

THE PREMIER said he had explained on the previous night that the present was not a suitable time to revise the tariff. The Bill before the House was one for abolishing duty, and he did not suppose the member for Geraldton desired that the duty on cheese should be entirely remitted. This sum of nearly £10,000 was too much for the Government to let go, especially when the balance on the Estimates was shown to be only £16,000. If members went on interfering with the tariff by adding to the free list, the estimates of expenditure would have to be revised, and the member for Geraldton would not like some of the items in which he was interested to be struck out. The present was not a time to materially alter the tariff, and he must resist the hon. member's proposal.

MR. LOTON said he trusted the member for Geraldton would not press his motion. He (Mr. Loton) considered the duty was excessive, but he was not prepared to go for a complete remission.

MR. RANDELL said he should be glad to support the member for Geraldton, as this was an indefensible duty. Cheese was not made, at any rate largely, in the colony, and yet the tax on cheese was the enormous amount of 60 per cent. Members, doubtless, were not prepared to abolish the duty, but there was no doubt the House was favourable to a reduction. If the member for Geraldton went to a vote, he (Mr. Randell) would support him, even in a demand for a remission.

MR. SIMPSON asked if he correctly understood the Premier to say this duty would be taken into consideration when an opportunity offered?

THE PREMIER said if he had an opportunity of revising the whole tariff, he certainly would take this duty into consideration.

MR. SIMPSON said he supposed he would have to agree to rely on the Government to revise this indefensible duty at the first opportunity, and no doubt they would continue to collect it for a little time longer, drawing, by its means, £10,000 a year out of the pockets of the people. He would withdraw the motion.

Motion, by leave, withdrawn.

Other items in the schedule (not specifically referred to in the discussion) agreed to.

Schedule, as amended, put and passed.

Preamble and title—agreed to.

Bill reported, with amendments.

ADJOURNMENT.

The House adjourned at 10:53, p.m., until next day.

Legislative Assembly,

Thursday, 17th September, 1896.

Judges' Pensions Bill: Message requesting return of Bill from Legislative Council—Motion: Bunbury Harbour Plans and Estimates—Western Australian Bank (private) Bill: in committee—Annual Estimates, 1896-7: further considered in committee—Tobacco (unmanufactured) Duty Bill: second reading; in committee—Transfer of Land Act Amendment Bill: second reading—Fencing Bill: in committee—Adjournment.

THE SPEAKER took the chair at 4:30 o'clock, p.m.

PRAYERS.

JUDGES' PENSIONS BILL.

MESSAGE REQUESTING RETURN OF BILL FROM LEGISLATIVE COUNCIL.

THE PREMIER (Hon. Sir J. Forrest,) in accordance with notice, moved that the following Message be sent to the Legislative Council:—"The Legislative Assembly acquaints the Legislative Council that the Act providing for the pensions of the Judges of the Supreme Court was inadvertently passed by the Legislative Assembly and transmitted to the Legislative Council, without having been recommended by Message of the Governor, as required by Section 67 of the Constitution Act; and the Legislative Assembly requests that the Bill may be returned to it, in order that it may be dealt with in

accordance with the provisions of the aforesaid section of the Constitution Act."

Question put and passed.

MOTION—BUNBURY HARBOUR PLANS AND ESTIMATES.

MR. VENN, in accordance with notice, moved "That the plans and specifications of the Bunbury harbour works be laid upon the table of the House; to include plans and estimates for the inner harbour, as well as plans and estimates for the proposed outer harbour mole." He said that, since giving notice of this motion, the plans of the outer mole of the proposed harbour at Bunbury had been laid on the table of the House; but he understood that the Engineer-in-Chief had also prepared plans and made estimates for an inner harbour, and as it was desirable that these plans should likewise be placed on the table, with the estimates of cost, he would move his motion as it stood, on the understanding that it would apply to so much of the plans and estimates as had not been laid on the table up to date.

Question put and passed.

WESTERN AUSTRALIAN BANK (PRIVATE) BILL.

The House went into committee to consider the Bill.

IN COMMITTEE.

Clauses 1 to 12, inclusive—agreed to.

Clause 13—Bank notes may be issued and circulated:

MR. ILLINGWORTH asked the Attorney-General, who had charge of the Bill, if it would be possible to strike out the word "re-issue?" The object of suggesting this was, as hon. members were aware, that the Bank of England, for instance, never re-issued its notes; for any note returned to the bank was thereupon cancelled. There was a strong opinion held by those who were able to judge, and in some respects most hon. members could confirm it, that a vast amount of disease was carried about in bank-notes, and especially in those notes which had been perhaps for months in the pockets of a workman labouring in the back-blocks, or, as an hon. member suggested, perhaps carried in his boot. Dirty notes were thus a means of dis-

seminating disease; and as the cost of cancelling notes when returned to the bank would be small, it would be no hardship to require of this bank, as a local institution under the control of Parliament, that these notes should be cancelled whenever returned to the bank, and not be re-issued. The germ theory of disease having been accepted by the scientific world, there was practically no dispute as to the danger arising from the continued use of dirty bank notes; and there was, perhaps, no more universal way of spreading disease than by passing these notes from hand to hand, or, as some persons were fond of doing, by wetting with the tongue when counting the notes. Hundreds of people suffered from cancer in the tongue, occasioned very largely by the practice of wetting dirty bank notes when counting them.

THE ATTORNEY GENERAL (Hon. S. Burt) said he would admit it would be very pleasant always to have a clean bank note rather than a dirty one, but if the House imposed this condition on the Western Australian Bank, as a local institution under the control of Parliament, it would be a condition that was not imposed on other banks doing business here, nor on other banks in any part of Australia. As far as he knew, the Bank of England was the only bank that did not allow a note to be re-issued after being once returned to the bank; but if this condition were imposed on the bank established here, it would not ensure the notes being any cleaner than they were at present, because notes would still be carried about and passed from hand to hand, before being returned to the bank. The condition would simply provide that a note should not be sent out a second time. The bank would not re-issue dirty notes, as a rule, and in fact the bank was continually burning old notes. If the hon. member would allow the section to pass now, he would consult the authorities of the bank and see what the effect of this proposal would be. Possibly they might have no objection, or they might find some good reason for objecting. The point could be considered later, and the Bill be recommitted for amendment, if necessary.

MR. ILLINGWORTH said his object was to ascertain whether there was any great difficulty in the way.

Clause put and passed.

Clause 14—agreed to.

Clause 15—Liability of branches to pay notes restricted :

MR. ILLINGWORTH said he desired to be clear as to what was meant by a branch bank not being liable for notes other than those issued by the particular branch.

THE ATTORNEY GENERAL said this provision was the ordinary one made in bank Bills, because it would be impracticable for a branch bank to pay gold, for instance, for a large quantity of notes issued by other branches or by the head office of the same bank. The branch of this bank at Geraldton, for instance, was made liable by the Bill to pay only the notes issued by that branch, and the Geraldton branch could not be legally compelled to cash notes issued by some other branch or by the head office. A branch would be legally bound to pay no other notes than those which the particular branch had issued ; this provision being intended to protect a branch from having a demand made upon it, say, to cash notes to the value of £10,000, which notes had not been issued by the particular branch, and in fact the branch might be called upon to pay gold for the notes tendered, and might not have sufficient gold in stock to pay them. Hence the necessity for this provision. Notes of this bank would always be payable at the head office of the bank in Perth. As a rule, however, a branch did cash any note that was presented, but there was still the necessity of protecting a branch from excessive demands that might be made for cash, in exchange for notes which that branch had not issued.

MR. ILLINGWORTH said that, supposing a man took a thousand one-pound notes of the Western Australian bank to the town of Menzies, could the branch of the bank at Menzies charge exchange on those notes when presented there for payment? That was the point. He knew that if the notes of a Scotch bank were taken to England, and were presented at a branch of that bank, say in London, the London branch would charge exchange on the notes so cashed, although a branch of the same bank. It had happened so in his own case. The point was whether the branch bank should be enabled to charge exchange on the notes

of the same bank presented at a branch, and issued at some other centre. His contention was that the notes of the Western Australian Bank should be made a legal tender at any branch of that bank in any part of the colony.

THE ATTORNEY GENERAL said that, if such a provision were made, there would be this difficulty, that a person might go to a branch bank in the country with a large number of notes, say, amounting to £8,000, and demand payment in gold for them, although that branch might not have issued any of the notes so presented, and might not be able at the time to pay the 8,000 sovereigns demanded. This provision for the protection of branches was made in all bank Acts.

MR. ILLINGWORTH said that, upon this explanation, he would move, as an amendment, that there be added to the clause these words : " But no exchange shall be chargeable on any notes in the colony." While it was not a good thing to compel a local branch to produce gold for all the notes presented, it was necessary that the local branches should not be enabled to charge exchange for the notes which they did cash.

THE PREMIER suggested that the hon. member should make his proposal apply generally to all banks, and not alone to one bank in the colony.

MR. ILLINGWORTH said they were dealing with the Bill of the Western Australian Bank, and hence he proposed the amendment so that it might apply to this Bank.

THE ATTORNEY GENERAL said he would have to oppose the amendment, as it would not do to provide that one bank should be in one position and the others in a different position. The other banks were in a position to do as they liked ; but if this local bank were put under restrictions while the others conducted their business as hitherto, an injustice would be done to the local bank. It would have been better to have given notice of this amendment, so that it could be considered before dealing with the clauses.

MR. ILLINGWORTH said he would withdraw the amendment.

MR. HASSELL said the Western Australian Bank did not charge exchange on notes of their own bank when cashed

by branches in the colony; for only lately he brought some notes of this bank from Coolgardie to Albany, and was credited with the full amount there.

Amendment, by leave, withdrawn, and the clause passed.

Clauses 16 to 36 inclusive—agreed to.

Schedules—agreed to.

Preamble and title—agreed to.

Bill reported without amendment.

ANNUAL ESTIMATES, 1896-7.

IN COMMITTEE OF SUPPLY.

The annual Estimates were further considered.

EDUCATION DEPARTMENT.

Educational, £53,063 6s. 8d.:

MR. A. FORREST asked whether the rumour was true that one of the governors of the High School sent his own children to another school.

THE PREMIER (Hon. Sir J. Forrest) said he did not know, but he had heard that the sons of one of the governors went to the Christian Brothers' School.

MR. A. FORREST said that if this were a fact, the gentleman who occupied the position of a governor of the High School should not, in the interests of the school, do so any longer; for if he had not confidence in the school for his own children, other parents could not be expected to esteem the school as they ought to do.

Vote put and passed.

This concluded the several estimates in charge of the Minister of Mines.

RAILWAYS DEPARTMENT.

These estimates, having been previously postponed, now came up for consideration.

Railways and Tramways, £476,950 :

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) said he had not been able to place the annual report of the Railway Department on the table, owing to delay in getting the reports printed. The Public Works Report was nearly finished, but he was afraid he would not be able to get out the Railway Report until the end of the next week.

MR. SIMPSON said the committee could deal with the Railway Estimates, and subsequently with the Public Works Estimates.

MR. A. FORREST asked if it were true that someone else was to be placed

in charge of the railways, in place of the General Traffic Manager; as, if so, some members would like to express their feelings on that particular point. The General Traffic Manager had been with them for some years, and had, on the whole, given general satisfaction to the community, and would continue to do so. He was sorry if, after the services that officer had rendered, he was considered to be entitled to a paltry increase of only £200 a year. The General Traffic Manager had onerous duties to perform, and had made the railways, from being a drag on the country, pay nearly the whole interest on the debt of the country, and that was a great deal to have done. The traffic had developed enormously, and it was a wonder how the work was carried on with the material at hand. Any attempt to place another officer on top of him would not meet with the approval of members of the House. The General Traffic Manager gave as fairly general satisfaction as it was possible to give under existing circumstances; and he (Mr. A. Forrest) hoped that next year the Commissioner would see his way to further increase the small amount which was proposed as an addition to the salary for this year.

MR. ILLINGWORTH asked if the Minister would report progress, or put the discussion off until after the tea adjournment. There were no reports on the working of the railways for the past year, nor suggestions as to their working in the future; and, in justice to the Commissioner alone, it would be well to put off the discussion until the reports were on the table. He hoped the Minister would agree with that suggestion.

THE COMMISSIONER of RAILWAYS said he had no objection to an adjournment until after tea; but it was uncertain when he could place the printed reports on the table; because, owing to the great amount of work thrown on the printing department, it had been almost impossible to get the abstract prepared.

MR. ILLINGWORTH said it was not fair for the Commissioner to have to deliver a statement to the House, when he admitted he had been unable to get some of the reports. The House had given every assistance to get the estimates through; but it would facilitate business,

and be more satisfactory to members, if the estimates were discussed after the reports were ready.

THE COMMISSIONER of RAILWAYS said he could give members a good many particulars, which, no doubt, would be of use to the committee; but he could not give the annual detailed report until Thursday week, or perhaps Tuesday week.

MR. ILLINGWORTH said that with so large a department, involving such a large expenditure, members had a right to expect a similar statement to that which they received from the Treasurer when delivering the budget speech. They ought to have a distinct statement and a clear enunciation of the policy of the department; and if the Commissioner was not in a position to give them that, he hoped the committee would grant him sufficient time to do so.

THE PREMIER (Hon. Sir J. Forrest) said every item of expenditure for this department was set forth in the annual estimates then before the House; and he thought it was hardly possible for members to touch those estimates by way of alteration, and they had never touched them before. No doubt the members could go through the detailed accounts in the annual report, and, as was done last year, they would find particulars of the mileage run and the percentage of profits for the year; these particulars being of some interest, no doubt, but they were not such as would influence members in voting on the estimates. He did not know where members could attack these estimates, for they had been prepared with the greatest care in detail, and every penny of the total of £266,867 13s. 8d. spent for the 12 months ended June last was shown in detail. He did not wish to delay, as there was plenty of work to do, and he did not believe the hon. member could touch a single item in these estimates.

MR. SIMPSON said the wisest plan would be to report progress, as there was a small House, and they were asked to pass in the most perfunctory manner a total of £1,447,114 5s. 8d. for railways and public works without any intimation as to how the votes had been expended last year. It was unparalleled in administration in Australia to ask Parlia-

ment to pass such estimates without any report from the department. He had heard it said that the Public Works Department had got beyond the control of the Government; but members were there to exercise control, and it was reasonable for them to insist on the department furnishing a report showing what it had done during the past year, before taking a vote for money to be expended in the future. Hon. members should get beyond the consideration of personal convenience in dealing with this big department, which was beginning to assume proportions that compelled their attention. The huge figures which the department was evolving sometimes made them a bit anxious, and he believed if these estimates were deferred until the annual report was forthcoming, there would be suggestions made in the House which would strengthen the hands of the Government, and sustain them with the knowledge that, after a full review of the department, the railway policy had the approval of the House. He moved that progress be reported.

THE COMMISSIONER OF RAILWAYS asked how long an adjournment was desired.

MR. SIMPSON said the adjournment should be until after the report was produced.

THE COMMISSIONER OF RAILWAYS said the Public Works Report would be presented to members in about a week's time. With regard to the Railway Department, he was prepared to make a statement and reply to questions, at that sitting of the House. He preferred to place the affairs of the department fully before the House; although, as they had not the annual report, the statement he could now submit would not be so complete as he would have liked it to be. It was not so much the wish of the Government, as the wish of the House, to get on expeditiously with business, and to close the session. If it was the desire of the House to report progress, he was quite willing to do so. With regard to the remark of the member for Geraldton, that the Works Department was getting beyond the control of the Government, he supposed the statement was made in a moment of warmth. There was no doubt that large

public works were being carried out, and the department was consequently growing very rapidly; but to say that it was getting beyond the control of the Government was a mistake altogether. He thought he would be able to prove that the department was in no way beyond the control of the Government; and that although there was, in some very minor cases, grave anxiety, yet he would be able to give a very good account of them.

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

Ayes	...	...	7
Noes	...	...	8

Majority against ... 1

AYES.
Mr. Higham
Mr. Illingworth
Mr. R. F. Sholl
Mr. Simpson
Mr. Venn
Mr. Wood
Mr. George (Teller).

NOES.
Mr. Burt
Mr. Clarkson
Mr. Cookworthy
Sir John Forrest
Mr. A. Forrest
Mr. Lefroy
Mr. Piesse
Mr. Hassell (Teller).

Motion negatived.

MR. WOOD said the higher officers of the Railway Department were very highly favoured in regard to salaries, while the rank and file of the service were very much underpaid. The guards received only 6s. per day, and he did not know how many hours they worked. The high rents they had to pay left them very little out of 36s. per week to maintain themselves and families. He did not think that was a proper way for Government servants to be treated.

MR. GEORGE said he was sure that guards got more than 6s. a day.

MR. WOOD said he had been told by a conductor that he only received 6s. a day, and that ought to be pretty good authority.

MR. HIGHAM asked whether any steps were being taken to equalise the wages paid in the Railway Department with those paid on the Fremantle harbour works. It was the cause of a great deal of dissatisfaction that engine drivers and nearly all the labourers employed on the harbour works, were paid from 1s. to 1s. 6d. per day more than the railway men.

THE COMMISSIONER OF RAILWAYS replied that the matter to which the member for Fremantle had drawn

attention was being inquired into, and he would give the required information when the particular report was received.

MR. CLARKSON said men who were felling timber to clear telegraph lines were getting 7s. a day, while according to the statement made by the member for West Perth, men on the railway staff were getting only 6s. a day. Railway men were more deserving of the higher wages than the track clearers.

THE COMMISSIONER OF RAILWAYS replied that it was evident some members of the House did not read either the newspapers or the *Government Gazette*, for the regulations which had been published showed that platelayers got 7s. a day of 8½ hours.

MR. ILLINGWORTH said hon. members did not want details of the affairs of the department. They wanted a general statement.

On the motion of the Premier, the Chairman left the chair until 7:30 p.m.

At 7:30 p.m. the Chairman resumed the chair.

THE COMMISSIONER OF RAILWAYS moved that progress be reported, and leave asked to sit again on the next Wednesday. He said he was not prepared to proceed with the estimates of his department at present.

Motion put and passed.

Progress reported, and leave given to sit again on the next Wednesday.

TOBACCO (UNMANUFACTURED) DUTY BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest), in moving the second reading, said: The object which the Government have had in introducing this Bill is to lessen the duty now paid on unmanufactured tobacco by 1½d. per lb. The duty on manufactured tobacco is now 3s. per lb., and the duty on unmanufactured tobacco is 2s. per lb.; and this Bill proposes that in future the duty on the manufactured article shall remain as at present, while the duty on the unmanufactured article shall be 1s. 10½d. per lb. That is the same difference between manufactured and unmanufactured tobacco as prevails in

South Australia, where the duty on manufactured tobacco is 2s. 9d. per lb., and on unmanufactured tobacco 1s. 7½d. For some years past I have resisted any further concession in the duty on unmanufactured tobacco, because I felt, and I think I have proved to some extent at any rate, that the revenue would suffer by giving a concession. It may be asked by some hon. members: Why this change of front on my part at the present time? Well, as a matter of fact, I have not changed my opinion on this subject, for my opinion is that in this colony—and I do not know that the same argument would not apply in all the colonies where no leaf tobacco is produced—I am strongly of opinion that it is not much to the advantage of the colony, and indeed I will go so far as to say it is a disadvantage from a revenue point of view, to have tobacco manufactories in the colony. I believe the amount we gain through having a factory at Fremantle does not compensate for the loss of revenue we should otherwise receive from manufactured tobacco.

MR. ILLINGWORTH: Why cannot we grow the leaf here?

THE PREMIER: Yes; if we could grow the leaf, the matter would be changed altogether; and I think the leaf can be grown here, for I have seen very good tobacco leaf growing in some of the moist parts of the colony. I only wish we could have another industry in the shape of leaf tobacco. But leaving out for a moment that phase of the question, as to whether it is to the advantage of the colony to have a tobacco factory established here or not, I have come to the conclusion that there is very little profit in the business to those who are engaged in it, and that it has not been very profitable in the past to those engaged in tobacco making in the colony. I think the only thing that saves the manufactory at Fremantle from being closed altogether is the making of cigarettes and cigars—especially cigarettes. If it were not for that, I think the factory at Fremantle would not have been able to carry on, though I think the proprietors are now doing fairly well, but there is not much profit in the business. If one looks at the imports of tobacco, it will be seen that the local manufactory is not a very go-ahead con-

cern, for we find that in 1894, 85,380 lbs. of unmanufactured tobacco were imported, and in 1895, notwithstanding the large increase of population, there were 69,100 lbs. imported. The revenue received from unmanufactured tobacco duty in 1895 was £6,911 10s., and the amount received for 1894 was £8,538 10s. These figures are not an absolute guide, because there might have been large imports at the end of one year, and not the same proportionate amount imported in the next year. I desire to encourage these manufactories in the colony as far as possible, and do not wish to deal harshly with them; therefore, with this desire I have gone to a lot of trouble in investigating the state of the industry, and the Government Actuary has gone into it thoroughly. The Under Treasurer also has investigated the facts. On the whole, I have come to the conclusion that the margin of profit to the manufacturers in the colony is not great. Still, although this proposed alteration of 1½d. in the lb. in the duty on unmanufactured tobacco will not make much difference to the colony, it will put about £500 a year into the pockets of the manufacturers; or, at any rate, the most that the revenue will lose by this alteration will be £500 or £600 for the year. I think that at present it will be better for us to encourage these people to carry on their manufactory, and to expand it, rather than that we should make the margin of profit so small as to render the business unprofitable to carry on, merely for the purpose of getting a little more revenue for the colony. I have not taken this course without a good deal of thought, because I took up the position before that any reduction of this duty was undesirable, and I still think that, under existing circumstances, it would be better for the revenue of the colony if the tobacco factory were not in existence here. I am not peculiar in that view, for I know persons connected with Governments in the other colonies who have told me they have come to the same conclusion with reference to the local manufacture of tobacco. I have heard from public men in South Australia that tobacco making is not an industry that is profitable from the revenue point of view, so far as the colony is concerned, because the amount

lost to the revenue in this way is not compensated by the presence and the employment of the people engaged in the manufacture. At the same time, I think everyone who has watched the course of events must admit that this tobacco factory at Fremantle has been carried on with energy, and we can also see that it has not been a very profitable business, and has not that life in it that it would have if it were profitable. This is not a very large concession which the Bill proposes to make, and we all know that the members for Fremantle, or certain of them, in past years have had a good deal to say about this matter as it affects the factory at Fremantle. I believe it has been a good deal discussed at election times in Fremantle, and I am not sure whether it has not almost influenced the fate of a local election now and again, with reference to the question as to whether the tobacco factory at Fremantle should be further encouraged or not. But be that as it may, I think the revenue of the colony will not suffer much by making this small concession; and, more than that, I may say that the manufacturers themselves will be perfectly satisfied with it, and of course it is something to satisfy people who have a grievance, for I know they have been very dissatisfied in the past. Still, we now have the assurance of the manager that, if the factory at Fremantle is placed on the same footing relatively as are the factories in South Australia, the manufacturers here will be satisfied. When we introduced the Bill, I had a telegram from the manager congratulating the Government on the course we had taken. Under existing circumstances, although I have not changed my opinion, I have much pleasure in moving the second reading of this Bill.

MR. GEORGE: I cannot allow this opportunity to pass without congratulating the Premier on the fact that, somehow or other, an inkling of justice seems to have come into his mind with regard to a native industry; but how can he reconcile the fact that, last night, he dealt a death-blow to quite as important an industry in this colony as the tobacco factory at Fremantle, and certainly an industry which employs more men than that factory employs, and in which the men employed cannot have the reproach

hurled against them that this colony would be almost better without them, from the revenue point of view. The Premier is the most inconsistent man I have met with in political life.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill passed through committee without amendment, and was reported.

Report adopted.

TRANSFER OF LAND ACT AMENDMENT BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt), in moving the second reading, said: This is a Bill that came down from the other House, and is a very short measure. It amends the Transfer of Land Act by providing for the registration of powers of attorney, and it re-enacts an old provision, which some years ago slipped out of a consolidation Bill when passing through the Legislature. I intend to move, in committee, one or two other amendments.

Question put and passed.

Bill read a second time.

FENCING BILL.

IN COMMITTEE.

The consideration of the Bill in committee was resumed at Clause 2, upon the amendment of MR. ILLINGWORTH that the words "the Midland Railway Company of Western Australia Limited and" be struck out of the definition of the word "Crown."

MR. ILLINGWORTH said he did not think there was any prospect whatever of this Bill passing through the House this session, and the House was not in a mood to spend a great deal of time on it when other matters were pressing. He would be glad if the hon. member in charge of the Bill would postpone it, or withdraw it altogether, as he was sure the Bill would not give satisfaction to the House or to the country.

MR. CLARKSON said he did not see much use in postponing the Bill, because hon. members would not like it any better if it were postponed till the next week.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) said only one member had taken upon himself, on this occasion, to speak for the House and the country as to whether this Bill was wanted or not. On the previous evening, when dealing with this Bill, advantage was taken to indulge in a little stonewalling. He felt sure it was not the desire of any member of the Commission which had prepared this Bill to jam it down the throats of the people of the country; but those members had acknowledged that the people wanted a fencing Bill, and believed this was such a Bill as was required. The Bill would bring the fencing laws of this colony into line with the fencing laws of other colonies; and the member for Nannine, who professed to know much about Victoria, must be aware of that fact. Fencing Acts in Victoria and South Australia went further than this Bill proposed to go, and, in fact, this Bill had been toned down in order to meet some prejudices which were known to exist in this colony in regard to a Fencing Bill. Neither the Fencing Commission nor the Government desired to jam this Bill down the throats of the people; but he must decline to accept the opinion of the member for Nannine, or the member for Geraldton, as authorities as to what the country required in the shape of a Fencing Bill, for those two members were thoroughly ignorant as to what was required for the progress of settlement in this colony. They were two of the most unqualified members to speak on the subject; therefore, members on that (the Ministerial) side of the House were not going to accept such a verdict from those two members. If the Government found there was a general expression of opinion showing that the House did not desire this Bill, there would be no use to press it.

MR. GEORGE said he must enter his most indignant protest at the idea of the Commissioner of Crown Lands having the audacity to apply such terms as he had applied to the members for Nannine and Geraldton; and he (Mr. George) thought the Chairman's attention must have been attracted in another quarter, or he would not have allowed such terms to be used.

THE COMMISSIONER OF CROWN LANDS: What were the terms?

MR. GEORGE said the Commissioner had stated that these two members knew nothing about the subject; and he (Mr. George) must say it was out of the province of the Commissioner of Crown Lands to accuse hon. members of ignorance. As to the Bill and the amendment before the House, he did not see why there should be any alteration made in the clause, and he must oppose the amendment, because no argument had been adduced by those who had favoured the House with the specimens of their intelligence or their learning in trying to show why the Midland Railway Company should be left out of the definition in the clause.

MR. RANDELL said this portion of the clause had been challenged by the Attorney General in the debate on the second reading; and it appeared as if expert advice had not been taken in framing the Bill, for if a lawyer like the Attorney General could not understand this clause, it was not likely that lay members would do so.

AN HON. MEMBER: The member for East Perth (Mr. James) framed the Bill.

MR. RANDELL said that was not so, for he knew, at any rate, that the member for East Perth would not take any responsibility in the matter. He would like the Bill to be withdrawn, so that it could be further considered, and especially this clause. He would support the amendment to strike out certain words, because he saw no reason why the Midland Railway Company and the West Australian Land Corporation should be included in the interpretation of the word "Crown."

MR. LEFROY (in charge of the Bill) said the hon. member had attacked the framers of the Bill without proper reason, for most of the clauses were copied from Acts existing in other colonies. It was a reflection to say the Fencing Commission had not had the assistance of expert opinion on the subject; and now that a well considered Bill had been brought forward, they were asked to withdraw it. He was not prepared to withdraw the Bill, as those opposing it should show where the clauses were wrong. They had had the question before the country for years, and it was admitted that a Fencing Bill was needed, and he believed the country was satisfied to leave the framing

of a Bill in the hands of the Commission which was appointed to frame this Bill. The intention involved in this interpretation of the word "Crown" was good, for it was in the interests of the colony that this provision as to the two land-grant companies should be made in a Bill which was framed on reasonable lines.

MR. RANDELL said the hon. member had not shown why the Midland Railway Company should be included in the interpretation of the word "Crown."

MR. LEFROY said it was because the 2,400,000 acres of land held by the Midland Railway Company were in the same position as leasehold land held from the Crown. It was freehold as far as the company was concerned, but so far as the tenants were concerned, the company's land was practically leasehold; therefore, it was purely in the interests of the people of the colony that this provision was inserted. The House would be doing a gross injustice to the leaseholders of the company's lands between Geraldton and Albany, unless a provision of this sort was included in the Bill.

MR. ILLINGWORTH said the hon. member had made something like seven attempts to explain the Bill, but no one yet understood it, and the Attorney General was not prepared to take the responsibility of driving the Bill through the House. The Bill was badly drawn; and the definition clauses, which should be clear, were by no means so, these clauses in many respects being distinctly contradictory. If it were possible to make the Bill a satisfactory measure, he would be willing to assist; but it was impossible. No strong desire had been expressed for a Fencing Bill; but if they were to have such a measure, it should be one they could rely on, and one the people could understand.

THE ATTORNEY GENERAL (Hon. S. Burt) said he did not wish to say or do anything to damp the ardour of the hon. member in charge of the Bill, as he knew the Commissioner had taken great pains to try and frame a workable Bill; but he had always said the measure was a most difficult one to frame. The word "Crown" might include the two land-grant railway companies; but at times, when they tried to read the word "Crown"

for "railway company," they found it was impossible to do so. The better way of doing what the Commission had in view would be to say that the Act should not apply to any land belonging to the land-grant companies, and that would then be intelligible. Another way would be to give a definition for "land company," and then in connection with the word "Crown" throughout the sections there might also be the words "or companies." Again, there was a difficulty about the definition of a fence, which, in its interpretation, meant three things. The best way would be to consider the Bill, and then the interpretation clauses. No harm would be done if he moved to strike out the whole of Clause 2.

MR. SIMPSON said that, despite the labour which the Commission had expended on the Bill, and for which they were to be commended, the measure in its present shape was not practicable or wise. In fact, it contained a dangerous principle. Therefore it would be judicious to defer the consideration of the Bill, and he moved that the Chairman do leave the Chair.

THE CHAIRMAN pointed out that there was an amendment before the House.

MR. LEFROY asked whether the question, that the Chairman do leave the Chair, must be put without discussion.

THE CHAIRMAN said it ought to be, and the hon. member could vote against it.

Motion—that the Chairman do leave the Chair—put and division taken, with the following result:—

Ayes	...	...	...	4
Noes	...	...	...	11
				—
Majority against	...	...	...	7

AYES.		NOES.
Mr. George	:	Mr. Burt
Mr. Illingworth	:	Mr. Clarkson
Mr. Simpson	:	Sir John Forrest
Mr. Randell (Teller).	:	Mr. A. Forrest
		Mr. Hassell
		Mr. Lefroy
		Mr. Piesse
		Mr. Richardson
		Mr. Throssell
		Mr. Wood
		Mr. Higham (Teller).

Motion negatived.

THE COMMISSIONER OF CROWN LANDS said that, as a great deal of criticism had been levelled against the Bill, and the legal member of the Commission (Mr. James) was not then in his place in the House, he would move that progress be reported.

Put and passed.

Progress reported, and leave given to sit again on the next Wednesday.

ADJOURNMENT.

The House adjourned at 8:37 o'clock p.m., until the next Tuesday.

Legislative Council.

Tuesday, 22nd September, 1896.

Want of Quorum—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4:30 o'clock, p.m.

WANT OF QUORUM—ADJOURNMENT.

Ten minutes from the time of meeting having elapsed, and a quorum of members not being present, the President (Hon. Sir G. Shenton), in accordance with the provisions of Standing Order No. 9, declared the Council adjourned until the next sitting day, viz., Wednesday, 23rd September, at half-past four o'clock, p.m.

Legislative Assembly.

Tuesday, 22nd September, 1896.

Question: Purchase of Great Southern Railway—Loan Bill and Message, £3,500,000—Customs Duties Repeal Bill: third reading—Tobacco (Unmanufactured) Duty Bill: third reading—Public Works Bill: in committee—Bills of Sale Bill: second reading—Bankruptcy Act Amendment Bill: in committee—Waterworks Bill: second reading moved—Adjournment.

THE SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

QUESTION—PURCHASE OF GREAT SOUTHERN RAILWAY.

MR. HARPER, by leave and without notice, asked the Premier: Is it true that the Government have purchased the Great Southern Railway?

THE PREMIER (Hon. Sir J. Forrest) replied: I have pleasure in replying to the hon. member, and in informing the House, that the Great Southern Railway Company have for some time past been in negotiation with the Government with regard to the purchase of the whole of their interests in this colony; and yesterday I cabled to the Agent-General in London to inform the Company that the offer made by them, which offer is subject to the approval of the shareholders of the Company, has been accepted by the Government, subject to the approval of Parliament.

LOAN BILL, £3,500,000.

THE PREMIER (Hon. Sir J. Forrest) moved for leave to introduce a Loan Bill to authorise the raising of a sum of £3,500,000 by loan, for the construction of certain public works and for other purposes.

A Message from the Governor, recommending the appropriation, was read.

Leave given; Bill introduced, and read a first time.

CUSTOMS DUTIES REPEAL BILL.

THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.