ready to be turned on when the scheme was opened at Kalgoorlie.

THE MINISTER FOR WORKS: It was intended from this vote to make a start with the reticulation of Coolgardie, Kalgoorlie and Boulder. Tenders had been called for the pipes.

Vote passed.

CLASS VI.—*Development of Goldfields and Mineral Resources; from General Loan Fund,* £34,412 4s. 1d.:

THE MINISTER FOR WORKS moved that after "fund" the words "administered by the Mines Department" be inserted.

Amendment passed.

Item—Pilbarra Goldfields, £2,000:

MR. JACOBY asked for explanation.

THE MINISTER FOR WORKS: This was for sinking a well at Port Hedland, deepening existing wells in the district, and boring in the vicinity of Nullagine.

Vote passed.

CLASS VIII.—*Development of Agriculture*—agreed to.

CLASS IX.—*Immigration,* £387 6s. 5d.:

MR. JOHNSON: Last year £3,000 was expended. Why the difference, and why the next item of £4,612 from loan suspense account?

THE PREMIER: This was the balance left from the Immigration vote of past years. It was intended as far as possible to defray out of revenue the cost of importing from the Eastern States the wives and families of men resident here. If the cost should be heavy, it would be a fair charge against loan.

MR. HASTIE: In the majority of cases, were not such advances repaid by the borrowers, and did not the moneys go into the ordinary revenue?

THE PREMIER: Yes.

MR. HASTIE: Then as £3,400 had been spent, the net expenditure would probably be less than £400; and next year less than £600 should suffice.

THE PREMIER: That was hoped.

Item—From loan suspense account, £4,612 13s. 7d.—agreed to.

Vote put and passed.

This concluded the Loan Estimates.

Resolutions reported, and the report adopted.

FISHERIES ACT AMENDMENT BILL.

Received from the Legislative Council, and read a first time.

ADJOURNMENT.

The House adjourned at 24 minutes past 11 o'clock, until the next day.

Legislative Council,

Thursday, 18th December, 1902.

THE PRESIDENT took the Chair at 4·30 o'clock, p.m.

PRAYERS.

PAPER PRESENTED.

By the MINISTER FOR LANDS: Annual report, Railway Department.

POISON LEASE EXCHANGED FOR FREEHOLD.

MINISTERIAL STATEMENT.

THE MINISTER FOR LANDS (Hon. A. Jameson): In connection with a question which arose yesterday relative to certain fees simple granted to the Occi-

dental Syndicate, I ask for the indulgence of the House in order that I may explain the position of affairs. Every member must recognise that such a motion as left the Chamber yesterday, practically accusing the Lands Department of great carelessness, negligence, and indifference, must be most damaging to the State if it be not followed by some adequate explanation. The matter was brought before me somewhat suddenly, and I thought that members would have accepted my assurance without requiring me actually to adduce the regulations on which I founded my opinion. I desire to point out now that the large leaseholds in question, covering as much as 300,000 or 400,000 acres, were held under Regulations 86 and 87 of the Land Regulations of 1882. I have the regulations here before me, and I shall be glad to let any member avail himself of them. I do not consider it necessary to read them at length. I have to point out that under those regulations the syndicate's title was an undoubted one, and in no way forfeitable. The regulations contain no stipulation as to the time within which prescribed improvements must be performed: they provide merely that those improvements must be effected during the currency of the lease of 21 years, and that if they be not performed, then at the expiration of the lease no Crown grant can issue. Accordingly, the lessees have another five years in which to effect their improvements. Undoubtedly they hold the pre-emptive right of purchase, and at the end of 21 years would be entitled to exercise pre-emption if they had complied with the improvement conditions. By no possibility could the leases have been forfeited. Therefore, clearly the position is that an enormous area of land had been taken up by people who had a pre-emptive right to purchase, and that they gave up an area of 280,000 acres in order that they might obtain the fee simple of a very much smaller area. The portion surrendered, be it noted, was of vast importance on sanitary and other grounds in connection with the Coolgardie Water Scheme. This explanation, I think, makes it clear that at all events our late Premier and Attorney General, Mr. Leake, who of course had much to do with the matter, was in no way to blame. I regret that the House should have thrown any blame on the head of the late Mr. Leake. Every one knows, of course, that the question, being one of law, rested largely with him. I tender this explanation, not so much for the benefit of members of this House, as to make it clear that our Lands Department, which deals with perhaps the greatest estate in the British Empire, makes every effort to do justice to all parties, and in no way to permit of any prevarication such as might cause us to believe that we are going astray in any way. I regret having to make this explanation, which, however, I consider due to the great department over which I have control at present.

PERSONAL EXPLANATION.

HON. C. SOMMERS (North-East): I desire to offer a few words on this matter. First of all, I have to express my great regret that I was absent when Mr. Piesse introduced his motion yesterday. I regret it particularly because I find myself rather at a loss to know what to reply to. I can go on hearsay alone, and therefore I may possibly enter into phases of the question which have not been touched. The papers connected with the Occidental Syndicate first came before me shortly after I took office. They were brought to my notice by the request of the syndicate for some consideration. The syndicate pointed out that, under the by-laws gazetted by the Public Works Department in connection with the Mundaring catchment area, it could not possibly carry on its business of general farming. That is made quite clear, I think, by the terms of the clauses and by-laws, and they stated that if these were to be enforced it would be impossible for them to carry on their farming operations.

HON. W. T. LOTON: Have they ever started?

HON. C. SOMMERS: I do not think they have on that particular area, but in other areas they have. The total area held by the syndicate appears to be 545,000 acres. They proposed to throw up half the land, 272,000 acres, either in the catchment area or adjacent to it, in exchange for a freehold for the balance of their area, 272,000 acres, so that even if the Government had acceded to their request, they would have reduced this vast holding of 545,000 acres to 272,000

acres. But we were able to make a better deal than that. The thing went along. A great number of interviews were held between the secretary of this syndicate and myself, and at last the matter got along till there were some definite proposals. On page, 4 Mr. May, the Chief Inspector of Lands, states:—

> The leases which were granted under the Regulations of 1887 expire in December, 1906.

I think that is early in the file, page 4. In my opinion it is important for the House to note that, because these are serious charges to make. This was in May, 1901.

MEMBER: They were not granted.

HON. C. SOMMERS: No. The negotiations were opened in May, and were practically concluded a few months after May. These were not forfeitable until 1906. The syndicate had been eradicating poison and improving their leases in other parts of the country, on this half million acres. Nothing led one to suppose they would not have carried on improvements to enable them to acquire the freehold of the whole amount if they so desired. I would like members to remember this. It is all very well to talk about the Government resuming land, but every time the Government have attempted to do anything of that sort they have had to pay pretty heavily. We had this land included in the catchment area. The result of the negotiations was that arrangements were come to whereby they were to surrender 131,000 acres in exchange for 80,000 acres of freehold. This matter was very carefully deliberated. I took it before Cabinet two or three times. It was thought over there, and the arrangement come to was that I was to give away as little freehold as possible. We arrived at a basis of two-thirds. We were threatened with law proceedings by Messrs. Stone and Burt if some arrangement were not come to. That was another fact we had to bear in mind. We finished it by getting three acres for every two acres. The company were strong enough, I believe, to have made the whole of the property freehold. The improvements would have cost them on that portion about £13,000, and they had six years to spend it in. If the land had been very valuable, they would have taken very great care to arrange the money to enable them to claim the title. The late Mr. O'Connor, in these minutes on page 14, stated that it would be desirable, if possible, to get all these lessees out of the catchment area, as the fear of pollution was considerable. On page 15 I find a memo. that the syndicate were prepared to surrender 130,000 acres for 80,000 acres of freehold. I would like the House to bear this in mind: they were not getting the 80,000 acres of freehold out of Crown lands we held, but out of lands they already held under lease, and which they were entitled to at any time by making improvements and claiming them as freehold. The matter eventually got to Cabinet, and a minute was signed recommending the Government to give 83,000 acres in surrender for 168,391 acres. It was found then that under the powers of the Land Act we had no right whatever to make this exchange. We can only exchange freehold for freehold, and the matter was allowed to stand over until the amending Land Act came before Parliament. Among other amendments, this was one of them. In Clause 2 in the Bill brought down by myself that right was included. The *Hansard* report (page 698) of a speech I made on the second reading of the Land Act Amendment Bill shows that I said:—

> Subclause *b* amends Section 5 of the principal Act in such a manner as to allow the Governor to grant land in fee simple for other lands in the State, such as poison land or conditionally purchased land. It will bring the Act into line with a similar section of the South Australian Act. In many cases, particularly on the goldfields, residence areas are granted, not in fee simple; but it has been found necessary for the Government to make exchanges, and the Act at present states that an exchange of land can only be made in fee simple for land already held in fee simple. In the past these exchanges have been made illegally, and Subclause *b* will make legal now what was before illegally done. It is absolutely necessary to have this provision. A case in point occurs in regard to the Coolgardie water supply catchment area. There has been reserved a large area to safeguard the water from pollution, and it has been deemed desirable that many poison leases shall be resumed. Already the Government have been approached, not only by leaseholders of poisoned land, but others who are willing to exchange land and are willing to take fee simple lands in other portions of the State. It is desirable that power should be given to the Minister to make these exchanges wherever it is in the public interest. It is a big

power to give any Minister, but it is absolutely necessary in the conduct of the affairs of the State to have power to exchange land in the way suggested.

Hon. R. G. Burges: With the consent of the Governor?

The Minister for Lands: Of course.

Hon. C. A. Piesse: The Minister has that already.

The Minister for Lands: Not already.

Hon. C. A. Piesse: In fee simple he has.

The Minister for Lands: Yes; but not to exchange for conditionally purchased land and poison leases or land held under any similar title.

I think the House will agree that the matter was pointed out when the clause was before the House, although perhaps not to the extent it might have been with regard to the area. I see that later on I went on to say:—

When we come to these particular clauses in Committee, I will go more fully into them.

I find, on looking into the debates, that a battle royal raged round the definition of "fence." When that got through, everyone seemed to be heartily sick of the clause, and it was carried without farther debate, and the subclause went through without being called into question. All I have to say is, as far as I am personally concerned, the whole transaction was in the interests of the State. We got back 168,000 and odd acres. That was my proposal in exchange for 83,000 acres, which they already held. Instead of asking them to make the improvements there, we gave them the fee simple or agreed to do so for the 83,000. I think no harm has been done, and a great deal has been said unnecessarily.

HON. J. W. HACKETT: You refused to carry it out in the end.

HON. C. SOMMERS: No. All I say is that Mr. Nicholson, the secretary of the syndicate, was always coming and wanting to push the matter hurriedly through. My reply was that I declined to see him again on the matter; the Cabinet had settled what they would give him, and nothing could be done until the amendment of the Act was passed. The amendment of the Act was passed a month later, and by the time it was through I had left office. The matter went on, and the area was increased to 111,000 acres, but only in the same ratio. It was found there were leases just outside the catchment adjoining those within, and it was thought desirable to make a clean sweep of the whole of the leases in that direction, and to take them over on the same lines, the State receiving three acres of leasehold for two of freehold. These people had a perfect right to retain the whole of the half million acres had they desired, and I think the Government have not made a very bad deal. In justice to the Under Secretary for Lands, I would like in fairness to ask the indulgence of the House while I read a minute made by him for the information of Dr. Jameson:—

With further reference to this matter of the surrender of certain poison leases in the Coolgardie Catchment Area by the Occidental Syndicate, in exchange for the fee simple of an area of land (included in other poison leases held by the same syndicate) equal to two-thirds of the area surrendered, it appears that owing to the large amount of correspondence that has taken place on the subject, and the different proposals and counter proposals that have been made, the matter has become somewhat involved, and the numbers and figures given in the Cabinet minute on page 38 do not correctly represent what I believe was finally agreed to.

2. There is no doubt that this is a large and important transaction which is being entered into, and one respecting which the Government may be questioned in Parliament; so before asking you to sign a fresh minute I desire to put the case clearly before you, in order that there may be no misunderstanding, and that the justification of the transaction may be apparent.

3. Long before the Coolgardie Water Scheme was thought of a large number of poison leases were granted on the Helena (in what is now the Catchment Area), and farther southwards in the Kojonup and Williams Districts. During the last few years the bulk of these leases have become the property of the Occidental Syndicate, which has given several proofs of its ability to carry out the conditions, and so obtain the Crown grants of the land thus held.

MEMBER: That is not correct.

HON. C. SOMMERS: I do not know. That is what the Under Secretary says.

4. In May of last year Mr. R. Bailey, writing from London on behalf of the syndicate, made a proposal to the Government, offering to surrender the leases in the catchment area in exchange for the Crown grant of an equal area to be selected from their other leases.

5. Before this offer was dealt with certain by-laws affecting the Catchment Area were gazetted which would render it practically impossible for the poison lessees within the area to carry out the conditions of their leases without infringing the by-laws, *vide* copy of Messrs. Stone and Burt's letter on page 8.

I need not read that.

6. While admitting the great advantage it would be to the Government to get undisputed control of so large a portion of the Catchment Area, I was unable to recommend the acceptance of the offer, thinking that better terms for the Government could be got. (See minute on page 9.)

7. The question was then submitted to Cabinet, but the papers were sent back to this Department again for the Minister to go carefully into the matter and make a recommendation.

8. The matter had been previously referred to the Works Department, and the Engineer-in-Chief wrote on the proposal on 2nd July, 1901, as follows:—"If the figures quoted by Mr. Nicholson are anywhere near correct, and if the Lands Department is willing to give the freehold he asks for in exchange for the leasehold which he proposes to surrender, I should be quite prepared to recommend that we pay to the Lands Department the £2,800 which I understand that they will lose by cessation of rent, as the prevention of all kinds of pollution on the lands in question within the Helena Weir Catchment basin would be worth that amount to us, and probably much more."

9. The Minister then discussed the matter with Mr. Nicholson, the local representative of the syndicate, and it was agreed that if Mr. Nicholson would modify the proposal, by agreeing to accept an area equal to about two-thirds of what it was proposed to surrender, he (the Minister) would recommend it for approval.

10. This was done (*vide* pages 15 to 19), but it was decided that the Land Act gave the Government no power to effect such an exchange, and the matter was shelved pending an amendment of the Act.

11. The necessary amendment of the Act having become law, Mr. Nicholson approached the Government again on the subject in February last, with the result that you recommended the carrying out of what had practically been agreed to by the former Government (*vide* page 33).

12. In preparing the Cabinet minute on page 38, however, as previously stated, some discrepancies as to the numbers and areas crept in, and now the further question arises, are the additional blocks which Mr. Nicholson mentions in his last letter to be dealt with in the same manner as those first agreed to, which, as summed up in Mr. May's minute on page 49, will be the granting in fee simple of 111,262 acres at present held under poison lease in exchange for the surrender to the Crown of 166,894 acres held under poison lease in and adjoining the catchment area (*vide* plans on pages 48 and 49).

13. The arguments in support of it may be summarised thus:—

(*a.*) It is very desirable for the prevention of pollution of the Catchment Area that the Government should, if possible, acquire all the lands within it, and this proposal will secure more than half such area.

(*b.*) That the present owners of the leases in question are, in other parts, vigorously carrying on the work of eradicating the poison, and otherwise complying with the conditions which will entitle them to the Crown grants, and therefore there is no reason to suppose that they cannot or will not do the same on these leases in the area, and once they have obtained the grants, or even if the matter was left till they have commenced spending money on the land, the cost to the Government to obtain the land would be vastly more.

(*c.*) If, on the other hand, the enforcing of the by-laws before referred to, prevented the carrying out of the conditions, the syndicate would have a cause of action against the Government, the cost of which cannot be estimated.

14. Therefore, I consider the grant in fee simple of an area of two-thirds of what is being surrendered, out of lands which there is no reason to doubt will eventually become the property of the syndicate, is good business. So far as I can see the actual cost to the Government of securing this 106,894 acres will be merely the rent which would have to be paid on the 111,262 acres from now to the date of expiration of the leases, viz., £600 (in round figures), in addition to which the Lands Department will lose the rent for the same period on the area surrendered, 166,894 acres, viz., £800), but in accordance with Mr. O'Connor's minute before quoted the Works Department would be prepared to recoup the Lands Department what it loses in the matter. I therefore recommend approval.

I think that hon. members, bearing in mind these facts, and the farther fact that the syndicate were able and willing to carry out the conditions, and had until 1906 to do so, will recognise that there has been a great deal of unnecessary talk. I venture to say that if a similar proposal came before the present Government similar action would be taken. In making this exchange the Government gave away nothing at all, but got back a large area of land which was required for the purposes of the Coolgardie Water Scheme and to resume which would have been exceedingly costly. All that was granted in return for the surrender of the land was a relaxation of the conditions applying to 111,000 acres already held by the syndicate. The Government, I say, obtained a valuable area close to Perth—not valuable for grazing use, from which aspect the land is not worth 5s. an acre, but valuable

in connection with the Coolgardie Water Scheme. I thank the House for having allowed me an opportunity of speaking on the question, and I again express my great regret that I was not present when this matter was raised yesterday.

QUESTION — LAND SETTLEMENT, BRIDGETOWN TO MOUNT BARKER.

HON. W. MALEY (for Hon. C. A. Piesse) asked the Minister for Lands: 1, If the attention of the Government has been drawn to the report of Mr. Buchanan, Chief Inspector of Fruit, dealing with the question of land settlement between Bridgetown and Mount Barker, on the Great Southern Railway. 2, If the Government intends to carry out suggestions contained therein as to the best mode of settling this valuable country.

THE MINISTER FOR LANDS replied: The report in question is under consideration.

STANDING ORDERS SUSPENSION.

TO EXPEDITE BUSINESS.

THE MINISTER FOR LANDS moved:—

That in order to expedite business, the Standing Orders relating to the passing of public Bills, and the consideration of Messages from the Legislative Assembly, be suspended during the remainder of the Session.

This motion required little explanation. Time was short now. If the session was to end within a reasonable period, a few measures must be carried through all stages in the course of the next day or two. He hoped the House would support the motion.

HON. A. G. JENKINS hoped the House would not agree to the motion, for which there was no necessity. Bills were being pushed through quite quickly enough, without adequate consideration. Any difficulty in connection with a particular Bill might be got over by moving a suspension of the Standing Orders for the purpose of passing such measure. The House ought not to allow itself to be made a stalking-horse by the Government.

HON. J. T. GLOWREY opposed the suspension of the Standing Orders. If necessity arose the House would do as it had done yesterday, and readily grant a suspension in respect of any particular Bill. It was not fair to ask for a general suspension at the end of the week, since no one knew what Bills might come down and be rushed through a thin House.

HON. G. RANDELL: Having on several occasions required the co-operation and indulgence of the Legislative Council at the end of the session when he occupied a position on the Ministerial bench, he certainly hoped the motion would be carried. Undoubtedly, a suspension of the Standing Orders at the end of the session was desirable for the purpose of facilitating business. In carrying the motion we should be giving up nothing, because the progress of a Bill might be stopped at any point if this were necessary to protect the rights and privileges of the House. The course of moving the suspension in connection with every individual Bill was liable to accident, since a majority of the House might not always be present, and so, notwithstanding that a Bill was as clear as possible and one which members would be glad to see carried through all stages at one sitting, difficulty would arise. Hon. members must bear in mind that they had in their own hands the power to prevent any improper use of the liberty asked for by the Minister.

HON. W. MALEY opposed the suspension of the Standing Orders to suit the Minister.

THE MINISTER FOR LANDS: To suit the House, not the Minister.

HON. W. MALEY: Very well; to suit the House, then. Another place was now taking exception to reasonable amendments made by this House. Bills were sent along for our consideration, and when we returned them with amendments these were not adequately considered by another place, but were sent back with a certain degree of contumely. Members of this House should refuse to be set up as a cockshy to be knocked down by another place. Let us take ample time and do our work thoroughly, earnestly, and consistently, so that no reflection might rest on this Chamber at all events.

HON. B. C. O'BRIEN opposed the motion, which merely gave rise to much unnecessary debate. Every consideration would be extended to the Minister in connection with individual Bills. Mr.

Randell had said that in agreeing to the motion the House would be giving up nothing, but he (Mr. O'Brien) thought a good deal would be surrendered.

SIR E. H. WITTENOOM: Having had a little experience of motions of this kind when he had the labour and trouble of leading this House, he had much pleasure in supporting the Government. At this stage of the session the motion ought certainly to be carried. Ministers, he felt sure, would not place any obstacle in the way of full discussion. The courtesy of the leader of the House was extensive and large, and would allow every latitude of debate. The suspension of the Standing Orders was desirable not so much because it was required in connection with every Bill, but in order that it might be available when in fact required.

Question put, and a division taken with the following result:—

Ayes	...	...	11
Noes	...	...	9
Majority for		...	2

AYES.	NOES.
Hon. H. Briggs	Hon. G. Bellingham
Hon. E. M. Clarke	Hon. T. F. O. Brimage
Hon. J. W. Hackett	Hon. J. D. Connolly
Hon. A. Jameson	Hon. C. E. Dempster
Hon. W. T. Loton	Hon. J. T. Glowrey
Hon. M. L. Moss	Hon. W. Maley
Hon. G. Randell	Hon. B. C. O'Brien
Hon. J. E. Richardson	Hon. J. A. Thomson
Hon. C. Sommers	Hon. A. G. Jenkins (*Teller*).
Hon. Sir E. H. Wittenoom	
Hon. B. C. Wood (*Teller*).	

Question thus passed.

THE PRESIDENT: Hon. members would understand that the Standing Orders were suspended for the remainder of the session.

FACTORIES AND SHOPS BILL.

TO REINSTATE AND SHORTEN.

THE MINISTER FOR LANDS (Hon. A. Jameson) had given notice of the following motion:—

That the proceedings of the Committee of the whole Council on the Factories and Shops Bill, which were superseded, be resumed, and that the farther consideration of the Bill in Committee be made an Order of the Day for the next sitting of the Council.

He said: I brought this forward at the request of Dr. Hackett, in the belief or hope that we might have a majority of the House supporting the measure. Since then, I have consulted with my colleagues, and the position we took up was that this being a policy Bill, it was one of the Bills which the Government deemed to be very important; and the Government do not propose to have the Bill mutilated in the way it would be if I were to bring forward any portion of the Bill for the satisfaction of hon. members after it has been once thrown out, therefore, I am not at liberty to move the motion. The Bill will be reintroduced next session, in the hope that members may then have had time to carefully consider the position, and may perhaps give the measure a little more support.

POINTS OF PROCEDURE.

HON. J. W. HACKETT: What position are we in? Can I move?

THE MINISTER FOR LANDS: Is the hon. member in order.

HON. M. L. MOSS: I rise to a point of order. The Minister moved nothing. He is not bound to move, and if he fails to move the motion lapses.

HON. J. W. HACKETT: The hon. member is too hasty. He does not know the question I am going to put. I will not give way unless the President calls upon me to do so. If I make a mistake the Minister can jump on me.

HON. M. L. MOSS: I will.

HON. J. W. HACKETT: The question is this: Will it be competent for me to take action at this stage to move that an admirable Bill of two clauses be placed upon the paper as a substitute for the Bill which I understand the Minister for Lands will not proceed with. If I am in order, I will move that the original Bill be withdrawn, and this new Bill be proceeded with.

THE PRESIDENT: The hon. member would have to give notice for that.

HON. J. W. HACKETT: For what?

THE PRESIDENT: You could not deal with it now. You would have to give notice.

HON. J. W. HACKETT: Under what Standing Order?

THE PRESIDENT: You could not bring a thing in like this without notice.

HON. J. W. HACKETT: What Standing Order?

THE PRESIDENT: It is the usage of the House in a matter of that kind. The Standing Orders are merely suspended relating to the passing of public Bills

and the consideration of messages from the Legislative Assembly during the present session. The whole of the Standing Orders are not suspended.

HON. J. W. HACKETT: What steps can I take?

THE PRESIDENT: If the hon. member wishes to deal with the matter, he can hand in a notice to the Clerk that he proposes to introduce a Bill to amend the Early Closing Act.

HON. J. W. HACKETT: With regard to the former measure?

THE PRESIDENT: The Minister in charge drops it.

HON. J. W. HACKETT: I give notice that to-morrow I will move for leave to introduce a Bill, since the Bill the hon. member introduced has dropped.

THE PRESIDENT: The hon. member is perfectly in order in doing that.

HON. J. W. HACKETT: And under the suspension of the Standing Orders we can proceed with it at once?

THE PRESIDENT: Yes.

HON. G. RANDELL: I think I am right in stating that there has been a precedent in the Parliament of this country for an individual member of the House to take up a Bill and submit it for the farther consideration of the House.

THE PRESIDENT: You would have to give notice.

HON. G. RANDELL: No, sir. When the Minister announces that he does not intend to go farther, it is open to the House to take the matter into its own hands. That has been done I know, and I think it has been done in the House of Commons.

THE PRESIDENT: As I understand from the tone of the debate, the only portion of the Bill one or two members wish to discuss consists of one or two clauses relating to early closing. I think the simplest plan would be to bring in a Bill to amend the Early Closing Act. When the hon. member carried an amendment relating to Clause 2, he personally killed all clauses of the Factory Bill.

SIR E. H. WITTENOOM: Is it possible to reintroduce a Bill, or is it not?

THE PRESIDENT: The present Bill?

SIR E. H. WITTENOOM: The Bill thrown out the other day—is it possible now to reintroduce it?

THE PRESIDENT: The Bill has not been thrown out. I gave my ruling yesterday. The resolution carried by the House was "That the Chairman do now leave the Chair," which gives power for the Bill to be reintroduced at the stage at which it dropped. But the Minister in charge of the Bill states that he does not intend to proceed with it. Dr. Hackett states that he intends to bring in a Bill simply to deal with these two or three clauses.

SIR E. H. WITTENOOM: Is it possible now to reintroduce the Bill that was brought forward before, or is it not?

THE PRESIDENT: Yes; by giving notice.

HON. J. W. HACKETT: Either course then can be adopted. One can either move that the original Bill be reinstated or that we proceed with a new Bill?

THE PRESIDENT: Yes; either course is open.

HON. J. W. HACKETT: We could strike out all the clauses and insert half a dozen clauses.

THE PRESIDENT: Either course is open to the hon. member; that is to move that the Bill be reinstated, or to bring in this other Bill.

HON. B. C. WOOD: I think we had better follow the Minister for Lands, and let the thing drop, because I feel sure from what I have heard that anything we do in this House will not receive the assent of the Assembly. If we eliminate those clauses relating to factories, the other part of the Bill will be set aside.

HON. J. W. HACKETT: Very well. Then the responsibility is on them.

HON. B. C. WOOD: It would be treated in the same manner as the Bread Bill when sent from this House.

HON. E. H. WITTENOOM: That's all right.

HON. J. W. HACKETT: I beg to give notice to that effect.

PAPERS—MR F. L. WEISS.

HON. J. A. THOMSON (Central) moved:

That all the correspondence, original papers and documents, and printed matter (especially affidavits, memoranda, extracts, alleged awards, reports, receipts, bills of costs, petitions, judgments, and other entries in books, etc., or duly certified copies of such book entries and documents as cannot be removed) from all Government and parliamentary departments and from

Courts—in any way connected with or bearing upon the claims and accusations made by Mr. F. Lyon Weiss, formerly headmaster of the Boulder City Public School, against certain Government officials, Ministers, and ex-Ministers of the Crown, with the engagement and discontinuance of the said F. L. Weiss's services, and with the said F. L. Weiss—be laid on the table of this House as early as possible during the present session.

From the little he had been able to glean in connection with this case, he was satisfied that the gentleman who wished to be supplied with this information really had a right to it, and he was not satisfied that either in the Legislative Assembly or the Legislative Council this gentleman had been able to obtain the information from documents and papers that he (Hon. J. A. Thomson) was now calling for. He did not like to have it said, or to give anyone the opportunity of saying, that the Legislative Assembly or the Legislative Council of this State would not see that even justice was dealt out to every person. It was not always possible for a person who considered he was being wrongly dealt with to proceed in a court of justice. If this House would obtain the necessary documents and papers, and allow them to be laid on the table, this gentleman could proceed in the way he thought best for himself.

HON. M. L. MOSS (Minister): It might safely be said that no more comprehensive motion than this had been tabled in either House for a very considerable period, and certainly no House had ever been afforded less information in being asked to agree to such a motion. The only argument adduced by the mover was that he wanted to see justice done to Mr. Weiss. From a perusal of the motion it was plain that Mr. Weiss's matter of complaint had been the subject of trial in the law courts, and one might fairly assume that Mr. Weiss had received the same even-handed justice as one hoped was meted out to all persons in this State. Even if injustice had been perpetrated, Mr. Weiss might proceed by petition to either branch of the Legislature, which would certainly grant a select committee of inquiry if circumstances justified that course. This motion was for the production of an enormous amount of correspondence and papers. [MEMBER: What would be the cost?] The cost would be fairly considerable. For what purpose were all these papers to be produced? Was the hon. member within his rights in demanding the production of papers on such meagre information? As a matter of notoriety, Mr. Weiss's case had been before both the inferior and superior courts of the State from time to time, and Mr. Weiss presumably had justice dealt out to him. The fact that Mr. Weiss had not received the compensation he desired afforded no justification for this motion, which the Government must in the public interest oppose.

HON. J. A. THOMSON (in reply): Having been asked only yesterday to move in this matter, he had had no opportunity of looking into it. He had told the gentleman concerned that being debarred by lack of time from examining the question, he was not the member best qualified to make such a motion. Mr. Weiss, however, had produced an official document stating that a certain court would be held in a certain place at a certain date for the purpose of inquiring into certain matters, and he had also produced another official document stating distinctly that there was no record of any such court having been held. For that, if for no other reason, he considered that this matter should be brought before the House. He had given meagre details because he knew little more about the subject than did any other member. The one fact mentioned, however, seemed to afford sufficient justification for inquiry.

Motion put and negatived.

JUDGES' SALARIES BILL.

Received from the Legislative Assembly, and read a first time.

SECOND READING.

HON. M. L. MOSS (Minister): In moving the second reading of this Bill I think it hardly necessary to remind the House that the Constitution Act Amendment Bill thrown out some few days ago made provision for increasing the salary of the Chief Justice from £1,700 to £2,000, and the salaries of the Puisne Judges from £1,400 to £1,700 per annum. It is within the knowledge of members that recently Mr. Macmillan, of London, was appointed to the position of second Puisne Judge. When the appointment

was offered to that gentleman, he was informed that the salary would be £1,700 a year. In order to make good that promise, it becomes necessary to introduce this Bill. I believe, farther, that hon. members will agree with me that a salary of £2,000 for the Chief Justice and £1,700 for a Puisne Judge is not excessive. On the contrary, it is much less than is paid to gentlemen occupying similarly high and honourable positions elsewhere. Even in granting salaries of £2,000 and £1,700 respectively, Western Australia will be paying much less than is paid by all other Australian States to Supreme Court Judges. Hon. members must also bear in mind that while this State has Local Courts possessing certain jurisdiction and trying a limited number of cases, the Judges of our Supreme Court undertake all bankruptcy business and all cases involving amounts of more than £100. So far as the Eastern States are concerned, Victoria has a County Court with jurisdiction up to £500, South Australia has a Local Court with jurisdiction also up to £500, and New South Wales has an intermediate tribunal with jurisdiction up to £200. So that it is plain our Judges have thrown on them more responsibility and more work in proportion to population than is the case elsewhere. I think I may safely say that with salaries of £2,000 and £1,700 our Chief Justice and our Puisne Judges will receive much less than the incomes earned by many gentlemen practising in the courts. Undoubtedly, present salaries are far too low. I consider this move one in the right direction. Gentlemen occupying the position of Supreme Court Judges incur considerable expense in keeping up their positions. In my opinion, the House will be acting wisely in agreeing to the small increase of £300 per annum.

SIR E. H. WITTENOOM (North): I have much pleasure in supporting this Bill, being one of those who think that the Judges of this State, and of all States, should be well paid, on the short and simple ground that they are debarred from taking part in anything by which they can make money. We all know that a Judge of the Supreme Court must keep himself clear of any connection with mercantile or speculative matters; indeed, it is difficult for a Judge even to associate with people without something being said on the subject. In the circumstances, the position is certainly trying. I consider, therefore, that whatever our Judges receive is well earned. I wish to say, however, that whilst large salaries should be paid, the greatest care ought to be exercised in making appointments to the Bench. Although I am not going to criticise the late appointment in England, I really think that as long as we can get good people in our own country who would adorn the bench as well, people who know local wants, people who know the local statutes, we might seek them here rather than go elsewhere. In my opinion it is not much of a compliment to Western Australia to think we have to go outside for Judges. We have lots of barristers who are working in the courts of law, we have lots of men of good position who are doing their best, and I think doing it well; and it is some encouragement to them to have those positions which are looked upon as prizes open to them, for there to be a possibility of their obtaining them. Under these circumstances, I trust the Government in making these appointments will try to secure the best men available in Western Australia before they go elsewhere. I would also point out that we should have men in the best of health and in the vigour of life. We do not want to get men who have spent the best of their time at the Bar and who wish to give us the fag-end of their time on the Bench. Let us get good vigorous men, just as a person would have one for his own business. I am echoing the sentiments of the majority of members around here in saying that we cannot pay a good Judge too much, and I think the Government should make the very greatest efforts to try to get the best available talent locally first, and when they cannot get that no one will complain of their going abroad for a Judge. Under these circumstances, I have much pleasure in supporting the Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Judges' salaries:

HON. M. L. MOSS: The clause said that the rate of the annual salary payable to the Chief Justice for the time being

should be £2,000, and that the rate of the annual salary paid to each Puisne Judge should be £1,700. Section 4 of the Supreme Court Act of 1880 said:

> The Supreme Court shall be constituted of one Judge, who shall be called the Chief Justice of Western Australia, and such other Judge or Judges as Her Majesty shall from time to time appoint.

When the Supreme Court Act of 1880 was passed, there was only one Judge, a Chief Justice, and his salary was fixed. Later on another Judge was appointed, with respect to whose appointment a special Bill was introduced to fix a salary. On the second Puisne Judge being appointed, the late Mr. Justice Hensman, a special Bill was brought in for the purpose of fixing his salary, and then again when the late Mr. Justice Moorhead was appointed another special Bill was brought in for the purpose of fixing his salary, thus following the precedent in England and everywhere else that a Supreme Court Judge should not be appointed until a salary was provided for him, and no additions could be made to the strength of the Supreme Court without Parliament being consulted as to whether an additional Judge should be appointed. He was very much afraid from the wording of the Bill, and reading it in conjunction with Section 4 of the Supreme Court Act, that the measure might authorise the Government to appoint a fifth, sixth, or seventh Judge. This Bill did not limit the salary of £1,700 a year to three Puisne Judges. It ought to be provided that the payment of £1,700 a year should be to each of three Puisne Judges. That would not be necessary as a check in the case of the present Government, but it might be with regard to future Governments. He moved that the word "each," in line 3, be struck out, and "three" inserted in lieu, and that at the end of the first paragraph the word "each" be inserted.

HON. W. MALEY: Supposing there were only two Puisne Judges?

HON. M. L. MOSS: If a third man was not appointed he would not get the payment.

Amendment passed, and the clause as amended agreed to.

Progress reported, and leave given to sit again on receipt of message from the Assembly.

DIVIDEND DUTIES BILL.

Read a third time, and *passed*.

CEMETERIES ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: This Bill is a short amendment of the Cemeteries Act of 1897. The object of it is to give greater powers to the trustees of cemeteries, and members will find in Clause 2 the first direction in which that power lies. Under Clause 2, the trustees of any cemetery may, and at the request of the trustees or recognised head of any religious denomination "shall"—the word "shall" is instituted, making it compulsory upon the request—set aside a portion of the cemetery for the burial of persons of that particular sect. The instrument is to be in the form of a schedule, which will be found in the Bill. Members will see that under Clause 3 greater powers are given in regard to by-laws. The by-laws as they are found in Section 14 of the principal Act are amended in the following ways:—For undertaking funerals and prescribing charges. This gives powers to trustees to carry out funerals, which they cannot do at the present time. For the annual licensing of undertakers; prescribing the license fee to be paid; prohibiting any unlicensed undertaker from undertaking or conducting any funeral in the cemetery; regulating the charges of licensed undertakers for undertaking and conducting funerals; and enabling the trustees to cancel an undertaker's license for breach of any by-law. These are important extensions of the by-laws which have been well considered by various trust bodies in connection with cemeteries at the present time. By Clause 4, Section 29 of the principal Act is amended. The amendment really lies in striking out the provision for providing the salary there. The original Act stipulates a salary not exceeding the rate of £100. That is struck out of this clause, and Subclause 1 is inserted in place of Subsection 1 in the original Act, and reads in this way—

> The Governor may direct that out of any moneys appropriated by Parliament for the purpose, such sums of money as he may think fit shall be paid to the trustees of any cemetery for the establishment, maintenance, and management thereof.

By Clause 5, Section 32 of the principal Act is amended, and this is a consequential amendment upon Section 29. Clause 6 enables every trustee to receive a fee of 10s. 6d. or such other amount not exceeding £1 1s. as the trustees may prescribe, for his attendance at every ordinary meeting of trustees. The clause empowers trustees to recoup themselves by small fees of 10s. 6d. to £1 1s. Under Clause 7, trustees may permit the exhumation of any body buried in the cemetery for the purpose of burial in another part of the cemetery. There are three parts in every cemetery, and one is reserved for pauper burials. It not infrequently happens that people who have become a little better off wish to remove a body from the pauper part of the cemetery to another part, and under Section 41 of the present Act only the Governor can authorise exhumation. This clause extends the power to trustees.

HON. J. W. HACKETT: Section 41 of the principal Act refers to exhumation for the purpose of burial elsewhere.

THE MINISTER FOR LANDS: This clause extends the power of trustees in that direction also. Clause 8 empowers justices of the peace to order the disinterment of bodies. Clauses, 9, 10, and 11 are important, inasmuch as they deal with disused cemeteries, which at present frequently fall into a condition of neglect and disrepair—fences fall down, and cattle stray over what should be held sacred ground. Hitherto no power has existed for dealing with such cases, and therefore these three clauses have been included in the Bill. It will be observed that any disused burial ground may, with the consent of the trustees, be vested by the Governor in the trustees of any public cemetery appointed under the principal Act. I think hon. members will recognise these provisions as being desirable and as tending to the betterment of cemeteries throughout the State. I have much pleasure in moving the second reading of the Bill.

HON. J. W. HACKETT (South-West): There is really nothing to add to the very lucid explanation of the Minister for Lands. The amendments proposed are not perhaps of the first importance, but the necessity for them has made itself felt in the course of the four or five years which have elapsed since the passing of the principal Act. Those practically concerned in the care of cemeteries have had the necessity for the amendments pressed on them. I assure hon. members that there is good reason for every alteration proposed. Any information which may be asked for in Committee either the Minister or myself will be able to supply.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Clauses 1, 2—agreed to.

Clause 3—Amendment of 61 Vict., No. 23, Sec. 14:

HON. W. MALEY: Would not the provision for the licensing of undertakers tend to restrict the business to a few people, and thus lead to exorbitant charges?

HON. J. W. HACKETT: Charges would be regulated under the measure.

HON. W. MALEY: Yes; but was not the tendency as stated? It was well known that great profits were made from conducting funerals. Poor people were often called on to pay most excessive rates. The disposition towards liberality in connection with funerals frequently led poor people to spend more than they could really afford.

HON. J. W. HACKETT: The licensing provision was introduced to meet the case referred to by Mr. Maley. Unless cemetery boards had some control over undertakers, these could charge what fees they pleased, taking advantage of a period of bereavement, when families above all things disliked to dispute charges which seemed to be a tribute of respect to the deceased. In the circumstances, charges which might be termed outrageous were often made. The trustees of the Karrakatta cemetery had from the beginning instituted a system of licensing undertakers, although they had no legal power to do so. The fee had been fixed at £2 2s. a year, and undertakers themselves had been well pleased. The trustees could forbid unlicensed undertakers to enter the cemetery or to carry a coffin to the grave. The power had been taken for the express purpose of bringing down charges, which were in many cases most exorbitant. Moreover, cemetery boards reserved the power to conduct funerals themselves, and to forbid any undertaker to enter the cemetery. In

such circumstances, funerals would be conducted at a scale of charges which would receive the approval of the Governor-in-Council, and would be displayed at the cemetery gates.

Clause passed.

Clauses 4, 5—agreed to.

Clause 6—Trustees to receive fees:

HON. B. C. O'BRIEN: At any other stage of the session he would have moved the excision of this clause, against which he desired at all events to enter a protest. The principle of paying fees to trustees of cemeteries was utterly wrong, since gentlemen could always be found willing to act without remuneration. If a fee was to be paid in respect of "every ordinary meeting," where was the line to be drawn? Every meeting of the trustees would be termed an ordinary meeting.

HON. C. SOMMERS: Where was the money to come from to pay these fees? In small municipalities a trusteeship was a position of honour, which numbers of people were willing to accept. A great deal of money might be spent under this clause, to which he was opposed.

THE MINISTER FOR LANDS: Under Section 29 of the present Act, fees not exceeding £100 per annum were authorised to be paid to each trustee. This clause, 6, was intended to take the place of that provision. The funds at the disposal of cemetery trustees in cities were substantial. In small places, where no funds were available, no fees could be paid, of course.

HON. C. SOMMERS: Under the clause, trustees might hold as many meetings as they chose and pay themselves at the rate of £1 1s. per meeting. He moved that in line 1 "shall" be struck out and "may" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clauses 7 to 11, inclusive—agreed to.

Schedule:

HON. B. C. O'BRIEN: If in order, he would ask the Minister whether the Government would consider the advisability of setting aside a sum of money for the burial of paupers. In outlying districts, cemetery trustees were put to considerable expense in the burial of friendless persons. Undertakers took advantage of public liberality and charged high rates.

HON. G. RANDELL: Did the hon. member refer to public trustees or to denominational trustees?

HON. B. C. O'BRIEN: Public trustees. He had known cases where they had experienced some difficulty. They had difficulty at the present time in the town in which he lived. Whenever the trustees got out of funds, people had to help along with their own moneys. He would like to see some provision made for an annual grant, or some arrangement whereby undertakers could enter into a contract.

HON. J. W. HACKETT: As a matter of practice, the Government did make an allowance of pauper fees for burials at present. In the case of the Karrakatta Cemetery it amounted to 15s. They usually called for tenders for the burial of paupers, and the amount varied enormously, from the low figure he had mentioned to £4.

HON. B. C. O'BRIEN: Up to £7.

HON. J. W. HACKETT: Even to £4 in the coastal district. He thought there had never been any difficulty in his experience in getting the money from the Government.

THE MINISTER FOR LANDS: The Estimates showed "grants for improvements to cemeteries, £1,500."

Schedule put and passed.

Preamble, Title—agreed to.

Bill reported with an amendment, and the report adopted.

Bill read a third time, and returned to the Legislative Assembly.

PERTH TRAMWAYS ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: I think I may take up the time of the House very shortly indeed. This is simply an arrangement between the authorities, and it is to confirm a farther provisional order to amend, extend, and vary certain provisional orders authorising the construction of tramways in the city of Perth. Members will find the principal provisions in paragraph 2 of the Schedule. The position is this. The representatives of the tramways are not required to complete this line for two years, and provision is being made that they shall complete it

within three calendar months; and also, under paragraph 3 of the schedule, they shall, within six months after the confirmation of this order, extend the central Perth line of tramway, numbered 2. It is a *quid pro quo*. Paragraph 4 provides that "The Promoter shall macadamise with macadam of the best quality the roads or streets over which the tramways numbered 1 in the Schedule hereunder written and the tramway mentioned in paragraph 2 of this Order shall pass." At the present time, he is obliged to put down wood blocking in the usual manner, and this is to be waived in order that these great works may be at once carried out for the convenience of the public. Also in paragraph 5 there is a provision regarding wood blocking, and that must be carried out. These are merely provisions made between the authorities and promoters and they have been all agreed to by the Municipal Council, so I think there need be no difficulty in hon. members seeing their way to pass the second reading of the measure. I move the second reading.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Passed through committee without debate, reported without amendment, and the report adopted.

Read a third time, and *passed*.

At 6·25, the PRESIDENT left the Chair.

At 7·40, Chair resumed.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL (No. 3).

SECOND READING.

HON. M. L. MOSS (Minister), in moving the second reading, said: The object of the amendments proposed by this Bill is that the provisions of the original Act passed in 1900 may be more fully carried out. Clause 2 proposes a slight amendment in Section 26 of the principal Act: the effect is to confer the power of severance. While power exists to constitute, divide, and annex territory to a municipality, the power of severance seems to have been omitted from the Act.

HON. G. RANDELL: Is not dividing equivalent to severing?

HON. M. L. MOSS: There is a distinction. To divide a municipality means to cut it in two, but a portion of a municipality may be severed from it and removed from municipal government altogether. Clause 3 adds to the disqualification for election to municipal office. Section 41 of the principal Act provides that—

> No female nor minister of religion, and no uncertified or undischarged bankrupt, and no person attainted of treason or convicted of felony or perjury, or any infamous crime; no person of unsound mind, nor any person under composition with his creditors by any deed of assignment or arrangement under or by virtue of the Bankruptcy Act, 1892, or any amending Act, duly executed by him, shall be capable of being or continuing a mayor, auditor, or councillor of any municipality.

The words "and under sentence or subject to be sentenced for" are to be inserted after "convicted of."

HON. G. RANDELL: This is a whitewashing clause?

HON. M. L. MOSS: I do not think so. Clause 4 adds to the powers of municipalities those of—

> Prescribing the dues, rents, fees, and other charges to be levied and made in respect of goods warehoused under the Customs Act, 1901;
>
> Prescribing the charges for admission to any theatre belonging to the municipalty.

Clause 5 amends Section 167 of the principal Act by authorising municipalities to require the owners of carriages, carts, or other vehicles, standing or plying for hire or used for the purposes of trade, to keep conspicuously affixed to such carriage, cart, or vehicle a tablet. The object is that every vehicle may be easily distinguishable by means of a numbered tablet. Clause 6 is intended to prevent the driving of heavy vehicles or the carriage of heavy goods through narrow streets such as High Street, Fremantle. Great inconvenience at times results from heavy traffic in such thoroughfares, and municipalities are to have the power of prohibiting such traffic in specified streets. Clause 7 amends Section 169 by authorising municipalities to issue licenses for the use of any carriage or cart by-standing or plying for hire, the owner not being licensed within the municipality under the Cart and Carriage Licensing Act, 1876. Under Clause 8, Section 366 will extend the borrowing powers of municipalities to such purposes as the construction

of a general warehouse under the Customs Act, 1901, and the acquisition of land for the purpose, and also the construction of a theatre. The last clause, 9, is rather important, inasmuch as it provides—

> Any member of a municipal council and any officer of the council may examine any cart or carriage, and demand from the person in charge of the same his name and address, and the name and address of the owner of the cart or carriage, and whether the cart or carriage is licensed. Any person who refuses to answer, or gives a false answer, shall be liable to a penalty not exceeding forty shillings.

Under the Carts and Carriages Licensing Act, 1876, any officer of police above the rank of a constable is entitled to demand such information. Inconvenience, I am given to understand, has resulted from the circumstance that no municipal officer is entitled to do what any police officer above the rank of constable may do.

HON. G. RANDELL: I am quite agreeable to "any officer," but not to "any member of a municipality."

HON. M. L. MOSS: That point can be dealt with in Committee, during which stage I shall be prepared to give detailed explanations, if required.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 41:

HON. G. RANDELL: This clause seemed objectionable, since its effect was to remove disabilities from persons rightly under disabilities, having been convicted of felony.

HON. M. L. MOSS: The clause added to the disabilities under the principal Act, according to his reading.

HON. A. G. JENKINS: It appeared that the disability was, in fact, extended; but such was not the intention of the gentleman who secured the insertion of the clause, the present Premier. The intention was undoubtedly to remove, though the effect was to extend, disqualification.

HON. G. RANDELL: If the effect were as stated by Mr. Moss, he was in perfect accord with the clause, but if the effect were that intended by another place he could only regard the provision as most objectionable. On the former supposition, the only question was whether in fairness the amendment ought to read back to the passing of the original Act.

HON. M. L. MOSS: While not permitted to quote from the current session's *Hansard*, he might state that undoubtedly these words had not the effect desired by the gentleman who moved their insertion in another place.

Clause passed.

Clauses 4, 5, 6—agreed to.

Clause 7 — Amendment of Section 169:

HON. G. RANDELL: This clause was so vague that one could not grasp its meaning. He had gathered from Mr. Loton that the provision would not effect what was intended.

HON. W. T. LOTON: Under the existing law the owner of a vehicle who resided outside a municipality and was licensed outside the municipality could stand and ply for hire within the municipal bounds without obtaining a license from the municipality.

HON. M. L. MOSS: Of course. The owner of a licensed vehicle was entitled to stand and ply on all roads of the State.

HON. W. T. LOTON: The object of the clause was to compel such owner to pay a license fee to the municipality within whose bounds he was standing or plying for hire.

HON. M. L. MOSS: The clause would not have that effect. Of course, apart from the assurance given by Mr. Loton, he did not know that such was its intention.

HON. W. T. LOTON: What would be the effect of the clause, then?

HON. M. L. MOSS: It had always been held that the powers of municipal councils to make by-laws for the granting of licenses, among other things, were subject to the existing law. Under the Carts and Carriages Licensing Act, 1876, a vehicle once licensed was authorised to stand or ply for hire in any part of the State. Section 169 of the Municipal Institutions Act provided—

> The council may, subject to such conditions as it deems fit, grant licenses to persons for any of the following purposes, within a municipality:—
>
> *(p.)* The council may grant licenses under the Carts and Carriages Licensing Act, 1876, to any cart, as thereby defined, used within the limits of the municipality. . . . .

Having looked at the section and the amending clause carefully, he was inclined

to think that the object sought would be attained.

Clause passed.

Clause 8—agreed to.

Clause 9—Inquiry as to licensing of carts and carriages may be made:

HON. E. M. CLARKE: The spirit of this clause was arbitrary in the extreme. Seeing that the city of Perth had no less than 15 councillors, the liability to be stuck up in the middle of the street with a view to having one's vehicle examined was fairly large. If municipal councillors were to undertake this duty, they should certainly wear a distinguishing badge on their hats, so that the public might know these gentlemen were authorised under the measure to examine any vehicle, demand the name and address of the person in charge of the vehicle, and the name and address of the owner of the vehicle, and inquire whether the vehicle was licensed.

HON. G. RANDELL: Mr. Clarke had put the matter very forcibly, though in a humorous light. Certainly, the wearing of a badge was desirable, seeing the risk of personation of councillors. There was the danger that an unauthorised person might insult, say, the Administrator, by stopping that gentleman's carriage in the street and making inquiries as provided by this clause. He moved that in line 1 "member of a municipal council and any" be struck out.

HON. M. L. MOSS: It was strange that Mr. Randell with his long experience did not know that a member of a municipal council could do exactly what this clause provided. The object of the clause was to enable an officer to go and demand from a person in charge of a vehicle his name and address. In Fremantle it had been repeatedly said to him, "I cannot go up to the proprietor or driver of a cart and demand to know if he has a license. I have to bail up a constable to go and do it." It was in view of that this clause had been inserted.

HON. J. A. THOMSON: Members of municipal councils were not elected to go round to see that the details of the machinery of the municipalities were carried into effect. They were chosen rather to elect officers to see that their instructions were carried out. Many councillors were inclined to be busy-bodies. Councillors of the city of Perth, and there were 15 of them, were very much inclined to interfere with work that was intended to be carried out by the officials of the council. He did not think it worked well in the interests of the council or of local bodies for councillors or members of roads boards to have delegated to them powers that were peculiarly powers which should be granted to the officers of the council or police officers.

HON. G. RANDELL: The clause struck him as a most objectionable feature, but as the provision existed in the present Act, he would ask leave to withdraw the amendment.

Leave to withdraw not granted, there being one voice against it.

HON. W. MALEY; There was no difficulty for an owner of a vehicle to give his name and say whether he was licensed or not. The question was one which, put in a courteous way, demanded a courteous reply.

Amendment negatived, and the clause passed.

Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time, and *passed*.

[At a later stage the Bill was again referred to as follows:—]

HON. A. G. JENKINS: By permission, I desire to call attention of the House to a grievous error of my own. I have no excuse except that of carelessness to offer. I unfortunately used the word "or" instead of "and," in speaking on the amendment of Section 41 of the Municipal Institutions Act, and this error entirely alters my view of the effect of Clause 30. The insertion of the words "or under sentence or subject to be sentenced for" would be utterly purposeless, since, as a matter of fact, no one under sentence could become a mayor: the thing is ridiculous on the face of it. The object of the amending clause is to allow anyone who has been convicted of felony in by-gone days to become a mayor. The objection to that is that mayors now, under the Municipal Act, are *ex officio* justices of the peace. Of course, members will see how wrong it would be for men who have been convicted of felony to afterwards occupy the position of justices of the peace. There is no doubt the

House made an error. I am sure not one member of the House would consent to such a principle. I do not know what would be done in another place. I rose to know whether it is possible to rectify the error. The whole tenor of the debate shows that this House was against the amendment. Unfortunately, it has been led into a mistake through my own error.

HON. M. L. MOSS (Minister): I desire to say at once I am sure the House depended largely upon what I stated in dealing with that clause, and I hope that the Ministry will be considered bound by what I now say, that is that a message certainly should come from His Excellency the Administrator for the purpose of enabling this Chamber to reconsider and rectify this error. Before I leave for home, I shall go to the Premier and make strong representations on the point, and I hope he will consider the Ministry bound by the undertaking I give, that we should do all in our power to have a message from His Excellency to remedy the error.

THE PRESIDENT: The hon. member, Mr. Jenkins, mentioned the matter to me. The way of getting over the difficulty is the one stated by Mr. Moss. Standing Order 300 says:—

> Whenever the Governor shall transmit by message to the Council any amendments which he shall desire to be made in any Bill presented to him for Her Majesty's assent, such amendments shall be treated and considered in the same manner as amendments proposed by the Legislative Assembly.

So that the matter can very easily be dealt with. Mr. Jenkins consulted me as to the proper means of getting over this difficulty.

HON. A. G. JENKINS: I am very glad to hear the undertaking of the hon. gentleman (Hon. M. L. Moss), and I hope it will be carried out.

ROBB'S JETTY TO WOODMAN'S POINT RAILWAY BILL.

Received from the Legislative Assembly, and read a first time.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson) said: In moving the second reading of this Bill, I would point out that it merely provides for a railway from Robb's Jetty to Woodman's Point. The plan of the proposed railway now lies on the table of this House. Undoubtedly the line, a very short one of two miles 65 chains, as members will see from the schedule, will be of very great service. It will not only serve the reserve we have adopted as an explosives reserve at Woodman's Point, but will also answer for all quarantine purposes. There is a great economy in relation to this line. At one time it was feared we might have to run the line down to Case Point, in order to have the explosives reserve there, but we have provided for the explosives reserve at Woodman's Point and in that way have saved several miles of railway. I believe it is the case that almost the largest business in explosives is now done in Western Australia. I am informed such is the case, and that being so it is of the utmost importance we should have this line run through as quickly as possible. I therefore move the second reading of the Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Passed through committee without debate, reported without amendment, and the report adopted.

Read a third time, and *passed.*

MALCOLM-LAVERTON RAILWAY BILL.

Received from the Legislative Assembly, and read a first time.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson) said: In moving the second reading of this Bill, I would point out that the proposal is that of a line to run from Malcolm to Laverton, a distance of some 64 miles. It is partially constructed, I believe, and it is a line which is recognised by the whole of the goldfields as being absolutely necessary. It is quite within the policy of the Government to carry out this work, and it is looked upon as very important. The necessity of this is so very well known, and has been so fully discussed, that I think I need not trespass upon the House. I would merely point out that the plans of the line are now lying on the table. If any member should wish to study the plans, he will see exactly the direction

which the line will take. I move the second reading.

HON. J. E. RICHARDSON (North): May I ask the Minister to inform us what those 64 miles of railway will cost?

THE MINISTER FOR LANDS: I regret that I cannot give the figures, but I assure the hon. member that the work will be done at the lowest possible cost.

HON. B. C. O'BRIEN (Central): I consider that the House should have a little more information, and with that object in view I move that the debate be adjourned to the next sitting of the House.

HON. J. A. THOMSON (Central): I am inclined to support the second reading of the Bill, because I believe that it is the earnest intention of the Government to make the next extension in the other direction, and so complete the circle. The next section to be built, I understand, will run from Lawlers to Mount Magnet. If I were not satisfied on that point, I should oppose the second reading.

HON. W. MALEY (South-East): I support the motion for the adjournment of the debate. Here is a Bill proposing the construction of 64 miles of railway, brought down to be pushed through under the suspension of the Standing Orders without any consideration whatever, without the Minister in charge being able to state what the probable cost will be. Indeed, we know nothing whatever about the measure. I say we are not doing justice to our constituents or to the country if we let the Bill go through in this fashion at one sitting. I consider such a condition of things disgraceful. If we really are in earnest in maintaining the *prestige* and privileges of the House, and its very existence, we have every reason to be careful in suspending the Standing Orders. I am glad to think I voted against the Minister's motion this afternoon. These proceedings jeopardise not only our seats as individuals but the very existence of the Chamber.

HON. E. M. CLARKE (South-West): I find that on page 75 of the Appropriation Bill the cost of the Malcolm-Laverton line is set down at £55,000. I must say that the motion for the second reading has come rather as a surprise to me. Members have not had time to examine into the figures relative to this railway, nor to inspect the plans. Personally, I should like to have a look at the plans, if only to say I have seen them. However, I shall not oppose the second reading.

HON. A. G. JENKINS (North-East): I feel I must support the second reading of the Bill, although there is a good deal in what has been said by Mr. Maley. The cost of the railway as shown on the Estimates, £55,000, is rather less than £1,000 per mile, so that the line will be a cheap one. I know the railway is urgently needed, and, particularly as it is being constructed out of revenue, I think the House might pass the Bill. We shall have but little information available at the next sitting. Undoubtedly, the line is urgently required by the northern goldfields. It will open up a large auriferous area and will be of great benefit not only to the district through which it will run but to the State generally.

HON. W. MALEY: Is the line to run through your province?

HON. A. G. JENKINS: Yes.

HON. W. MALEY: And yet you opposed the suspension of the Standing Orders!

HON. A. G. JENKINS: I did, but I have sufficient information to justify me in voting for this line, which I believe will be constructed cheaply, and will result in great advantage to the district affected and to the State as a whole.

HON. G. RANDELL (Metropolitan): I am inclined to support the second reading of the Bill, although I consider the House has cause for complaint on the ground that the Minister in charge has not given more information. It is a pity, to my mind, that this Bill should have been delayed to the last hours of the session. However, it is well known that the railway is urgently needed, and that it passes through a splendid belt of auriferous country. I have not been in the district, but it has come under my notice officially that developments in the Mount Margaret, Mount Morgans, and Laverton districts justify the construction of a railway. I think I am in possession of as much information as I might have gained by visiting the district—possibly a little more information. I am a strong advocate for the construction of all public works out of revenue, which course will

not land us in difficulties likely to result from the continued adoption of a borrowing policy for every work executed. I am glad to observe that the present Government are disposed to construct works from revenue. In doing so, the State cannot go far wrong. The building of this line will confer a great boon on people living in a district utterly remote from the centres of the State. Although I agree largely with what has fallen from Mr. Maley and Mr. O'Brien, I do not believe we shall get all the information we desire by deferring consideration of the Bill. Certainly, to defer the measure to next session would mean the delay of a much needed public work. Of course, we understand that the amount of £55,000 appearing in the Appropriation Bill is not intended to complete the work, but only to make a beginning. I support the second reading of the Bill, believing that this railway will advance the interests of the Mount Morgans and Mount Margaret fields, and also those of the State as a whole.

HON. J. E. RICHARDSON: In asking the Minister a question I had no intention of opposing the second reading. I merely wish to know the cost of this railway of 65 miles in anticipation of the construction of another railway from Port Hedland to Marble Bar.

HON. B. C. O'BRIEN: I have not opposed the second reading, but have merely moved the adjournment of the debate. So far as I can see, however, it will be only waste of time to press that motion.

THE PRESIDENT: The motion was not put, as it was not seconded.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Clauses 1, 2—agreed to.

Clause 3—Deviation:

HON. W. T. LOTON: Why the extra deviation? The limit allowed was three times or at any rate twice as much as usual. Deviations of 10 miles might carry the railway to another township than Laverton.

[Pause ensued.]

Clause passed.

Schedule, Preamble, Title — agreed to.

Bill reported without amendment, and the report adopted.

Bill read a third time, and *passed.*

APPROPRIATION BILL.

Received from the Legislative Assembly, and read a first time.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson) said: In moving the second reading of this Bill, which is the usual Appropriation Bill sent up to us for our approval, I may refer to this one point, that it is satisfactory that we have so large a sum as £2,299,526 11s. 2d. as the general supply for this coming year, the year ending 30th June, 1903. I know it is not usual to go into long remarks on such a Bill, to explain the various items in the schedule. They can be considered in Committee if necessary, but I proceed to move in the usual way the second reading of the Bill.

HON. A. G. JENKINS (North-East): I am not doing this out of any obstructionist motive, but I want to take rather an extreme course in the matter, because I think it is of such urgent importance that this message should come down to us from the Governor with regard to the Municipal Institutions Bill. It strikes at the whole root of the Municipal Institutions Act. I ask to move the adjournment of the debate, so that the message shall come down. My only object is not to prevent the passage of this measure, but to secure that the message shall come down to us, because once we pass the Appropriation Bill, we are entirely at the mercy of another place. If we withhold this until we get the message or see whether any action is taken on the Bill, the House will know what course to adopt.

HON. J. W. HACKETT (South-West): I do not think it is usual to hold over the second reading, but to hold the third reading in hand.

HON. A. G. JENKINS: As long as the Bill is held over, I do not care, but I certainly want the message to come down.

THE PRESIDENT: The constitutional method in a matter of this kind is to hold back the third reading.

HON. A. G. JENKINS: I shall be satisfied with that.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Passed through Committee without debate, reported without amendment, and the report adopted.

PUBLIC WORKS BILL.

COUNCIL'S AMENDMENTS.

The Legislative Council having amended the Bill, and the Assembly having agreed to 31 amendments, amended another, and disagreed to the remaining 11, the amended amendment and the amendments disagreed to were now considered, in Committee.

No. 5—Clause 17, after the word "*Gazette*" insert the words "and in a newspaper circulating in the district wherein the land is situate":

HON. M. L. MOSS moved that the amendment be not insisted on.

HON. G. RANDELL: The matters in these clauses were of an important character, and affected not merely a single person but a lot of individuals, and they might affect a whole district. That was the reason for the insertion of the amendment by this House, that the notice should also be inserted in a newspaper circulating in the district. The refusal to insert a notice in a paper for the sake of a little cost of advertising was carrying economy to an extreme. He did not want to insist on the point as to the first three amendments, but as to the fourth that was a different matter. As far as he could gather from the reading of the Bill there was no provision made for a notice to be sent by a registered letter. If members would refer to the definition of "public notice," they would see it was necessary for us to be on our guard. This was a Bill which conferred an enormous power on the Minister of the day. The House had carefully and watchfully studied the Bill, and the alterations made in it were of a character which he thought should commend themselves to the House and to the public at large, because the whole of them had been in support of the liberties and interests of the community.

HON. W. MALEY: The case had, he thought, been put by Mr. Randell very clearly, and he agreed with what the hon. member had said. Members were here to protect, if they could, the interests of the persons who would be affected by these particular clauses. Where property was at stake and had to be protected, as in this instance, these notices should be published in a newspaper, as well as in the *Gazette*, because very few people in the State read the *Gazette*.

HON. J. A. THOMSON: It was stated very distinctly that a notice might be sent by registered post to the owner. Mr. Randell had stated that such was not the case.

HON. M. L. MOSS: It was so stated.

HON. G. RANDELL said that he now saw such was the case.

HON. J. A. THOMSON: That, he was inclined to think, was sufficient without advertising in any local or other paper.

Question passed, and the amendment not insisted on.

On formal motions by HON. M. L. Moss, amendments Nos. 6 and 7 not insisted on.

No. 13—Clause 36, line 5, after "*Gazette*" insert the words "and in a newspaper circulating in the district in which the land is situate":

HON. M. L. MOSS moved that the amendment be not insisted on.

HON. G. RANDELL: The Committee should certainly insist on this amendment. No provision was made, so far as one could gather, for the sending of notices, and therefore advertisement in a newspaper was absolutely necessary. He would vote against Mr. Moss's motion.

HON. M. L. MOSS: No doubt the publication in the *Gazette* under Clause 36 referred to the clause just dealt with, and the Minister, after publication in the *Gazette*, would forward to the person affected the notice required by Clause 19. The matter would have been clearer had Clause 36 contained a provision to that effect. Notices had to be sent by registered post.

Question passed, and the amendment not insisted on.

No. 15—Clause 63, strike out Subclause (*c*):

HON. M. L. MOSS: As a matter of form he would move that this amendment be not insisted on, although he had been mainly instrumental in inducing the Council to insert the subclause. He was a thorough believer in the betterment

principle if applied throughout the whole of a locality, but he certainly did not believe in betterment being levied on one property owner while all other property owners in the district were allowed to go scot-free. However, another place evidently desired that we should give the matter farther consideration. He did not consider himself bound to agree to a cardinal principle of the kind in a fashion altogether opposed to his way of thinking. As another opportunity would be afforded the Chamber of discussing the point, he moved that the amendment be not insisted on.

HON. W. MALEY: The Minister's stand was commendable. It was a great blow to property owners to learn that the Government could take portion of a property and, in allowing the value of the land resumed, make deductions on account of the increased value likely to result from the construction of a public work, while all other property owners deriving unearned increment from the work went scot-free. The singling out of individuals for such penalisation was distinctly unfair. We ought to insist on our amendment.

HON. G. RANDELL: This subclause had been discussed very fully. Whatever might be our feeling in regard to the betterment principle and its adoption, undoubtedly we were opposed to the fashion in which this clause proposed to apply the principle. He hoped that our amendment would be insisted on.

Question negatived, and the amendment insisted on.

No. 17—Clause 68, strike out Subclause (1.), and insert the following in lieu thereof:—"(1.) The costs of the inquiry as between party and party shall be taxed by the taxing officer of the Supreme Court, and the amount thereof shall be included in the award, and the Court shall direct to whom such costs shall be paid":

HON. M. L. MOSS: This subclause had been inserted at his instance because he considered that the time of a Supreme Court Judge and counsel, with witnesses, jurors, and court officials in attendance, ought not to be taken up in doing work which could be done equally well by a taxing master. The proposal that a bill of costs should be haggled over by a Judge on the Bench was ridiculous. Certainly, the Judges would not thank Parliament for throwing such work on their shoulders. If we did not insist on the amendment, the next expression of opinion would probably come from the Supreme Court Bench.

Question negatived, and the amendment insisted on.

No. 22, Clause 91, Subclause (2.), line 1, after the word "*Gazette*" insert the words "and in some newspaper circulating in the district":

HON. M. L. MOSS moved that the amendment be not insisted on. It was on all-fours with several preceding amendments.

HON. G. RANDELL: This was a public matter, and could hardly be met by the sending of notices. If notification were not made through a newspaper serious inconvenience might result to travellers and others. He hoped the House would insist on the amendment. Important matters of this kind should certainly be advertised in a newspaper circulating in the district affected.

Question negatived, and the amendment insisted on.

No. 26—Clause 97, strike out the whole:

HON. M. L. MOSS: The marginal note of Clause 97 read: "The Governor may direct banks of rivers to be protected, or may alter river, or dam up waters."

HON. J. W. HACKETT: The compensation clause really covered this matter.

HON. M. L. MOSS said he could not follow the reason given by the Assembly for refusing to agree to this amendment. He moved that the amendment be not insisted on.

HON. G. RANDELL: The sting in the clause was in its tail. Subclause 2 made it retrospective.

HON. M. L. MOSS: It only dealt, he thought, with public works within the meaning of the measure.

HON. G. RANDELL: A tidal river might be diverted to the ruin of individual persons. The powers sought here were too large. In his opinion, each individual case should be the subject of a special Bill.

Question negatived, and the amendment insisted on.

No. 35—Clause 108, strike out the whole:

HON. M. L. MOSS moved that the amendment be not insisted on. He did not think that by adopting this course the Council would be doing much harm.

HON. J. W. HACKETT: We should put some finality to this kind of thing. We ought to limit the powers and protect the rights of the public. The clause contained the words, "before the passing of the Act." It went back to time immemorial. We had not the smallest knowledge of what the scope or extent of this clause would be. If the Ministry thought that certain ways of access should be closed, let them bring down a Bill in the usual manner. Under this Bill no road in the vicinity of a railway would be safe, or any access to a town or anything else, as long as a railway was running in that direction.

HON. W. MALEY agreed with Dr. Hackett. If this clause were allowed to remain, the main street at Katanning, Clyde Street, the only way by which people could get from the post office to the railway station, would be absolutely closed.

HON. J. W. HACKETT: Would not this clause close William street, Marquis street and Melbourne road? Obviously it would.

Question negatived, and the amendment insisted on.

No. 40—Clause 116, line 11, after "accordingly," strike out all the words to the end of the clause:

HON. M. L. MOSS moved that the amendment be not insisted on. He believed that at the time it was passed it was contended that a person should be compensated irrespective of the fact that the Government had erected and were keeping the fence in repair.

HON. G. RANDELL: This clause made it imperative on the Court to take that into consideration. He did not think we had any right thus to interfere with the functions of the Court. We might leave the Court to take all the circumstances into consideration in making the award, without having this instruction given to them, which was a very doubtful thing. The whole clause seemed to him somewhat obscure and complicated. It was argued it would be an injustice.

Question negatived, and the amendment insisted on.

No. 41—Clause 120, line 4, after the word "same" insert the words "except such as relate to public health":

THE MINISTER FOR LANDS hoped the Committee would vote not to insist on this amendment. The clause provided that the Government were not to be bound by by-laws made by municipal authorities under the Building Act. The Assembly said the amendment sought by the Council might prevent the erection of temporary structures absolutely necessary for carrying out certain work. He did not know of any building erected by the Government contrary to the provisions of the Public Health Act where that Act was in force.

HON. G. RANDELL: The Government by this clause really contracted themselves out of the obligations of the law, and that in his opinion might be attended with very dangerous consequences to the health of the community.

HON. J. W. HACKETT: Of all countries in the world, these semi-tropical countries ought to pay special attention to sanitary rules and regulations. Why should the Government in the case of temporary structures be relieved from all obligations regarding sanitary matters which every other member in the Commonwealth was compelled to observe? It was hardly fair of another place to object to the insertion of the words "except such as relate to public health" on the ground that this might prevent the erection of temporary structures. This House had simply affirmed that the health of the people outside those structures must be safeguarded—that disease must not be introduced into the midst of those people.

Question negatived, and the amendment insisted on.

No. 37—Clause 110, line 5, after the word "made," add the words "at the cost of the Minister and":

Farther amendment made by the Legislative Assembly—Before "cost" insert the words "request and":

THE CHAIRMAN: The proper course was to move either that the Assembly's farther amendment be agreed to or that it be disagreed to.

HON. M. L. MOSS moved that the Assembly's farther amendment be agreed to.

Question passed.

Resolutions reported, and the report adopted.

A committee consisting of Hon. G. Randell, Hon. J. W. Hackett, and Hon. W. T. Loton, drew up reasons for disagreeing to certain of the amendments, as follow:—

No. 15—This is an unfair appplication of the betterment principle.

No. 17—It would cause unnecessary and undesirable labour to the Court.

No. 22—The publication in a newspaper is the best notice in such a case.

No. 26—The power given is too wide, and the compensation clauses do not sufficiently protect individual rights.

No. 35—The power sought is excessive, and should be dealt with by special act.

No. 40—The Court should be allowed full freedom of action.

No. 41—This amendment is absolutely necessary in the interests of the public health.

Reasons adopted, and a message accordingly returned to the Assembly.

ADJOURNMENT.

Resolved: That the House at its rising do adjourn until the next day, at half-past four o'clock.

The House adjourned accordingly at 9·43 o'clock, until the next day.

Legislative Assembly,

Thursday, 18th December, 1902.

THE DEPUTY SPEAKER took the Chair at 2·30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR WORKS: Report of Railway Department for year ending 30th June, 1902.

By the PREMIER: Regulations under the Lands Purchase Act, the Land Act of 1898, the Roads Act of 1898, and the Cemeteries Act of 1897.

Ordered: To lie on the table.

QUESTION — LAND SETTLEMENT, GOOMALLING DISTRICT.

DR. O'CONNOR (for Mr. Quinlan) asked the Premier: 1, Whether the Government surveyor now engaged in Goomalling District has reported favourably as to the existence of large areas of land in that locality suitable for settlement. 2, Whether, in view of the active demand existing for land in the Goomalling District and the district beyond Winning, such land will be advertised and made available for selection before the coming winter. 3, Whether the Government is aware that a pioneer water supply is absolutely necessary in connection with early settlement in these localities, 4, Whether provision will be made for providing such supply, and what means it is intended to adopt to provide the same.

THE PREMIER replied: 1, The surveyor has reported the existence of extensive areas of good land near Cow-