

Legislative Council,

Monday, 13th December, 1909.

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

QUESTION—TROPICAL CULTURE, REPORT OF EXPERT.

Hon. R. W. PENNEFATHER (without notice) asked the Colonial Secretary: When will the report of Mr. Despeissis, the tropical agriculture expert, be laid on the Table of the House?

The COLONIAL SECRETARY replied: I cannot answer the hon. member definitely without notice, but I will make inquiries before the next sitting of the House.

QUESTION—HOMESTEAD LEASES, POWERS OF MORTGAGOR.

Hon. C. SOMMERS (without notice) asked the Colonial Secretary: Is it the intention of the Government to introduce into the Land Act Amendment Bill a clause providing that holders of homestead leases may mortgage the same to institutions other than the Agricultural Bank?

The COLONIAL SECRETARY replied: No; it is not intended to introduce such an amendment. The Bill was brought in for a special purpose. It has already passed another place and loading it with other matters would endanger its passage.

Hon. J. W. Hackett: Will you do it next session?

The COLONIAL SECRETARY: We will bring in a consolidating Bill next session.

Hon. J. W. Hackett: Dealing with that question?

The COLONIAL SECRETARY: Yes.

OBITUARY, LETTER IN REPLY.

The PRESIDENT: I have received the following reply to the letter of condolence on the death of the late member, R. F. Sholl:—

"The President, Legislative Council,

Dear Sir,—On behalf of my mother, sisters, and brother I have to thank you and the members of your honourable House for the kind references made in honour of our dear father in your Council on Tuesday night last, and for your genuine note of sympathy and condolence which we received yesterday, the 9th of December. We all feel and recognise the honour and esteem in which our poor father was held throughout the State. Thanking you again for your kindness I remain, Yours sincerely,

Guy T. Sholl."

256 St. George's Terrace, Perth,
10th December, 1909."

PAPERS—INFORMATION BUREAU, CEYLON.

Hon. C. SOMMERS (Metropolitan) moved—

That all papers and correspondence in connection with the proposed establishment of a West Australian bureau in Ceylon be laid upon the Table of the House.

He said: I have noticed in the correspondence column of the *West Australian* a letter signed "Anglo-Indian" which refers to the cabled information that the steamer "Marathon" was carrying 142 nominated immigrants to Sydney, but that no mention was made of Western Australia although other immigrants were going to Tasmania and elsewhere. I know that some time ago it was proposed to establish a bureau in Ceylon with the idea of attracting Anglo-Indians here, and I would like to know if the Colonial Secretary will lay on the Table all the papers in connection therewith, so that we may judge how the proposed bureau is getting on.

On motion by the Colonial Secretary debate adjourned.

BILL—BOYUP-KOJONUP RAILWAY

Read a third time and *passed*.

BILL—LAND ACT AMENDMENT.

In Committee.

Postponed Clause 6—Amendment of 62 Vict., No. 37, s. 136:

The CHAIRMAN: On this Clause an amendment had been moved to strike out after the word "forfeiture" in line seven all the words to the end of the clause.

The COLONIAL SECRETARY: It was understood that Mr. Piesse, the mover of the amendment, had intended to withdraw it, having realised as the result of the debate which had taken place that the amendment was impracticable. If the amendment were carried the department would have to sue for the survey fees in the ordinary way. No hardship had been inflicted under the section in the existing Act yet this clause was more lenient than that section.

Amendment put and negatived.

Clause put and passed.

Title:

Hon. M. L. MOSS: A new clause should be inserted in the Bill. It seemed that these conditional purchase leases, many of which were very valuable, could not be taken under an execution following on an order of the Court.

The Colonial Secretary: You are speaking of homesteads.

Hon. M. L. MOSS: Not homesteads but conditional purchases. It seemed that there was no machinery in the Land Act for attaching under the execution of a Court any of these conditional purchases. That was rather a scandalous state of affairs. A man might be in possession of property worth thousands of pounds and might defy his creditors. Freehold land, leasehold land, and land under the Mining Act could be got at by registration of the writ of execution, but that was not the case in regard to these conditional purchases. The Minister might make inquiries; it would not take the Parliamentary Draftsman long to draft an amendment to meet the case.

The CHAIRMAN: There was nothing before the Committee but the Title. The hon member's course was to consult with the Minister after reporting progress. As this was a money Bill, once the Title was passed he could not accept any amendment. It would be better to report progress.

Progress reported.

ADJOURNMENT—STATE OF BUSINESS.

The COLONIAL SECRETARY (Hon. J. D. Connolly): I regret there is no more business to bring before the House. It will be remembered that I moved that we should sit on Mondays and Fridays. We did not sit on Friday on account of not having sufficient business, and it was hoped sufficient business would come from another place on Friday to give us work for to-day, but unfortunately an unforeseen debate took place in another place on Friday and took up a good deal of the sitting. However, two Bills were passed by another place, but it seems to be held that a Message can only be sent when both Houses are sitting at the same time. Therefore, we are not in receipt of the Message conveying the two railway Bills passed by the Assembly on Friday.

Hon. J. W. Hackett: Why cannot we get them now?

The COLONIAL SECRETARY: They hold they cannot send a Message when the Assembly is not sitting. However, we will have these two Bills to-morrow and probably a couple of others before the House rises.

House adjourned at 4.49 p.m.