be content to confine the experiment to the edible oyster.

MR. CAREY was informed that in some parts of the River Swan, between Perth and Fremantle, oysters could now be found, and he thought there was every prospect of the experiment proving successful, if proper care and attention were bestowed upon it.

The words "and also the mother-o'-pearl shell of commerce" having been expunged, the resolution was adopted.

LOAN ESTIMATES, 1884.

The House then went into committee for the further consideration of the Loan Estimates, for 1884.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the Estimates as now presented were, so far as he was aware, framed exactly in accordance with the provisions of the Loan Control Act, and were in the same form as similar Estimates were submitted annually in the South Australian Parliament. It would be observed that they were divided into three divisions: the first giving a summary of the total amounts proposed to be expended out of loans during the year; the second giving the name and salary and allowance of each officer to be paid out of loan money, and the third giving details of the loan works in progress. As the items contained in the 3rd division embraced the whole of the various items embodied in the other divisions, he proposed that the 3rd division be taken into consideration.

This was agreed to.

Eastern Railway, Item £128,400 :

MR. STEERE would like some explanation as to the allowances provided for the engineers and inspectors employed on the line.

THE COMMISSIONER OF RAILWAYS (Hon. J. H. Thomas) said it was usual to make allowances to these officers when on duty in the field, and their travelling expenses were also paid. Generally speaking, these charges were made up out of these field allowances.

MR. STEERE asked whether the same number were now employed as it was in contemplation to employ when the extension is carried out?

THE COMMISSIONER OF RAILWAYS (Hon. J. H. Thomas) : I consider that the present staff is insufficient, and also that the staff now put down is insufficient. In the other colonies there is usually a Resident Engineer for every twenty miles of line and an inspector under him, which I think is sound economy. The colony may lose a great deal more than the amount of a man's salary for the want of proper inspection, and I should have liked to have had more inspectors provided for in these Estimates, but, knowing the feeling of the House as to increasing the staff of officers, I have hesitated to ask for more. At the same time I feel bound to say that we may lose thousands of pounds for the want of proper and adequate inspection.

The item was then put and passed.

Northern Telegraph Line, Item £30,335 :

MR. SHENTON asked for some explanation as to the item of field allowance provided for the surveyor and his assistant employed on the construction of this telegraph line.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the allowances were framed in accordance with the resolution of the House, that officers employed on surveys in the Northern District should receive a field allowance, during the time they were actually in the field.

MR. MARMION asked if the item £150 per annum for allowances was intended to cover the cost of this officer's equipment?

THE COLONIAL SECRETARY (Hon. M. Fraser) said the officer in question was asked to undertake the position upon these terms, and it was upon these terms that he consented to do so.

The vote was then agreed to.

Jetty Accommodation at Fremantle, Item £2,420 :

MR. SHENTON said a sum of £4,000 was voted last session for this work, which now seemed to have been reduced to £2,420; what had become of the balance? There was a sum of £1,580 not accounted for.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. H. Thomas) said this sum of £1,580 was the estimated expenditure for this year (1883), in view of the engagements already made. The money had not yet been spent, but they had called for tenders for the sleepers, and he expected to have it expended before the close of the year. The sum now on the Estimates was intended for next year.

The vote was then passed.

New Public Offices, Perth, Item £1,485
Os. 9d :

MR. STEERE asked whether this estimated balance available for the completion of the buildings included the amount paid back to Loan this year out of general revenue?

THE COLONIAL SECRETARY (Hon. M. Fraser): The intention is that the general revenue shall recoup the advance previously made out of Loan, but this balance is the remaining available portion of the re-appropriated loan.

The vote was then put and passed.

Extension of Bunbury Jetty, Item £500:
Agreed to, without comment.
Estimates reported.

LAND GRANT RAILWAY SCHEMES.

ADJOURNED DEBATE.

MR. STEERE said as it was desirable that a letter received from Mr. Hordern, dated 7th July, should be referred to the members of the select committee who had reported on the various schemes of railway construction before the country, and as that select committee was defunct, and it was desirable to resuscitate it, he begged to move that the order of the day for the further consideration of the question be discharged, and that it be, in conjunction with Mr. Hordern's letter of 7th July, referred to a select committee; such committee to consist of the Commissioner of Railways, the Commissioner of Crown Lands, Sir T. C. Campbell, Mr. Brown, Mr. Marmion, Mr. Randell, Mr. S. H. Parker, and the mover.

Agreed to.

MESSAGE (No. 32): RESPONSIBLE GOVERNMENT.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"The Governor has the honor to lay before the Honorable the Legislative Council a despatch* (No. 109, dated the 23rd ultimo) which he has received from the Right Honorable the Secretary of State for the Colonies, and which has reference to the resolution passed by the Council on the 18th of April last, inquiring as to the terms and conditions upon which Her Majesty's Government would grant Responsible Government to this Colony.

"Government House, Perth, 30th August, 1883."

*See Sessional Paper A21.

MESSAGE (No. 33): CORRESPONDENCE RE LOAN.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"The Governor has the honor to inform the Honorable the Legislative Council that advices have been received from the Crown Agents for the Colonies, stating that the result of placing upon the London market the Loan of £254,000, authorised by Act 46 Victoria, No. 22, of 1882, has been the allotment of 4 per cent. Debentures for £100,000, at an average price of £96 15s. 9½d. per cent., realising £96,791 5s. 6d.

"The correspondence is attached, for the information of the Council.

"Government House, Perth, 30th August, 1883."

CONSIDERATION OF MESSAGE (No. 31) RE HYDROPHOBIA.

The House then took into consideration the Message received from His Excellency the Governor, relating to the adoption of measures to prevent the introduction of hydrophobia.

THE COLONIAL SECRETARY (Hon. M. Fraser) said an impression had gone abroad in the other colonies that the absence of rabies or hydrophobia in these colonies was due not to climatic or local influences, or to the fact that the disease could not exist here, but to the fact that the disease developed itself within a

shorter time—about six weeks he believed—than a vessel coming from England and other countries where the disease existed occupied in making the voyage out, so that, should a dog happen to be infected before he was put on board, the disease developed itself before he landed, and he would of course be destroyed. But in view of the swifter passages now made it was possible that rabies might be introduced into the colonies before the disease manifested itself, and, as His Excellency said in his message, the only really effectual means of preventing it appeared to be the absolute prohibition of the importation of all dogs whatsoever,—except from uninfected countries. Action had already been taken by the Victorian Government in the matter, and a suggestion had been made by that Government as to the desirability of the other colonies following suit, so as to prevent the introduction of this terrible scourge into any part of Australia. The question was, whether it would not be advisable for us here to adopt some preventive measure, prohibiting the importation of all dogs except from such colonies as may be protected by a like regulation. It appeared to him that, in the case of dogs introduced from Europe, every dog so introduced ought to be subjected to quarantine on its arrival here, and kept there until it was clearly shown that it was not infected. If the proposal met with the concurrence of the House he should be prepared, on the part of the Government, to bring in a Bill without delay to give effect to such a measure.

MR. STEERE said it was all very well for a colony like Victoria—a colony where they already had the very best strains and breeds of dogs—to pass a prohibitive measure against the introduction of dogs from abroad, for, in the case of that colony, there was no necessity for importing improved breeds; but he did not think the other colonies would be likely to fall in with the desires of the Victorian Government in this matter. At any rate, unless it were shown that there is a general consensus of opinion among all the other colonies in favor of joining with Victoria in legislating on the subject, he did not think there was any necessity for this colony to move in the matter. If the disease developed

itself within six weeks after a dog became infected, there was not much danger of its being introduced by any ships trading between England and this colony, while, as to the mail steamers, he did not suppose there was one dog a year so imported into Western Australia. Under these circumstances, he could hardly think there was any necessity for any legislation on the subject here.

MR. SHENTON said the colony would be perfectly safe as regards any danger from dogs brought from England by sailing vessel, and, as to the very few which were ever introduced by mail steamer, some provision might possibly be made for quarantining such dogs upon their arrival. He did not think the time of the House need be taken up in legislating on the subject at present.

MR. WITTENOOM thought the difficulties of the case would be met if His Excellency the Governor were, when he thought necessary, to publish a proclamation in the *Government Gazette*, prohibiting the introduction of dogs, except under certain regulations.

THE COLONIAL SECRETARY (Hon. M. Fraser) said it would be necessary to provide the Governor with power to do so. He was not aware of any Act now in force under which His Excellency could do what was suggested, and that was one reason why the subject had been brought under the attention of the Legislature. If the House decided that there is no necessity for adopting any legislation on the subject, of course the responsibility, in the event of rabies being introduced, would lie with the House and not with the Government.

MR. CAREY thought it would be a prudent step on their part to adopt some effectual preventive means in the matter. He was informed by the hon. member for the Gascoyne that two cases of hydrophobia had already taken place in the colony.

MR. BROWN said he was not quite sure that the disease from which the dogs referred to suffered was rabies, but it presented symptoms analogous to those of rabies. The dogs affected were undoubtedly mad, and his own opinion at the time was that they were suffering from that disease. One of them had been introduced from England. But he hardly thought in view of the other

important work before the House, which was already being hurried through—and there were several more important measures yet to be introduced which he was perfectly sure would not receive that full and careful consideration which their importance deserved before the Session closed, several hon. members having to return home, and others being apparently tired of the work; he said he hardly thought, in view of the other and more pressing matters demanding their attention, it was necessary to deal with this question at present. He would, therefore, move as follows: “That this ‘House, having considered His Excellency’s Message (No. 31), is of an opinion that it is not desirable to ‘legislate upon the subject referred to ‘therein at present.”

The resolution was adopted, *nem. con.*

LAND REGULATIONS: REPORT OF SELECT COMMITTEE.

ADJOURNED DEBATE.

The debate upon the report of the select committee on the subject of the proposed amendments in the Land Regulations for the Kimberley District and the prior claims of lessees of Crown Lands, which was adjourned on August 23rd, was resumed.

MR. CAREY, who had moved the adjournment of the debate on the ground of indisposition, said he might as well have endeavored to say what he had to say on the subject on that occasion, for he never felt less able, physically, to deal with the subject than he did at the present moment. Before entering upon the question under discussion, he might state that he had been somewhat astonished at the effort which had been made the other evening to prevent him from having an opportunity of speaking on the subject at all, by the opposition which had been shown to his motion for adjourning the debate. Since then he had made some researches among the records of the Lands Office, and obtained a few figures showing the quantity of land held by some of the hon. members who had opposed the motion for adjournment. He had done so for this reason, that he wanted to show—he attributed no motives to any man—but he wanted to show that those who so strongly supported the

recommendations of the select committee were interested in doing so. It was impossible for any man to divest himself of all feeling in a matter in which he was interested pecuniarily. He did not mean to say that hon. members were not legislating according to their lights and to the best of their ability, but it must be remembered that they looked at this matter through spotted spectacles, and their action reminded him of the action of the Irish Land Leaguers, who, under cover of doing a patriotic thing, were doing what hon. members were endeavoring to do in that House, to get their leases on very long terms, thereby depriving the landlord of any increased benefit from the land, the landlord here being the Crown, or in other words the public. From his researches at the Survey Office, he found that one hon. member who had taken a prominent part in the debate the other evening—the hon. member for the Swan—held no less than 101,000 acres of land, in as good an agricultural part as there was in the colony, in a district where there were thousands and thousands acres of agricultural land as good as any in the whole of Australia. There was quite as good land on the hon. member’s runs as on any of the celebrated Mount Gambier country in South Australia, and for all this large extent of land the annual rent paid only amounted to £101. A great deal of this land would be thrown open for agricultural purposes if it were not locked up, under the present land regulations, and the object of the proposed alteration in these regulations was simply to have the land locked up for another term of years. A station consisting of only 18,000 acres, adjoining these runs, was sold the other day for £7,000. True this included the improvements and also some fee simple land, but even taking the property to have been worth half that amount, without the improvements and the purchased land, it showed what ridiculously low rent was being paid for these runs. He was therefore not at all surprised that an endeavor should be made to have the present leases renewed on the terms it was now proposed to have them renewed. Something had been said in the course of the debate the other evening as to free selectors being nothing better than “rob-

bers and spoilers"—he believed it was the hon. member on his left, Mr. Burges, who applied that phrase to the small cockatoo farmer. He would remind the House that some of the best colonists that Western Australia had ever seen had sprung from the ranks of these "robbers and spoilers,"—such men as Padbury, Penny (whom the hon. member himself recommended to act as our immigration agent, when he went home last year), Marwick, Hinds, Gregson, Massingham, Barnes, Lott, Sermon, Taylor, Clinch, Macpherson, Seabrook, Chidlow, Macintosh, Dewar, York, Morley, Twine, Lockier, and the hon. member himself,—who commenced without flocks or herds, as a small farmer, but who having got to the top would fain kick the ladder away, lest anyone else should put a foot on it. If our lands in the past had been locked up in the way hon. members desired, and if free selection had been put an end to, would Western Australia have had such names as he had mentioned to boast of among its noblest colonists? Would many hon. members who had seats in that House have risen to the position they were in now, if they had been deprived of these privileges? The hon. member who stigmatised free selectors as "robbers and spoilers," held in his own name 94,200 acres of land—in how much more he had an interest in was unknown—and for this he only paid an annual rent of £94 2s. He felt sure if this land were to be put up at auction it would fetch five times the rent now paid for it, and why should not the country get the benefit? If these lands paid the State what they were really worth, we should not need to have a public debt, or at any rate the land revenue alone would more than cover the interest of our debts. They were told there was no good agricultural land in the colony, but how was it that in days gone by we used not only to supply enough corn for our own requirements but also export it. But those were days when the land laws of the colony were framed entirely without the aid of a Legislature such as we have now, when Western Australia was purely a Crown colony, when we had no squatting Council, when those who legislated for us were not imbued with those squatting proclivities referred to the other day by

the hon. gentleman the leader of the Government. But now we not only had a Legislature the majority of the members of which were gentlemen with squatting proclivities, we had a squatting Council pure and simple. There were very few members now who were not interested in the regulations which they proposed to make,—Messrs. Parker, Randell, and Crowther were perhaps the only exceptions. Even on the Executive bench there was an hon. gentleman largely interested in squatting, and, among the nominees, he even noticed the name of his hon. friend Mr. Glyde occurring over and over again, when he was prosecuting his researches among the records of the Lands Office. When we had not a squatting Council, the land laws were made by those who wished to push the colony ahead by encouraging agriculture, but, as the squatting element began to predominate, we closed upon the agriculturists until we drove them off the face of the earth, and we had very little of them now. Yet hon. members wanted to do away with free selection. By preventing free selection they virtually shut out the agriculturists altogether. He thought the best thing we could do was to leave the system of selling land as it now stood. The hon. member for Toodyay was another of those hon. gentlemen who had endeavored to prevent him from having his say on this subject the other night, and who wished to settle this most important question after a couple of hours discussion. This same hon. member had posed before his constituency as the agriculturist's friend, the "poor man's friend," yet, the other evening, the hon. member wanted to shut his mouth and to stifle discussion which might have a tendency to serve the agriculturist and to benefit the "poor man." He was not surprised at this when he found, on reference to the Survey Office, that the hon. member held no less than 134,000 acres in the Central District, 70,000 on the Sherlock, and 100,000 in the Kimberley, or a total of 304,000 acres, for which he only paid £176 10s. a year. [Mr. SHENTON: I have a great deal more than that.] That was quite enough for him. Over 300,000 acres of land, at a total rental of £176 10s.,—was it to be surprised that there should be a desire

on the part of hon. members to perpetuate the present order of things? Would ten times that sum be a fair rent for all this area of country? He did not think so. Before his constituents the hon. member appeared as the poor man's friend, but let him be judged by his actions in that House. Then again there was the hon. member for Geraldton, who was not satisfied even with a million and a half of acres. On the Murchison alone he held 55 blocks of 20,000 acres each, equal to 1,100,000 acres altogether, in addition to which he held 311,960 on the Sandford, and 250,110 acres in the Victoria district, making a total of 1,662,070 acres, for the whole of which he only paid a rental of something like £552 15s. Those fifty-five blocks on the Murchison alone would surely keep fifty-five settlers, the land in that district being, he believed, very good. This hon. member, also, had in his election speech posed before the electors as the poor man's friend, but, judging by his actions in that House, he would sweep all electors off the face of the earth. [Having read copious extracts from the speech referred to, and contrasted the statements which it contained with the support given by the hon. member to the proposals before the House, Mr. Carey, continuing, said] He next came to the hon. member for the North (Mr. McRae), another of those who wanted to lockjaw him the other evening. He found that this hon. member was so mixed up with others, that it was rather difficult to make out exactly what quantity of land he held, but he at least held 454,000 acres, the annual rental of which was £113 5s., and there was a great deal more in which he was directly interested, especially in the Kimberley district. As to the hon. member for Murray and Williams, who he was sorry was not in his place, that gentleman held millions of acres all over the colony, and had only lately taken up 1,340,000 acres in the Eucla district alone. The hon. member for Roebourne, again, was another who held millions of acres; in fact, seeing that nearly every member in the House was largely interested in these land regulations, he was not surprised to find that such views as he had enunciated were not likely to find much favor with them. He could

not help noticing, last night, how very strongly some hon. members opposed the granting of a reserve of 5000 acres to Messrs. Smith & Co., while, at the same time, they themselves held these enormous areas at a mere nominal rental, areas compared to which the reserve asked for by Smith & Co. was a mere drop in the ocean. The hon. member Mr. Burges had congratulated the squatters upon having in the present Commissioner of Crown Lands a gentleman at the head of the Lands Office whose views were entirely in accord with his own (Mr. Burges's). He was very sorry to think that was true, as to pastoral tenants at any rate. He was very sorry that the hon. gentleman referred to had so far forgotten the experience of his early days as to give the colony such an official report as the one referred to. He regretted to think that the liberal policy of the hon. gentleman's predecessor was not now the policy which ruled the Land Office. In the days of his predecessor (Mr. Fraser) the policy of the Crown Lands department was a policy which aimed at benefiting the small farmer as well as the big squatter, and the "poor man" in that gentleman had a true friend. He was sorry that the present holder of the office had so departed from the policy of his old chief as to declare himself openly the friend of the pastoralist. In his report the hon. gentleman said he thought the pastoral tenants of the Crown must have protection; he should have been glad to have heard the hon. gentleman say that the agriculturists also must have some protection. He noticed, with regard to the select committee's report, relating to the right of Crown tenants to renew their leases at the expiration of the present term, that not a word was said as to this right being confined to the Central District; therefore, he apprehended, if this report were adopted as it stood, this right of renewal would apply to all parts of the colony. That never was the intention when the matter was referred to the select committee. [The COLONIAL SECRETARY: Hear, hear.]

MR. BROWN: The hon. member perhaps will prove his assertion by reference to the records of the House, as to the intention. My impressions differ from his own.

MR. CAREY said it might be that

the hon. member for the Gascoyne was right, but, at all events, it was not the intention of the Government, when sending home these despatches, that the right of renewal should extend beyond the Central Districts. It was not the intention of Governor Robinson when he sent his despatch to the Secretary of State, and it was not the intention of the hon. member for the Swan when he first brought the matter forward. The intention then was to limit this privilege to the Central District alone, otherwise why have these two select committees, and two reports, when one would have answered every purpose? He should propose that any alteration made in the regulations to this effect shall be confined to the Central District, and that we should adopt the draft regulation sent out by the Secretary of State, which he thought was a just and fair regulation, and one to which no hon. member could reasonably object. The hon. member for the Swan stated that, under Responsible Government, we could not get such land regulations passed as we do now; perhaps not. Very probably not. If we had Responsible Government, the squatting element would not be able to protect themselves as they were able to protect themselves now, and the "poor man" then might perhaps have some representatives who would see that he also was protected. With regard to the Kimberley regulations, hon. members were aware that at one time he took a very strong stand against any modification of these regulations, and opposed any reduction in the number of stock required to comply with the regulations; but recently he had changed his views somewhat on that point, because he believed the Kimberley district was not the Paradise it had been represented to be. He thought the settlers there would not find it turn out such a valuable country as they thought it would. He noticed that the Commissioner of Crown Lands in his report of his visit to the district was very guarded; he did not describe it in the glowing terms they had been accustomed to, and he (Mr. Carey) thought there was every reason to suppose it would not turn out as it had been represented. Therefore he had not been so anxious now to take the same strong stand as he had taken in the past as to the stocking

clause and other conditions connected with the Kimberley Land Regulations.

Mr. STEERE said he intended to speak to the amendment submitted the other day by the hon. member for Perth—that the lessees of Crown Lands should have no pre-emptive rights; but he rose in the first place to protest against the very objectionable speech which the House had just listened to. He did not mean to say he objected to the matter of it,—the hon. member had a perfect right to say all he thought as to the Land Regulations; what he did think objectionable, and highly objectionable, was the manner in which he had held up almost every member of that House, or attempted to hold them up, to opprobrium. He should like to know what useful work that House could ever hope to perform if its members were to act in this manner towards each other. The hon. member said an attempt had been made to gag him. All he (Mr. Steere) could say was that in his opinion there was no truth in it, nor was there foundation for making such an assertion. He thought that, on the contrary, the hon. member had been treated with very great consideration in this matter: he had been allowed to do what no other Legislative Assembly in the world would probably have allowed him to do,—they had allowed him to postpone the discussion of this question week after week because (so he told them) his health was bad, and the hon. member had put forward the same plea that evening for not making a more vigorous speech. He did not think any one, in the best of health, could have made a more vigorous onslaught upon the members of that House, and he could not think that the hon. member's health was so bad as he represented it to be. The hon. member commenced with himself (Mr. Steere), and held him up to opprobrium because of the quantity of land he leased—the very name of a squatter acting upon the hon. member as a red rag did upon an infuriated bull. The hon. member had the greatest hatred of a squatter and everything connected with squatting, and he seemed to think it would be a good thing for the country if it were governed by another and a very different stamp of legislators from those which composed the present Council. He (Mr. Steere) ventured to

think, however, if the country were appealed to, it would far sooner be ruled by that House of squatters than it would by an Assembly composed of gentlemen holding the same views as the hon. member himself. That was his opinion. The hon. member said the present Council was opposed to the agriculturist. He denied it. He thought they were quite as much the friends of the agriculturist as the hon. member himself was. The hon. member stated what he (Mr. Steere) had always stoutly denied, and he took this opportunity of again denying it—that any of this land was “locked up,” so long as it was open to selection, which it now was. The hon. member said if the land on his (Mr. Steere’s) runs were open to selection, or if set apart for that purpose, it would be taken up for agriculture. He maintained that it was open to selection, and it was not taken up for agriculture. And why? Simply because it would never pay. He had never himself interposed the slightest obstacle in the way of anyone taking up a portion of this land for agricultural purposes. One farmer had done so, had purchased a selection consisting of the best bit of land he could find, and a very good bit it was, as land went here—there was no first class land on his run at all; and this man told him the other day that he had been growing poorer and poorer every year. In addition to what he made out of his farm, this man obtained employment from him at shearing time, and, were it not for this, he believed he would be glad to give up his farm tomorrow and sell it. When the hon. member talked about land being locked up, he (Mr. Steere) did not know what the hon. member meant. He should not wish the hon. member any greater harm than that he should commence farming himself; were he to do so he would be a very much poorer, if not a very much wiser, man in the course of a few years. He thought the rents in the Central Districts were as high now as the squatters could afford to pay for them, and, if they were raised any higher, many people would have to give up their leases altogether. The hon. member, in order to illustrate his position, referred to a station which had recently been sold for £27,000, but he thought the hon. member had misled the House as regards that

property. Instead of it containing only 18,000 acres, as represented by the hon. member, he thought it was nearer 40,000 acres, in addition to which there were several thousand acres of purchased land. [Mr. CAREY: I mentioned that.] He begged the hon. member’s pardon then. There were also 500 head of cattle. The land, too, was fenced, and otherwise improved, in many respects, and the illustration sought to be made was in no way a fair one as indicating the value of his (Mr. Steere’s) run. He could only add, in conclusion, that he hoped this would be the last occasion he should ever have the misfortune to listen to such a speech as that which the hon. member had just made—a speech which he thought was calculated to do a great deal of harm, by causing a feeling of antagonism among the members of the House, and disturbing that unity of feeling and united action which ought to characterise their proceedings.

MR. SHENTON said the hon. member for the Vasse had had two or three shots at him, and he thought it was only fair he should now have a return shot or two at the hon. member. The reason he had opposed the further adjournment of the debate the other evening was because the hon. member had on several former occasions, when it suited his purpose, and upon the plea of sickness,—although well able to proceed with the debate had he liked—pressed the House to do him the favor of adjourning the debate, always on the whining plea of being unwell, when apparently he was quite capable of holding his own. This had been particularly the case when the hon. member wished to make an attack upon anybody, as had happened when he once attacked the Commissioner of Crown Lands and also the Superintendent of Police. This was a very old excuse with the hon. member—this plea of ill health. It reminded him of what happened some years ago, when the hon. member brought an action against a certain medical gentleman, and he tried to make his case worse than it really was by sending for the parson, and seeking to get as much outside sympathy as he could.

MR. CAREY rose to order. The hon. member was referring to what had nothing to do with the question before the House.

MR. SPEAKER said the hon. member must confine himself to the subject of the debate and the motion before the House.

MR. SHENTON said he was doing so. He was showing the reason why he had objected the other evening to the adjournment of the debate, simply because of this old plea of ill-health, which in reality was no ground at all. The hon. member knew very well that he (Mr. Shenton) had been in favor of adhering to the original proposition of the Secretary of State, and was so still. He had never altered his ideas as to the way in which the lands of this colony ought to be administered. Ever since he had occupied a seat in that House he had advocated the system of free selection, and always would continue to do so. As to the quantity of land held in his name, no doubt it seemed a large quantity; but that did not make him a squatter. The bulk of this land was simply held by him by way of mortgage.

MR. BURGESS: This House has answered Carey.

MR. CAREY: Is the hon. member in order? I think he forgets himself altogether.

MR. BURGESS: I meant to say that the hon. member for the Vasse had been answered.

MR. WITTENOOM really thought the hon. member for the Vasse must be a disappointed man. This was the only excuse he could think of for the attack which the hon. member had thought fit to make upon the members of that House. The hon. member himself must have aspired to become a squatter, and been disappointed. He had charged the members of that House with having been actuated by interested motives, and, as he seemed very fond of calling members to order, he might have been a little more careful himself. The hon. member had been permitted a very free license, and he made the most of it, which he did not hesitate to say was simply an electioneering dodge. The hon. member waited until everybody else had expressed his opinion on the subject, and, finding it rather late, he immediately fell ill. The hon. member stated that he (Mr. Wittenoom) held some millions of acres. If the hon. member searched the maps, as he said

he did, he stood convicted of a deliberate misstatement. The hon. member could not have found more than 14,000 acres in his (Mr. Wittenoom's) own name. [MR. CAREY: E. and F. Wittenoom.] The hon. member never said that, but referred to the land held by "the hon. member for Geraldton," and it was a deliberate mistake to state that "the hon. member for Geraldton" held millions of acres. As to the fifty-five blocks on the Murchison, which the hon. member said would support at least as many settlers, all he could say was, he should be very sorry to be one of them. As to what he had said to the electors of Geraldton, he still adhered to it—that such land as was fit for agriculture should be open to free selection, and kept apart from the squatter's land. The hon. member had not given him fair play. All the hon. member wanted was to create a good impression outside, and no doubt some people when they read his speech would say "What a splendid fellow he is!" They would say "These squatters tried to gag him, but he showed them up beautifully;" and for this the hon. member would be voted a very fine fellow indeed, although most of his statements were very absurd. One striking absurdity was this: the hon. member had compared the squatters of this colony with the tenant farmers of Ireland, and compared their action to the action of the Irish Land Leaguers.

MR. RANDELL: I rise, sir, to a point of order. I think no good purpose can be served by indulging in personal recriminations. The hon. member no doubt has a perfect right to reply to what the hon. member for the Vasse said, but I submit that the question before the House has nothing whatever to do with the Irish Land League.

MR. SPEAKER: The question before the House is "That an humble address be presented to His Excellency the Governor, informing His Excellency that the Council approves of the report of the select committee appointed to consider and report upon the subject of the proposed amendments in the Land Regulations for the Kimberley District and the prior claims of lessees of Crown lands to a renewal of their leases, and prays that His Excellency will be pleased to take such steps as he may

"think necessary to inform Her Majesty's Secretary of State of the conclusions at which the Council has arrived in respect to these matters." That is the question before the House, and hon. members should confine themselves to it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said that as the chairman of the select committee appointed by the House to consider these two questions—the stocking clause of the Kimberley regulations and the prior claims of Crown lessees, he thought he might be allowed to say a few words. He regretted that the discussion seemed to have drifted away from the real questions at issue, and that the hon. member for the Vasse, instead of dealing with the subjects before the House, had availed himself of an opportunity of making a direct attack upon the squatters of the colony. On reference to *Hansard* he found that the hon. member for Wellington it was who last year brought forward the question of a renewal of leases, the hon. member moving an address to the Governor "praying that he would be pleased to obtain the sanction of the Secretary of State to such an amendment in the present land regulations as would provide that lessees of Crown Lands, on making application for a renewal of their leases at any time within one month previous to the expiration of such leases, should have a prior claim to a renewal thereof, under such provisions as may be in force at the time, and thus ensure that present leaseholders shall not be disturbed in favor of new applicants." The hon. member when moving that resolution said: "The question of an extension of tenure in respect of pastoral lands had been very prominently before the public during the past year, and though personally he had not taken any prominent part in the discussion, he had listened very attentively to what had been said, and he now felt proud to come forward on behalf of the leaseholders to support what he considered their just claims." The debate was then adjourned, and renewed afterwards, when the Commissioner of Crown Lands (Hon. M. Fraser) made some remarks on the subject, finishing off by saying: "From all he could now understand, the resolution was one which met

with the general approval of hon. members, and, such being the case, he was not aware that there was any necessity for him, or that it devolved upon him to initiate any discussion on the subject. He would therefore merely add that, so far as he was officially concerned, he had no objection to raise to the resolution." The hon. member for Perth, who had taken a somewhat prominent part in the discussion on this question, said: "He had no objection whatever to the address being presented; on the contrary he thought that lessees who had expended money in improvements were certainly entitled to some consideration, and had a prior claim to a renewal of their leases. He did not think that was asking very much." This same question was sent down to a select committee this session, and that committee had brought up a report, the wording of which was as near as possible identical with the resolution moved by the hon. member for Wellington the year before. What the select committee said was this: "It appears to your committee that the desire of the lessees was that before the expiration of their leases, and provided that the land was open for lease, they should have, upon application, a prior right to a renewal of their leases over any other applicant for a lease of the same land; but subject, always, to the provisions of the Land Regulations in force at the date of the termination of such leases. Your Committee are of opinion that this reasonable desire is fully provided for in the following proposed regulation, which they think better meets the requirements of the case than that forwarded for the consideration of the Council by Her Majesty's Secretary of State:—

"Any pastoral lessee of Crown Lands, by making application for a renewal of his lease at any time within three months previous to the termination of such lease, shall, provided such land is at the time of such termination open to lease, have a prior claim to a renewal thereof over any other applicant for a lease of the same land; but subject, always, to such regulations as may be in force at the time of the said termination of such lease."

The effect of this regulation would simply be that, all things being equal, the present lessee shall have a prior claim. It did not say at the present rent, but simply a prior claim, subject to such rent as may be fixed under the regulations in force when the lease is renewed. To his mind, the adding of the words proposed by the hon. member for Perth was about as silly a condition as he had ever heard. It really meant nothing at all. It amounted to this: that when the new regulations came to be framed, as they would have to be before the present leases expired, the House would be bound by this condition—that lessees should have no pre-emptive rights whatever. The Legislature of the day would be hampered by a condition imposed by a Council which no longer existed, and which was adopted four or five years previously. It appeared to him there would be plenty of time to consider the terms upon which these leases are to be renewed when the subject came before them for discussion. This draft regulation prepared by the select committee did not deal with the terms at all, but merely gave the lessees a right of renewal upon such terms—whatever those terms may be—as happen to be in force at the time. The select committee were unanimous on this point, with the exception of the hon. member for the Vasse, who, in a rider to the report, gave his reasons for dissenting; and he must say he did not think they were very good reasons. The hon. member said he dissented, in the first place, because he thought the recommendation of the committee was in “direct opposition to the principle of the despatch and draft regulation submitted by the Secretary of State.” What did the Secretary of State say? He said: “I do not myself attach as much importance to a regulation in this sense as seems to be felt by members of the Legislative Council, for, if lessees take the usual precaution of applying for a renewal before the old lease expires, their application will necessarily be prior in time to that of other persons who have no ground for applying until the old lease has come to an end.” The Secretary of State evidently did not attach much importance to the regulation, and it appeared to him (Mr. Forrest) that the one which the select com-

mittee had prepared would answer every purpose. The second objection urged by the hon. member for the Vasse was that this regulation was in his opinion “opposed to the true interests of the colony, and would have the effect of virtually locking up the lands of the settled and most important districts for the next eighteen years (until the year 1901) at the same rent that was paid 25 years ago.” He could not see that this objection was at all in accordance with the fact of the case, seeing that fresh regulations—perhaps imposing double the rent—must necessarily be framed before these leases are renewed, and the regulation specially stipulated that the renewal shall only be upon the terms imposed by these fresh regulations, or such regulations as shall be in force in time. If a lease expired by effluxion of time to-morrow, all the Land Office could do was to renew it until 1887, as regards the Central District, when the present regulations became, so to speak, null and void. The 66th clause of the Land Regulations distinctly provided that the duration of these leases shall in no case extend beyond the 31st December, 1887. He thought the regulation submitted by the select committee applied with equal force to leases in all parts of the colony. It did not commit the Legislature to anything, beyond the prior claim of renewal, upon such conditions as may be in force when the time for renewing arrived. The same principle applied to the North as to the Central District, and those who argued otherwise had nothing to support them. If it was a good regulation to apply to one part of the colony, it was equally good to every other part. The third objection put forward by the hon. member for the Vasse was, that, “in view of the great increase that had taken place in the value of freehold property, and land generally throughout the colony, and of the measures that were at present under consideration having for their object the advancement of the colony, the recommendation was impolitic.” He had thought over this objection a good deal. It sounded very well, but he really failed to see any argument in it. The House was not now asked to give these lessees a right of renewal upon any particular terms, but upon such terms as may be

fixed hereafter, and it would be the Council's own fault if it did not place a proper valuation upon the land, or allowed these leases to be renewed at anything less than what might be considered a fair rental, bearing in view the increase which, as the hon. member said, had taken place in the value of freehold property, and which the proposed public works might make of still more value. It was stated that our lands at present were leased below their value; for his own part, looking at the matter from his official position, he should be glad if our land revenue were increased, but he would remind the House that the present regulations fixing the price were framed by that very Council, in 1872. The whole question was then brought before the Legislature, and if they set too low a value upon the lands of the colony he thought it must be admitted it was their own fault. He believed the hon. member for the Vasse had a seat in the House at that time, and consequently had a voice in the matter himself. He was not aware whether the hon. member entertained the same views in those days, as there was no *Hansard* then. If the colony increased in prosperity, if settlement extended as hoped, it would be for the Legislature to take that into consideration when they came to frame the fresh regulations under which these leases would have to be renewed. Another thing that struck him was this: he said it with a considerable degree of diffidence, as it might be regarded as inimical to the interests of the colony. They had heard a good deal from some hon. members as to our squatters being such wealthy men, owing to their having framed such land regulations as enabled them to make their fortunes, whereas the poor agriculturist, it was said, was almost wiped out of existence. But was this a true picture? Let them look at the position of our settlers from one end of the colony to the other, from Albany northward, and what did they find? They would find a class of struggling men, doing the work of laborers. He had seen it himself all over the colony. They did not live in luxury, as one would expect them to live, if they were making large fortunes. Many of them endured all the privations and hardships incidental to a pioneer's life, in a tropical climate,

away from all the comforts of civilisation; and would any right-minded man begrudge these men a little greater reward than those who did not in this way help to settle our distant territories, and to make the colony prosper. He thought these discussions in which the squatter and the farmer were pitted against one another did a great deal of harm, and caused much bad feeling where there was no real cause for it. He thought their object ought to be to strive to work together amicably, and to frame such regulations as were likely to prove beneficial not only to the squatter but also to the agriculturist. He had always had the reputation of being a great friend to the agriculturist, and all sorts of good things were predicted if ever he should happen to have the good fortune to hold the position which he now filled. He thought it was bad policy to abuse and run down the regulations unless we had something to offer better in their stead. It was not a very easy matter to deal with. The hon. member for the Vasse had referred to what he had stated in his official report, as the head of the Lands Department. The views expressed in that report were views which he had formed after a long experience in the colony. He did not claim any originality for them. They might be considered by some people somewhat theoretical and rather difficult to put in practice, in some respects. Be that as it may, he claimed for them this virtue—his only wish was to frame such regulations as would prove to the general advantage of the colony, while at the same time giving to individuals as much benefit and security as possible, in order if possible to make the tenant and the occupier satisfied with his lot.

MR. RANDELL said he was inclined to think more favorably of the proposed regulation now than he did. The whole subject of the land regulations would have to come before the House again, before the new rules were framed, and he noticed that this fact was recognised both by the Secretary of State and by the select committee. He thought the latter part of the Secretary of State's draft regulation was such that no Council, whether the squatting interest or the agricultural interest predominated, would accept. He did not think it was a clause

which any landlord would insert in a lease in the expectation of its being accepted by the tenant, and he did not think that House could for a moment subscribe to the condition referred to, namely,—that, if at any time during the currency of the renewed lease the rental of pastoral lands of the class comprised in it should be increased, the lessee should pay this increased rent. In this respect, at any rate, the draft regulation submitted by the select committee was an improvement upon the Secretary of State's draft regulation; and, after giving the matter his very careful consideration, he was inclined to think there could be no harm whatever in accepting the recommendation of the committee. When he made the remarks which he did on a former occasion, he intended them as indicative of the lines upon which he should himself like to see our land regulations framed. Before sitting down he would draw the attention of the committee to the fact—which, he supposed, had not escaped their attention—that the proposed regulation as regards the Kimberley lands was at variance with the Secretary of State's views, and sought to re-enact what the Secretary of State had objected to before. He alluded to the double rental condition—a principle which the Secretary of State had refused to recognise.

MR. MARMION: The Secretary of State subsequently referred the whole matter to this House. In his despatch to Governor Robinson, the Secretary of State said: "The most satisfactory mode of arriving at a conclusion upon these questions may probably be to invite the Legislative Council to take them into discussion during the coming session, and for you to remit to me, without delay, the resolutions arrived at by the Council, to which I shall be prepared to give early and careful consideration." It was in pursuance of this suggestion that the matter was again brought before the House, and referred to a select committee, whose report we are now considering.

MR. RANDELL, continuing, said he saw nothing unjust in granting the Kimberley lessees this very reasonable request. There was one condition which he thought it would be very advisable, if possible, to embody in the new land regulations, whenever they came to be

framed,—that the Crown should be empowered to reject the claims of such tenants as had not done justice to the land. He thought it would have a very beneficial effect if lessees knew that their right of renewal depended upon whether or not they had dealt fairly with the land.

MR. GRANT could not help congratulating the hon. member who had last spoken upon the fact that he now seemed to understand these regulations better than he did before. For his own part he had never been in favor of locking up the land from the agriculturist, but he certainly thought the lessee was entitled to compensation for any injury or loss caused to him by the selector availing himself of the improvements he (the lessee) had made upon the land. For instance a paddock might be fenced, and the selector might pick his land within that paddock, which of course would reduce the value of the paddock to the runholders. There was no intention that he could see on the part of the House or the select committee to lock up the land from the selector, and it appeared to him it was no use wasting any more time over the subject.

MR. CROWTHER was inclined to think with the hon. member opposite (Mr. Burges) that in a great many instances these free selectors were really little better than "robbers and spoilers." There was no other name for them. They took up their 100-acre block on pretence of setting up farming, but they never did a hand's stroke of work. Yet these men had meat to eat every day of their lives, and where did they get it from? They simply got it on the run of the man upon whose land they had settled down. He had his own ideas as to what ought to be done to make our land regulations better adapted for the requirements of the colony. There must be classification, and there must be declared areas for agriculture, so that lessees may know that they held their lands on sufferance. He believed this would create a better feeling between the two classes. As to fair rents, many leases in the Central Districts were not paying more than they were worth; there were others which if let by auction would fetch probably a little more; but, on the whole, he believed if these leases were

put up to public competition there would be no great increase in the revenue derived from them. But if we were to deal with our State lands on the same principle as we dealt with our own private estates, we should find a very considerable increase in the receipts from that source.

The amendment proposed by Mr. S. H. Parker—That the following words be added to the resolution: "Subject, however, as regards lessees of Crown Lands, that they shall have no preemptive rights whatever"—was then put, and negatived.

The original resolution was then put: **THE COLONIAL SECRETARY** (Hon. M. Fraser): I merely rise to state that my opinion is and has been that the intention of the mover of the resolution last session, referring to this question of the right of renewal, was that it should apply only to the Central Districts, and, although I do not intend to proceed to the extremity of dividing the House on the subject, I may say that there are other hon. members besides myself who understood last year that it was never intended to make the privilege general throughout the colony.

The resolution upon being put to the House was adopted.

IMPORTED LABOR REGISTRY BILL.

On the order of the day for going into committee on this Bill (introduced by Mr. Brown),

THE COLONIAL SECRETARY (Hon. M. Fraser) said, before proceeding with the order of the day, he wished to draw the attention of the House to the very short time that had elapsed since the existing Act dealing with the same subject had become law,—the Act having only been in operation a few months, and also to the fact that it was very late in the session to introduce fresh legislation, seeing that hon. members were anxious to get away. He therefore hoped the hon. member in charge of the Bill would recognise the advisability of not proceeding any further with it at present, but let the matter stand over until next session. He might say that the Government was perfectly in accord with the hon. member, that the law should be made suitable to the circumstances of

the colony, and such as may not prove to be unduly onerous to those who had to deal with it, but there really had not been time for the Government to fully consider the question. It would be in the recollection of hon. members that, at an early stage of the session, when the question was asked whether the Government intended to legislate afresh on the subject this session, he said they had communicated with the Government Residents of the magisterial districts which this Act more especially concerned, calling for reports as to its working, with a view to further action in the matter, if necessary. He therefore hoped the hon. member who had introduced the Bill—and who he believed had done so from a conscientious belief, according to his lights, that fresh legislation was necessary—would meet the views he had now expressed, and would consent not to proceed any further with it at present, on the assurance that the Government will, at the next session, be prepared to go into the matter, and, he hoped, do so to the hon. member's satisfaction.

Mr. BROWN said, in reference to the proposal that he should of his own mere motion (so to speak) consent not to go on with the Bill, he had to say this—that he had brought forward the Bill not upon his own individual responsibility but at the request of a great many members of the Legislature, and therefore he could not think of abandoning the Bill without first taking counsel with them. His own individual inclinations would be entirely against abandoning it unless the Government gave the Legislature a promise, an assurance, which he thought they would hesitate to give—which, in fact, he thought they would probably not give—namely, that they would allow the existing law to remain inoperative, that they would promise to let the present Act remain a dead letter, until the Legislature met again, next year. A great many of these imported laborers were now employed—by several hon. members of that House, among others—under engagements which were entirely illegal, and the employers were liable at any moment to the pains and penalties of the law, and therefore, unless the law is altered, or allowed to remain a dead letter, he could not think of abandoning the present Bill.

MR. GRANT said it gave him great pleasure to hear the hon. member say so, and that he was not prepared to enter into any bargain with the Government in the matter. At present the employers of this class of labor were quite paralysed, owing to the state of the law on the subject, and it must not be forgotten that the present Act was forced upon them last session by the Government, who even went so far as to say that it had been brought in by command of the Imperial authorities, or words to that effect. The Act was opposed at every stage, inch by inch—more so probably than any measure ever introduced into the House—and it was now found to be utterly unworkable. It therefore became almost a duty which they owed to themselves to see that this obnoxious Act should be done away with. He should feel very sorry indeed to see the Bill now before the House given up, and he would do all in his power to induce the hon. member to proceed with it.

The House then went into committee on the Bill.

Clause 1—Repealing the Act now in force :

THE ATTORNEY GENERAL (Hon. A. P. Hensman) objected to this clause being passed, as it would have this effect—it would do away with an Act which had been considered most fully last session, and we would have nothing in its place, should the present Bill not become law. It was not until the present session, as he understood, that any suggestion was made to the Government that the present Act should be repealed, and a fresh Act brought in. He thought it would be far better to leave this matter until they could bring forward a Bill—if it should be thought necessary—which, while retaining the safeguards of the existing Act as regards these colored laborers, shall yet meet any case of difficulty or hardship which might arise, or which may have arisen, in working it. So far as his views were concerned, it appeared to him that it would be very difficult—that it would require a great deal of consideration to frame such a Bill. Under these circumstances, if not too late, he would again suggest to the hon. member that he should not press this Bill upon the House at this late period of the session, and in the present

state of business. He really did think it would be wise on the part of the hon. member to act on the suggestion thrown out by the Colonial Secretary, on the part of the Government. If the hon. member, however, persisted in proceeding with the Bill, the Government of course must endeavor to meet the difficulties presented by the various sections of the Bill as they arose.

MR. BROWN said the position taken up by the Government as regards this clause, so far as he understood it, was this: having had no notice prior to the present session of there being any general desire to repeal the existing Act, which had only been in force some twelvemonths, and, in view of the late period of the session and the pressure of business, they said it was undesirable we should seek to disturb the present position of affairs, as regards the law on the subject. It was perfectly true that the Government had received no notice from any hon. member of the House as to there being a general feeling of dissatisfaction with the present Act—he did not see how they could, seeing that the Council had not been in session since the Act was passed (except for a special purpose); but the Government had the fullest notice last session, when the Act was under discussion, that, unless it was found to work well,—or should it be found, as it was pointed out at the time it was likely to do, to place impediments in the way of the importation and the employment of the class of labor it was intended to regulate—the Government would be asked to amend it. As to the objection raised to the passing of the clause now before the committee, on the ground that if the present Bill did not become law there would be no law in existence dealing with this subject, he would point out that the Act now in force would continue in force until the Governor gave his assent to the Bill repealing it. He hoped the question would be decided on this very clause—whether the House considered the present law required amending or not. The Government said they had no time to consider the question, that they had had no notice as to the present Act working unsatisfactorily. They had had twelve months notice at any rate,—looking at the very strong opposition offered to

their Bill last session, and the prediction then made by more than one member that the Act would never work. For his own part, he looked to the Government to do its duty in this matter, and to grapple with the question, in the interests of the public. He would divide the committee on this very clause.

MR. MARMION said if the Attorney General had been in the House last session he would have known the strong feeling which was expressed against the Act now in force, in its passage through the House, and how it was pointed out at the time that the Act would be utterly unworkable. He thought it would be a pity to allow such an Act to encumber the statute book for another year, to the detriment and injury of more than one colonial industry.

The committee then divided upon the first clause, when there appeared:—

Ayes	12
Noes	6

Majority for	...	6
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AYES.

Mr. Burgess
Mr. Carey
Mr. Crowther
Mr. Grant
Mr. Marmion
Mr. McRae
Mr. S. S. Parker
Mr. Raudell
Mr. Steere
Mr. Venn
Mr. Wittenoom
Mr. Brown (Teller).

NOES.

Hon. M. Fraser
Hon. J. H. Thomas
Hon. J. Forrest
Mr. Glyde
Mr. Higham
Hon. A. P. Hensman
(Teller.)

The clause was therefore agreed to.

Clauses 2 to 9, inclusive, were agreed to without opposition.

Clause 10—The contract with any colored laborer imported or employed under the Act to be in writing, and to specify the nature of the employment at which such laborer is to be employed, the period of service, and the terms and nature of remuneration for such service:

THE ATTORNEY GENERAL (Hon. A. P. Hensman) pointed out that under the Act now in force the contract must be in the form of the schedule annexed to the Act, so that the authorities would then know the exact terms of every contract entered into, and know that it was a reasonable contract; but all this Bill required was that the contract shall be in writing. There was no particular form provided,—so that the authorities here would have no real supervision over the

contract. Nor was there anything in the Bill requiring the contract to be explained to the laborer either at the port of shipment or when he came into the colony. No provision either was made for returning the laborer to his own country at the termination of the contract should he desire to return. What he would suggest was, that the contract should be framed in accordance with the form of the schedule, and that when entered into at the port of shipment there should be a proviso that it shall be a good contract if entered into in the colony, provided the terms of it are substantially the same as the original contract, and it were shown that the laborer had voluntarily and freely entered into the contract. Also, if the contract omitted to provide for the return of the laborer to his own country, that such omission should be made only in such cases where the contract had been entered into in the presence or with the consent of officers authorised in that behalf by some European power,—otherwise it would be open for anyone to collect a shipload of these laborers from among the islands of the Pacific under contracts to be entered into at the port of shipment, which contracts might be practically contracts of slavery. These were some of the suggestions he wished to throw out to the hon. member in charge of the Bill, and if the Bill could be amended so as to meet them, he would further suggest that, instead of proceeding to amend the Bill now at this late hour, bit by bit, piecemeal, progress should be reported, so that the Bill might be carefully amended.

MR. BROWN said of course any suggestion coming from the Attorney General was well worthy of consideration, and he thought this one was so, and he should be happy to confer with the hon. gentleman on the subject. Probably, if some such a suggestion had been offered in the same spirit, on the part of the Government, last session, when the Act now in force was under discussion, some of the very objectionable features of that Act might have been avoided. At the same time he must confess that, at present, he thought the proposals were somewhat complicated, and he was afraid would hamper the working of the Act, but he should not like to say on the spur

of the moment that he should refuse to accept them.

Progress was then reported, and leave given to sit again next day.

The House adjourned at six o'clock, p.m.

LEGISLATIVE COUNCIL,

Friday, 31st August, 1883.

Timber concessions to Mr. M. C. Davies—Aboriginal Native Offenders Bill: Report of Select Committee; Bill committed—Kingston Spit Buoy: consideration of Report of Select Committee—Capitation Grant, Orphanages—Means of Egress from Public Buildings—Private Bonded Warehouses Bill: first reading—Police Station at Beeringarra and Mail Service to Coalalla—Steam Service between Fremantle and Singapore, and from London—Inter-colonial Convention at Sydney: Appointment of Delegates—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

TIMBER CONCESSIONS TO MR. M. C. DAVIES.

MR. CAREY, in accordance with notice, asked the Colonial Secretary on what terms and for what period Mr. M. C. Davies' special timber license at Hamelin and Augusta (Vasse District) had been extended for a period of 42 years, specifying if in the new lease provision had been made by the Government for the right of sale, or granting special occupation lands, within the boundaries of this special timber license, and without reference to the lessee or his agent.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the special timber license held by Mr. Davies was over an area of about 40,000 acres, at a rental of £150 a year. Sales or S.O.Ls. were subject to right of lessee to cut timber found on the land during the currency of the license.

ABORIGINAL NATIVE OFFENDERS BILL —REPORT OF SELECT COMMITTEE.

MR. STEERE brought under the notice of the House the following report of the select committee to whom the Aboriginal Native Offenders Bill was referred, on the 15th of August:

"Your Committee, having discussed the provisions of the Bill which has been referred to them by your honorable House, with an earnest desire to endeavor to arrive at some satisfactory solution of the differences of opinion which exist as to the principles which should be adopted in dealing with a measure for the summary trial of aboriginal offenders, have by a majority adopted the following principles, which they think might be accepted by your honorable House as a guide in framing the above measure:—

1. That a magistrate with one or more justices should be enabled to give two years' imprisonment.
2. That two justices should be enabled to give one year's imprisonment.
3. That there shall be no cumulative sentences.
4. That a magistrate with one or more justices, or a magistrate alone, be empowered to flog in lieu of imprisonment (a similar provision being embodied in the law now in force).

"The committee is of opinion that, should your honorable House concur in the foregoing suggestions, the Bill for dealing with the summary trial of native offenders should be drafted in accordance therewith.

JAS. G. LEE-STEEKE, Chairman.

I concur, except as to point 4.

ALFRED P. HENSMAN.

"We dissent from the above recommendations, and are of opinion that summary jurisdiction to sentence aboriginal natives to imprisonment or to whipping should be vested in Her Majesty's justices of the peace without regard to their official status, as is all other summary jurisdiction carrying with it the power to imprison or to whip in England and in Australia.

"To provide that a paid official shall have power alone to award summarily a punishment that any number of unpaid justices shall be debarred from awarding independently of an unpaid justice, as is proposed by the committee, would constitute an unwelcome departure from the course of English and Australian legislation, which goes no further than to allow a paid justice to exercise the power of two or more unpaid justices. The proposal constitutes an insult offered to the intelligence and integrity of Her Majesty's justices of the peace throughout the colony of Western Australia, and if carried into law would be subversive of that independence of thought and action which should always accompany judicial decisions.

"Under the proposal of the majority of the committee, the graver cases would have to be