the colony, for it was nothing of the kind. It was a very respectable asylum.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said the Government having already expressed their views on the subject, and obtained an expression of the general sense of the House, he thought the matter might now be allowed to rest.

The vote was then agreed to.

Progress reported.

The House adjourned at a quarter to eleven o'clock, p.m.

LEGISLATIVE COUNCIL,

Monday, 23rd August, 1886.

Estimated Revenue for 1887—Reappropriation Bill, 1886: first reading—Appointment of a third Judge of Supreme Court—Vote for survey of a Railway from Geraldton to Mullewa—Refund of duty on steamer imported by James Clarke & Co.—Perth Gas Company Bill: second reading—Admission of Practitioners, Supreme Court—Land Regulations: further consideration of—Adjournment.

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

PRAYERS.

ESTIMATED REVENUE FOR 1887.

MR. PARKER: I wish, sir, with leave, without notice, to ask the Acting Colonial Secretary a question. In the Estimates of revenue for the ensuing year I do not see any special mention of the sums which will be paid to this Government by the Imperial Government in connection with the transfer of the Convict Establishment.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): The hon. member will find it included under the head of "Reimbursements-in-aid."

MR. PARKER: Will the hon. gentleman inform me what the amount of the reimbursement under this particular head is?

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): About £5,500.

RE-APPROPRIATION BILL, 1886.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith), with leave, without notice, moved the first reading of a Bill for the Re-appropriation of a portion of certain moneys appropriated for Harbor Works at Fremantle by the Loan Act, 1884.

Motion agreed to.

Bill read a first time.

APPOINTMENT OF A THIRD JUDGE OF THE SUPREME COURT.

MR. SHOLL, in accordance with notice, moved the following resolution: "That an humble address be presented "to His Excellency the Governor, in- "forming him that in view of the great "increase of business of the Supreme "Court, the necessity for holding sit- "tings of the Court in the Northern "Districts from time to time, and the "advisability of strengthening the Court "of Appeal, this House is of opinion "that it is expedient to appoint a third "Judge to the Court; and this Council "respectfully prays His Excellency to "be pleased to take the necessary steps "to give effect to this address." The hon. member said it would be in the recollection of the House that when the question of the appointment of a second Judge came before it two or three years ago it was then argued that the appointment would save the colony a great deal of money, because the new Judge would be able to go on circuit to the outlying districts, and so save the country the expense of bringing down witnesses and prisoners to Perth from long distances. Since the appointment of a Puisne Judge he believed that His Honor had been on circuit two or three times, but, latterly, owing to the pressure of work in the Supreme Court, he had been unable to do so; and the inconvenience which the appointment was intended to remove appeared now to be as great as ever. He thought that, in justice to the inhabitants of the outlying districts, it was advisable now that there should be a third Judge appointed, who would be able to visit these country districts and

hold a Court there. It was almost ruin at present for people to have to come down to Perth hundreds of miles, leaving their stations for weeks and months; and, looking at the rapid settlement northwards and the influx of population into the Kimberley district, he thought it was only right and just to these people that a Judge should visit the district at least once or twice a year for the purpose of holding a Court there. As an instance of the saving that might be effected to the colony, he might mention the Roebourne murder case, which must have cost the country some hundreds of pounds in bringing witnesses down to Perth, when it would have been much better if the trial had taken place where the murder was committed. There were several other cases, which he did not recollect at the present moment, in which it would have been a decided saving to the colony, and a great convenience to those concerned if a Judge had been able to go on circuit; and he felt sure that if a third Judge were appointed, his salary, whoever he might be, would be recouped to the colony. There was another reason why he had brought forward this motion, and that was that the appointment of another Judge would strengthen the Court of Appeal. As hon. members were aware, there were two Judges now, and, in the event of any disagreement between them, the ruling of the Chief Justice naturally carried the day, he having a casting vote. He was quite willing to admit that the Chief Justice was an able and an honorable man and a just Judge; but after all His Honor was only human, and, once a man formed an opinion, it was very hard to drive that opinion out of his head. He felt sure that His Honor the Chief Justice would himself like this responsibility shifted off his shoulders, and he thought it was only fair to His Honor and due to the administration of justice itself, that, if a litigant felt aggrieved with any decision, he should have a Court of Appeal to appeal to. He did not know that he need say any more. Representing, as he did, a distant constituency, he knew what hardship and inconvenience it was to people having to come down all the way to Perth to attend trials, on perhaps some trumpery case, instituted by a man of straw. He thought it was due to the residents of country districts that the Government should bring justice nearer their doors, and this could only be done, it appeared, by the appointment of another Judge. He hoped hon. members would support the motion.

Mr. VENN said he had been rather in hope that the hon. member who had brought forward this motion would have gone a little further and given the House a little additional information on the subject. He thought that in bringing a question of this importance before the House, the House should be placed in possession of all the facts of the case and of all the arguments. The hon. member had told them that the appointment of a second Judge was made in order to save the country expense, by the Judge going on circuit. If the hon. member had gone a little further he would have found that very few cases had since then occurred calling for the presence of a Judge of the Supreme Court to try them. He therefore thought the House, if it agreed to the appointment of a third Judge, must be prepared to enlarge the jurisdiction of the Court and establish a circuit court. Under the law at present, he believed there were few cases indeed that called for the intervention of a Judge of the Supreme Court, and he believed it was for this reason, and not because of any great pressure of business in the Supreme Court, that the Puisne Judge had not gone oftener on circuit. If that was the case—and he believed it was so—it would be necessary that they should alter the jurisdiction of the Court, and extend the powers of the Puisne Judge, if they expected to derive any great benefit from the appointment of a third Judge. He thought the hon. member, however, struck a true chord when he pointed to the desirability of strengthening the present Court of Appeal. With only two Judges, and the opinion of the Chief Justice prevailing in case of disagreement between the two, an appeal to the Court as at present constituted was virtually an appeal from Cæsar to Cæsar. Still, he was not aware of any case where the ends of justice had in any way been frustrated or the public in any way suffered, for he thought there had been a wonderful unanimity of opinion between the present Chief Justice and the Puisne Judge. In dealing with this

question of the appointment of a third Judge, they must look at the office and the salary attached to it, which, looking at the present circumstances of the colony and the salaries paid to Judges elsewhere, was a very mean one indeed. He had compared a list of the salaries paid in the other colonies, and he found that in South Australia the Chief Justice received £2,000 a year, and the Puisne Judges £1,700, the salary of the Chief Secretary being £1,000. In Tasmania the Chief Justice received £1,500; the Puisne Judges, £1,200; and the Chief Secretary, £1,200. In Victoria the salary of the Chief Justice was £3,500; the Puisne Judges received £3,000 each, and the Chief Secretary, £1,800. In New South Wales the Chief Justice received a salary of £3,500, and the Puisne Judges received £2,600, the salary of the Chief Secretary being £2,000. In Queensland they paid their Chief Justice £2,500 a year, their Puisne Judges £2,000 each, and the Chief Secretary £1,300. In New Zealand the Chief Justice received £1,700, the Puisne Judges £1,500, and the Colonial Secretary, £1,250. In Natal the Chief Justice's salary was £1,500, the Puisne Judges receiving £1,000 and the Colonial Secretary, £1,000. Coming to Western Australia they gave their Chief Justice £1,000, the Puisne Judge, £700, and the Colonial Secretary, £900. He thought that a comparison of these figures showed that the Chief Justice and the Puisne Judge in this colony were very much underpaid, and, if they wished to appoint a third Judge it would be their bounden duty at the same time to elevate the position of their Judges by raising their salaries, commencing with their Chief Justice, and, proportionately, the Puisne Judges. The Colonial Secretary, as he had already said, received £900 a year, and the Puisne Judge only £700. Even the Superintendent of Police received £600 a year, and the Postmaster General the same; while the salary of the Director of Public Works from loan account and current account amounted to £800. He thought he had said enough to show the absolute necessity—no, he would not say the necessity—he thought he had said enough to show that it was only right and just, in dealing with these high judicial offices, that the claims of those who occupied them to a higher salary should be recognised. With this understanding he should be glad to support the hon. member's motion; but he did feel that with the small salary we now paid the Chief Justice and the Puisne Judge, the judicial office was rather degraded than elevated.

MR. WITTENOOM said that representing the district of Geraldton he could not help saying a word or two on this question. He had always understood that the object of appointing a second Judge was to bring justice nearer home to the residents of country districts, and, so far as that object was concerned, he was afraid that it had miscarried. It appeared from the explanation of the hon. and learned member for Wellington that the cause of this was not so much the pressure of business in the Supreme Court as the limited jurisdiction of the Puisne Judge. This being the case, it appeared to him there was no necessity for increasing the strength of the Supreme Court, but rather for extending the jurisdiction and increasing the usefulness of the Judge on circuit. Unfortunately he had some little knowledge himself of the law's delay, in consequence of the Puisne Judge being unable to visit the Champion Bay District. There was a case which he understood had been ready for trial for some time past—he did not know exactly what the case was about—but he knew that one witness had been brought down from an inland station fully a month before he (Mr. Wittenoom) left Geraldton in June, and he telegraphed up there yesterday to know if this person was there still, and he found that he was there at the present moment, having been three months away from his station. He had made inquiries of the police when this case was likely to come on, and they said they were waiting for the Judge to come up from Perth to try it. Therefore he could not help thinking that there were occasions when it was very necessary that they should increase the strength of the judicial bench. But, if the circumstances of the case were as they had been represented by the hon. member for Wellington, he hardly saw the necessity for a Puisne Judge at all—that was to say, if they were to accept the hon. member's repre-

sentations. But he could not help feeling himself that it would be to the utmost advantage of these country districts if a Judge were periodically sent up, empowered to exercise the functions of the Supreme Court, instead of having cases for trial held over, as they had seen lately, for months, at great inconvenience and loss to the public. He could not exactly make up his mind at the present moment whether to vote for the motion or not: if, in the course of the debate it were shown that the representations of the hon. member for Wellington were not correct, and that the appointment of a third Judge would be advantageous to the country districts, he should be prepared to support it.

Mr. PARKER imagined that one strong reason why the hon. member who had brought this matter forward considered it necessary that there should be another Judge was the fact that our vast territory was now rapidly becoming populated at what he might call its extremities, and that considering the influx of population to Derby and Wyndham and to our goldfields it was obvious that if any cases arose in those distant parts of the colony requiring adjudication by the Supreme Court, it would entail an enormous expense to bring the cases to trial at Perth. It would be almost ruinous for witnesses and litigants to have to come down all the way to Perth from Kimberley, for instance. After all, it appeared to him that what they had to consider in dealing with this question of the administration of justice was the convenience of the public rather than the cost to the colony. They might depend upon it that if Judges were not sent on circuit to the distant parts of the colony, crime in a great many instances would go unpunished, for the simple reason that prosecutors would not care to set the machinery of the law in motion, knowing the great expense and inconvenience which a trial at Perth, hundreds of miles away, would involve. Nor did he think it was just to the public that we should put them to all this inconvenience and loss; and it appeared to him that this was one strong reason, and perhaps the strongest reason, why the House should adopt this motion. There was a case that occurred recently in the Kimberley district which had to be tried at Geraldton, and which resulted, he believed, in almost a complete failure of justice, because a medical witness who ought to have come down was unable to leave his district, and the Crown had to prosecute the prisoner on a minor charge. Had there been a Judge to have gone up to the district to try the case on the spot, the prisoner would probably have been indicted on a much graver charge than he had to be indicted for, at Geraldton. He agreed with the hon. member for Wellington that it was necessary we should have circuit courts, with extended jurisdiction, and that we should not only consider criminal cases but also civil cases, and give people who found it necessary to have recourse to law an opportunity of having their actions tried with as little inconvenience as possible and as little loss as possible to themselves and their witnesses. It must be evident that in any civil case of contract or tort that might arise, involving jurisdiction exceeding £50—to which the Local Courts were now limited—it would involve an immense expense and inconvenience to the litigants and their witnesses, if residing in Kimberley, to have to bring their case down to Perth. But there was another reason why we should have a third Judge, and that was so that we might have a properly constituted Court of Appeal. It must be obvious, he was sure, to every hon. member that a Court of Appeal consisting of two Judges could not give that satisfaction which a Court consisting of a larger number of Judges would give. At present, in the event of a difference of opinion between the Chief Justice and the Puisne Judge, the opinion of the Chief Justice prevailed; so that, presuming there was an appeal from the decision of the Chief Justice they virtually had to go to the Chief Justice again. It was like appealing from Cæsar to Cæsar. In the Criminal Law Procedure Bill passed this session, providing for a Court of Appeal in criminal cases, if an appeal were made to two Judges and there was a difference of opinion between them, according to that bill the opinion of the Chief Justice would not prevail, and virtually there would be no appeal whatever. It was obvious therefore that to strengthen the Court of Appeal would give more general satisfaction, when the opinion of a majority

of the Judges would prevail; and, under these circumstances, he trusted the Government would see their way clear to fall in with this humble address.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) said the object which the hon. member for the Gascoyne had in view was doubtless a good one, and strong reasons had been adduced by the hon. and learned member for Perth, to show that perhaps it would be advisable to adopt the course suggested, of appointing a third Judge. However, he did not know that at the present juncture the case was very pressing; and, as for the incurring of additional expenditure in connection with the administration of justice, so far as Kimberley was concerned, he might remark, for the information of hon. members, that his learned friend on his right was about to introduce a bill which would extend the jurisdiction and enlarge the powers of the Government Resident, as regards the administration of justice up there, which would in a great measure obviate the inconveniences alluded to by the hon. member for the Gascoyne. He thought, for these reasons, although it might be necessary at some future period to appoint a third Judge, it was hardly necessary to do so at the present moment. He would therefore suggest to the hon. member that he might withdraw his motion, and reserve the consideration of the subject until next session.

MR. SHOLL said that if it was the wish of the Government that he should postpone this question until a future time he had no desire to press it, but he hoped the Government would take the earliest opportunity of considering the matter, with the view of supplying what he considered, and what many others considered, a great want. With reference to the bill about to be introduced, he was afraid it would not meet the case exactly, but it might do as a temporary expedient, until this matter was further considered. It was rather late in the session to bring forward such an important question, and perhaps he ought to have pressed it forward earlier; and, as it appeared to be the wish of the Government that he should withdraw the motion, he would do so.

Motion, by leave, withdrawn.

SURVEY OF RAILWAY FROM GERALDTON TO MULLEWA.

MR. WITTENOOM re-introduced his motion for a sum of money to defray the cost of a preliminary survey of a light line of railway or tramway from Geraldton to Mullewa; the cost of erecting such railway to be a charge on the next loan. The hon. member said that, when he brought forward a similar motion the other day, he was informed that he had much better keep it back until the Estimates came on; and as the Estimates were now before them, he now brought forward his motion. He had already pointed out the necessity for this line of railway, and if a survey could be made without incurring any large expenditure he thought it would be very desirable to have it done. He should like to hear from the Commissioner of Railways what would be about the cost of a light tramway from Geraldton to Mullewa.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright) thought the same answer might be given to this question as had been given the other day to the hon. member for York with reference to the construction of a weir across the river Swan, that it was not the slightest use going to the expense of £800 or £1,000 to make a survey unless the House was of opinion that the line should be constructed as soon as the survey was made. The line, they were told, would be sixty miles long, and the cheapest line would cost close upon £200,000, which certainly did seem rather a large sum to pay for bringing down 2,000 bales of wool. Therefore he said it was totally useless placing any money upon the Estimates for a survey of the line unless the House made up its mind whether the line should be constructed or not. Should the House decide to have the line constructed, then it would be a very easy thing to have a survey made. But he doubted whether the House was prepared to vote £200,000 for this work; and, considering all the difficulties, he thought a line constructed in the cheapest manner would not cost less than that sum.

MR. WITTENOOM: Under these circumstances I beg to withdraw my motion. I had no idea that a light tramway would have cost anything of the kind.

Motion, by leave, withdrawn.

REFUND OF DUTY ON STEAMER IMPORTED BY JAMES CLARKE & Co.

Mr. McRAE, in accordance with notice, moved "That an humble address be presented to His Excellency the Governor, "praying that he would be pleased to "refund the duty levied and paid upon "a steam launch, or tug boat, imported "into the colony by James Clarke & Co., "of the Ashburton." The hon. member said that the tug in question was imported by the Clarkes in January last from Singapore at a cost of about £600, and they made arrangements with the owners of the *Natal* steamer to have it towed over to Cossack and thence to the Ashburton. Some time afterwards Messrs. Clarke & Co. received notice from the Sub-Collector of Customs at Roebourne that they would be expected to pay duty upon their tug boat, and, after some remonstrance, they paid the duty. He did not know whether it could be legally levied or not upon a boat towed into the colony in this way; if it could, he thought it was a very hard case, more especially when it was borne in mind that before this steam tug was introduced the Government allowed pearling boats to be admitted free of duty, and these people naturally thought they could have their steam boat introduced in the same way. But they were made to pay the full duty, and he thought the least the Government could do was to refund the duty.

The ACTING COLONIAL SECRETARY (Hon. M. S. Smith) said that some few months ago Messrs. Clarke & Co. wrote to the Government asking for a remission of the duty imposed on this steam launch. The case was then very carefully gone into, and the reply was that the Government were unable to accede to their request; and he was afraid that opinion of the Government must still be adhered to. If they granted a remission of the duty in this case, they should undoubtedly have to do so in many other cases, in which application might be made for a similar concession, not only as regards steam launches but other plant and machinery. He was sorry to say the Government did not feel themselves in a position to accede to the request.

Mr. SHOLL thought it was a very hard case. Here was a firm trying to supply a public want, and sending to Singapore at great expense and at great risk to get this tug boat, and when they got it here they were pounced upon to pay duty. If they had only detached the boat from the "Natal," just outside, and steamed into port instead of being towed, the vessel would have come in free of duty; but simply because they did not resort to this plan for avoiding payment they were made to pay duty. He thought it was a hard case, and that the Government might well remit the duty.

Mr. PARKER thought it was very unwise for that House as a rule to pass motions of this kind, asking for a remission of duties levied by law. There might be cases where it might be wise to interfere, as for instance in the case of goods imported for charitable purposes, church bells, or church organs, or things like that; but, as a rule, he thought it was very unwise to suspend the operation of the tariff. The hon. member said these people tried to supply a public want when they imported this steam tug; but no one could suppose that they were actuated purely by patriotic motives in the matter, their object, no doubt, being to make some money by it, which, of course, was a legitimate object. But, as for saying that they ought to have the duty remitted because they were supplying a public want, the same argument would apply to the Perth Gas Company, or any other public company, who might want to have the duty remitted on their plant and machinery.

Mr. GRANT thought this was an exceptional case, and he thought they had a precedent to go by, inasmuch as, the year before, some pearling boats were brought over in the same way by a steamer, and they were exempted from duty.

The ACTING COLONIAL SECRETARY (Hon. M. S. Smith) failed to see how the Government, in the face of the Tariff Act, could remit this duty. The Government could not undertake to suspend the operations of the law as they liked. They could not remit duties, right and left, imposed by the Legislature. To go into the merits of the case, what would the local boat-builders say, who had to pay a heavy duty upon the machinery which they imported, and upon all their gear? Would it not lead to putting an end to all local industry

in this direction, if people were allowed to introduce boats from outside free of duty? He thought if the matter were looked upon in that light, it must be admitted it would be rather an injustice to local shipbuilders. But, apart from that, he thought, in the face of the Tariff Act, the Government would be very remiss indeed if they were to remit this duty.

MR. McRAE said it was only a month ago a steam launch was brought to the colony by the *Altair*, taken up to Perth and offered for sale, and then taken up to the North.

MR. MARMION said it appeared to him that if pearling boats had been admitted into the colony free of duty as described, it was the fault of the Sub-Collector of Customs in not insisting upon the duty being paid.

Question put—that the address be presented; and, a division being demanded, the numbers were,—

Ayes	7
Noes	14
Majority against ...	7

AYES.	NOES.
Capt. Fawcett	Hon. S. Burt
Mr. Grant	Hon. J. Forrest
Mr. Harper	Hon. J. A. Wright
Mr. Scott	Mr. Brockman
Mr. Sholl	Mr. Burges
Mr. Venn	Sir T. C. Campbell, Bart.
Mr. McRae (*Teller.*)	Mr. Layman
	Mr. Loton
	Mr. Marmion
	Mr. Parker
	Mr. Pearse
	Mr. Randell
	Mr. Shenton
	Hon. M. S. Smith (*Teller.*)

The motion was therefore negatived.

PERTH GAS COMPANY BILL.

MR. PARKER, in moving the second reading of the Perth Gas Company's bill, said he had no doubt it would be in the recollection of the House that some years ago a gas company was established on a rather small scale, and several attempts were made to manufacture gas out of other substances than coal, but without any very brilliant success. Eventually a company was started to manufacture coal gas, and, after surmounting the many difficulties and obstacles incidental to the establishment of a new industry, the company were now in a position to enlarge the sphere of their operations, and to that end they sought for enlarged powers, which the bill now before the House proposed to give them. As hon. members were aware, some of the streets of the city were illuminated with gas, and most of the public buildings; and he trusted that ere next session came round those who were responsible for the lighting of that Chamber will have dispensed with the present dimly-burning kerosene lamps and substituted in their place something more effulgent in the shape of gas. When this Gas Company was established there was no law in this colony regulating the manufacture of gas or regulating the working of gas companies, and all the company could do was to register itself under the Joint Stock Ordinance, the provisions of which, although applicable enough to an ordinary trading corporation, were not so to gas companies, who required powers given to them to break up the streets, to levy gas rates, to inspect meters, and other powers which ordinary companies were not vested with. The present bill provided that the gas supplied by the company shall be of a certain illuminating power, and it enacted that the corporation of the city might at any time send its own officer to test the quality of the gas. It also provided that the corporation may at any time after the expiration of twenty years step in and purchase the company's gas works at a price to be fixed upon by arbitration. That was a provision that was introduced into the bill in select committee, at the suggestion of the Director of Public Works, and of the Town Clerk, who attended before the committee. The Gas Company itself had no objection to this provision being inserted; so that if within the next twenty years Perth becomes a city of considerable importance, as they all hoped it would, and the corporation chose to take these gas works under their own supervision and control, they would be at liberty to do so. The bill also gave power to the company to increase its capital to the sum of £60,000, and also power to borrow that sum on debentures or otherwise as it may deem fit. Power was also given to the company to issue what were called preference shares in addition to the ordinary shares. In short, the bill proposed to give the company every power necessary to carry

on its business successfully, and at the same time it contained the usual provisions to enable the local authorities to exercise supervision over the company's operations when they affected the public streets. The bill was taken from the Act now in force in Adelaide, and one very liberal provision which it contained was that the municipal corporation should have its gas supplied at a rate of ten per cent. lower than the general public. In Melbourne, he believed, they only supplied gas to the city corporation at a reduction of five per cent. below the ordinary rate, but here the gas company proposed to be more liberal, and to make a reduction of ten per cent. He hoped that in time, when the company began to pay a dividend, they would make even still further concessions to the corporation. He would only add that the preamble of the bill had been proved to the satisfaction of the select committee, to whom the bill was referred, and who it would be observed had made some important and valuable alterations in it.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): I understood the hon. member to say that the bill gave the company power to issue preference shares in addition to ordinary shares. I do not think that is the case.

MR. PARKER: Quite right; it is only £60,000 in all.

The motion for the second reading was then put and passed.

ADMISSION OF PRACTITIONERS, SUPREME COURT.

SIR T. COCKBURN-CAMPBELL, in moving that an humble address be presented to His Excellency the Governor, praying that he would be pleased to direct the introduction of a bill regulating the admission of practitioners of the Supreme Court, upon the legislative lines adopted by South Australia, Queensland, and other colonies of the group, for the protection of the interests of the community, said he did not think it was necessary he should say very much—in fact, for some reasons perhaps it would be rather desirable that he should not do so. Hon. members all knew that a state of things had been gradually rising of late in connection with litigation in the Supreme Court which had been utterly unknown until lately,—which had been utterly unknown when there were only three legal firms in the colony, who were still the leading firms of the colony. Of course, monopoly was never desirable, and we were all very glad to welcome among the new comers gentlemen who were an honor to the profession and a great acquisition to the colony, and he was sure nobody more heartily welcomed them than the old-established firms alluded to. But the colony had been progressing very greatly of late, and attracting a good deal of attention, and a large number of those who belonged to the profession that we would rather not see here had cast their lot amongst us, and, from what he could hear outside, a considerable number more were likely to flock here; and he thought it was necessary that steps should be taken, the same as in the other colonies, for the protection of the public. They had seen cases in which the poor had been deluded and black-mail levied on the rich,—they had seen speculative cases taken up, and evils of various kinds produced; and he thought it was very desirable we should have a law on the subject, regulating the admission of practitioners. No doubt an honest straightforward lawyer was a blessing to any community, but he could not conceive a greater curse than an unprincipled lawyer; and that the public should have some protection from practitioners of that stamp was, he thought, highly important. At present he was told there were certain rules regulating the admission of barristers, but he failed to see that these rules operated as a check in any way, for it appeared that anybody who came here from anywhere, and said he was a practitioner of some court of some country or the other, was admitted at once, without the slightest precaution being taken, or any rules, so far as he could see, being observed. We took some pains to preserve our people from quacks of another class, and to a certain extent we succeeded in doing so, and he failed to see why we should not do the same as the other colonies and preserve our people from unprincipled lawyers or legal quacks. There were some people who would throw away good doctor's stuff and take no notice of the advice given them by duly qualified medical practitioners, preferring

to follow the advice of quacks; and, in the same way, there were people who were dissatisfied with the advice given to them by a good lawyer, preferring the advice of one who would take up their cases for speculative purposes of their own, and in this way brought ruin upon their clients. He did not know what was the rule in all the other colonies, but in South Australia they had found that the only thing to protect them against these sort of people was a residence qualification. In that colony he believed it was six months. In Queensland, he believed, they would not allow any practitioner to practise for twelve months, but he should say that a six months residence qualification would be enough for this colony, during which it would be possible to arrive at some knowledge of a man's character and antecedents. He did not see why our own community should not be protected as our neighbors were, or why this colony should be made the happy hunting grounds for these unprincipled men. He hoped it would be understood that he made many exceptions—there had been many new arrivals who were perfectly welcome—but he thought that in the interests of the community we should protect ourselves from these other men. Some two or three years ago, several members of the House joined in asking the legal members to bring in some such bill as this, but, for reasons which they could well understand, fearing their motives might be misrepresented, they hesitated to take any action in the matter. But it had been pressed upon him from many quarters to move in the matter, and he felt certain that he had the sympathy of the House; and he thought if the motion were passed they would be able, without troubling the Acting Attorney General—who really had had a tremendous lot of work on his shoulders this session—to bring in the short bill that was required.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): I should not like, after what has fallen from the hon. baronet, to allow the resolution to pass without an observation from me. If I understood him rightly, he said that at present practitioners were admitted here without any inquiry as to their antecedents. There is some inquiry made, as a rule, from every practitioner. He has to show—or, at any rate, he ought to be required to show—his papers (so to speak), and to give some account of himself. Possibly, in some cases, through an oversight, that has not been required. But that is not much,—it is not much to ask a man to produce his credentials and show that he has not been struck off the rolls before he came here. That, I say, is not much protection, for it may happen that gentlemen may have had to leave where they have been *practising* before they came here, under a threat of being struck off the rolls if they did not clear out, and these men might come here and save themselves from that indignity, being yet in possession of their papers. Therefore that is scarcely an adequate protection for any colony. At the same time I am not prepared to say that any gentlemen have come here who are not fit and proper persons to practise: it is for the public to judge of that. The legal gentlemen in the House, as the hon. member for Plantagenet pointed out, have felt it rather difficult to deal with this question, knowing that if they took any steps in the matter, at the request of any portion of the community, their motives would be liable to misrepresentation, and it would be said that they wanted to exclude other practitioners from sharing the benefits and the profits of the practice of their profession. But, of course, anyone who knows anything about the profession at all knows that the more lawyers there are the more business there is; and probably the public are beginning to find that out. So that whatever is done, or however many lawyers come here, cannot affect us prejudicially at all. If we had a large influx to-morrow, it would only quadruple the work. At the same time there has been a reluctance on the part of the members of the profession to deal with the matter. But if it is the wish of the House to have some amendments made as to the manner of admitting practitioners, for my own part I shall be only too happy to help, by my advice, so far as I am able to give it, in legislating in this direction. There certainly are in all the other colonies regulations that are far more strict than those in force here. In Adelaide, I think I am right in saying, the residence clause is for twelve months. In New South

Wales, I believe, a practitioner obtains a sort of temporary permit to practise, for six months, at the end of which he applies for a confirmation of his certificate, after the Courts have had an opportunity of judging what sort of man he is. Here there is no residential clause, and it will be for the House to say what regulations they would like to apply. No doubt if the bill comes before the House we shall be able to come to some conclusion upon it. I am not saying anything now on behalf of the Government, but simply expressing my own views.

The motion was then put and passed.

LAND REGULATIONS.

The House went into committee for the further consideration of the proposed new Land Regulations.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said hon. members had already seen the new clauses which he proposed to submit, dealing with the question of transfers. The first one he had to move was the following:—

New Clause.—*Fee Payable, Form, &c.*—"All transfers must be made in the "prescribed form, and a fee of twenty "shillings shall in each case be payable. "No transfer shall be valid or operative "until the approval in writing of the "Commissioner is obtained."

The clause was agreed to, without comment.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved the following—

New Clause.—*Conditional Purchases.*—"Any holder of land on conditional terms "of purchase may transfer all his right, "title, and interest in his land, pro-"vided the Commissioner's approval in "writing is obtained, and further pro-"vided that the person to whom the land "is transferred does not hold, together "with the portion to be transferred, more "than the maximum area allowed under "conditional purchase under these Regu-"lations. Except, however, in cases when "the transfer is made *bonâ fide* as security "for money advanced to the transferror "and not in view of the occupation of the "land by any other person than the "transferror, and a statutory declaration "to the above effect shall be made by the "transferror and transferee. No transfer "upon any sale by the person holding "such security shall be approved by "the Commissioner, unless the proposed "transferee be qualified to hold such "land under terms of conditional pur-"chase."

MR. PARKER said he noticed by the previous clause that a fee of 20s. was payable in all cases of absolute transfer, which was a reasonable enough charge when the transfer was absolute, but it would be a very heavy tax to have to pay in cases of mortgage by way of security. He should think 5s. would be an ample fee.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said it must be remembered that they were doing away with nearly all fees in these regulations. They did not charge any stamp duty when held as a collateral security, and there was just as much work to make the transfer whether by way of mortgage or absolute sale.

MR. SHENTON said a mortgage deed was liable to a stamp duty, and he thought a fee of 5s. would be ample in cases where the transfer was simply by way of security. A fee of £1 for every transfer of that kind, say for 1,000 acres, would be an imposition.

MR. PARKER said he did not see why one transfer should not be made to embrace a dozen or twenty leases. People did not want a separate transfer for each lease.

MR. CROWTHER thought that House voted money for the support of the Land Department, without the necessity of handicapping the public with fees. He thought a mere nominal fee of half a crown would be enough.

MR. PARKER said the last sentence in this clause would defeat the whole object of allowing these transfers to be made. A mortgagee might find that no person who would be inclined to purchase the land would be allowed to do so, and the whole clause might be rendered valueless. He moved that all the words after "transferee," in the 18th line, be struck out.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) was afraid the amendment would have no effect, unless they altered the regulation under which there was a maximum area beyond

which no person was allowed to hold. It seemed to him they would have to undo the whole of the regulations.

MR. MARMION did not think the difficulties would prove so great in practice as in theory, and it appeared to him the Commissioner had gone as far as he could, in view of the principle already affirmed as regards limiting the quantity of land to be held by one person.

MR. CROWTHER said, unless the the words were struck out, the very men who were likely to take up the land would be debarred from doing so; and they might as well abolish transfers and mortgages altogether.

MR. LOTON understood the Commissioner was going to introduce a mortgage clause instead of transfers; but he presumed the hon. gentleman found it would be impossible to introduce such a clause, under the limitation principle. It was admitted that the principle of transfer would not be so good as if there was no limitation. It was not always people who might be in difficulties who might want to transfer; it might be people who wished to leave the district or to leave the colony, and the result of this clause would be that all the neighbors probably would be prohibited from making a bid for the land; and in this way the value of the land and its improvements would be handicapped. But unless they were prepared to undo the limitation clauses it was no use arguing the matter.

MR. MARMION: Has the person who buys to take up the remaining term of residence?

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): If the land is sold, and it is held under the residential clause, I think it would have to be resided upon during the unexpired portion of the term. The purchaser would simply step into the shoes of the original lessee.

MR. PARKER: There would be very few persons then who would be inclined to purchase, and the field would be still further limited. It would be very difficult indeed to find a purchaser, and the security as a security would be really valueless.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said this provision was no new thing. The same provision was made in the other colonies, and especially in Queensland, and it was much more liberal than the New South Wales clause.

MR. WITTENOOM said he had looked forward with some anxiety to the introduction of this clause, and he could see there was a difficulty. They must either accept the clause as it stood, or do away with the limitation clause. As to the transfer fee, he thought a reduction should be made upon a re-transfer to the same owner, otherwise transfers in respect of the same piece of land would in course of time be worth more than the lease itself.

MR. PARKER said it appeared to him that the mortgagor was more restricted as regards transfers than the original lessee. There would be no possibility of releasing the security.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said that rightly or wrongly the House had affirmed the principle that there should be a limitation, and unless the committee saw its way to repudiate that principle, it was no practical use discussing this clause. He could not help saying that it would seriously affect people who wanted to borrow money—he did not see himself where it was to come from; but, having affirmed the principle it seemed to him it was folly to argue the matter any further.

MR. HARPER pointed out that when a man got the fee simple of the land he could commence afresh with the same quantity again. All a man would have to do who wanted to hold more than the limited quantity would be to pay up the purchase money at once; he would then be in a position to take up the maximum area again. It was to be hoped that these transfers would not necessarily fall into the hands of a few persons. They hoped to see new comers anxious to take up land.

The amendment moved by Mr. Parker was then put and negatived, and the New Clause agreed to.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved the following New Clause, in lieu of Clauses 59 and 60:

Pastoral and other Leases and Licenses.—"Any lessee or licensee of pastoral, "poisoned, mineral, or timbered lands

"may transfer all his right, title, and "interest in the whole or any portion of "his land, provided the Commissioner's "approval in writing is obtained. Pro- "vided, further, that the portion trans- "ferred shall not be less than the "minimum area prescribed for a lease or "license in the division in which the "land is situated, unless in special cases "approved by the Commissioner."

The clause was agreed to, *sub silentio*.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved that the following new clause be added to the Regulations:—"Any Immigrant to "whom a free grant of rural land has "been promised, under previous Regu- "lations, on certain conditions of fencing "and improvement, shall be entitled to a "Crown grant of the land comprised in "his occupation certificate, provided that "the land has been properly fenced, and "that the fence is in good order, and "that an amount of ten shillings an acre "has been expended on the land in "prescribed improvements in addition to "the cost of fencing." This was to meet the case of immigrants who held land under occupation certificates, and to give them the same privilege that was given to special occupation holders, namely, instead of fencing the land and cropping one-fourth of the area, allow them to fence and spend 10s. an acre upon the land in any other way, under the prescribed improvements. It was just the same clause as that of which the hon. member for Fremantle (Mr. Pearse) had given notice that evening.

MR. PEARSE said this clause would exactly meet his views, and the clause of which he had given notice would be unnecessary.

The clause was then put and passed.

MR. PARKER said there were a great many discretionary powers vested in the Commissioner under these Land Regulations, and though no doubt the present holder of that office would exercise these discretionary powers in a proper and judicious manner, and would give no cause of complaint, still we might have a Commissioner who was capable of exercising these powers capriciously, and in a very arbitrary manner.

MR. HARPER: Not under Responsible Government, surely.

MR. PARKER: The hon. member says "not under Responsible Government." I would remind the hon. member that under that form of Government the Commissioner would be responsible to the country, and we should have some control over him, which would be some guarantee that the holder of the office will exercise the powers vested in him wisely and prudently. At present we have no check at all upon the Commissioner. Therefore, in order to safeguard the interests of the public—not with reference to the present Commissioner, who, we know, can be trusted—but no one can say but that the hon. gentleman's successor may be a gentleman who might be disposed to exercise his discretionary powers in an arbitrary manner; and, in order to protect the public at large, I beg to move this New Clause: "If any person shall think himself ag- "grieved by an act or thing done or "omitted to be done by the Commissioner, "or any of his officers, agents, or servants, "or by the exercise of any of the discre- "tionary powers and authorities by these "Regulations conferred upon the Com- "missioner, it shall be lawful for such "person, at any time within three months "thereafter, to appeal to the Governor in "Council against the commission or "omission of such act or thing in the "exercise of any such discretionary "power or authority."

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said if all his acts were to be unchallenged except on appeal his powers would be greater than they really were. He could only act under the law, and subject to the Governor's instructions. The hon. member should read the 4th clause, which defined the Commissioner's duties. That clause provided as follows:—"There "shall be a Commissioner of Crown "Lands for the colony. It shall be the "duty of the Commissioner to carry out "these Regulations and to superintend "the preparation, custody, and delivery "of Crown grants, leases, licenses, and "other instruments disposing of Crown "lands, except where otherwise by law "provided, and subject to the provisions "of any law relating thereto, and subject "also to instructions from the Governor "or other officer authorised in that be- "half by the Governor."

MR. PARKER: That does not meet

the case at all. The Commissioner, for instance, may refuse to transfer a lease, and at the same time he may have no instructions from the Governor, and he might refuse to refer the matter to the Governor. I think he would be acting quite within his rights if he did so.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he had not the slightest objection to the clause himself, personally.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) hardly thought the clause necessary. There was always an appeal to the Governor in Council.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I think there is no necessity for the clause, under the present constitution. Probably such safeguards might be necessary under another form of Government.

The clause was then put and passed.

MR. HARPER—who, on August 20th, submitted a new clause providing that any land situated in the Eastern Division of the colony (not to the eastward of the 119th degree of east longitude) which shall be found so densely wooded with indigenous eucalyptus or other trees or shrubs as to render the land in its present state unfit for grazing purposes, shall be leased on the same terms as it is proposed to apply to poison lands, with the exception that instead of the eradication of poison at least nine-tenths of the indigenous eucalyptus or other trees or shrubs shall be effectually destroyed—now amended the proposed clause by striking out the words "at least nine-tenths of," and adding at the end of the clause the words "on at least nine-tenths of the area: provided, however, that this shall not apply to lands held under lease, unless applied for by the lessee." The hon. member said he had introduced these amendments in order to meet some objection which was made the other evening.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said that when this clause was put forward the other evening he said that the Government looked with favor upon it, looking at it somewhat casually; but, after the discussion the other evening and most carefully considering the question, they were now of opinion that it would be unwise to insert this clause in the regulations, at the present time, and for this reason: on carefully examining the matter and consulting the map, he found that the land that would come under this clause was land that bordered very closely upon the railways about to be constructed between Champion Bay and Albany,—in fact, it took in some of the areas from which these syndicates might select. Therefore he thought that instead of passing this clause, it would be better to alter the 110th clause, dealing with special concessions, which gave the Governor power to grant concessions of land for various purposes of public utility. He would here suggest that the words "or for otherwise promoting the settlement of the colony" might be inserted in that clause, which would empower the Governor to enter into engagements with any persons desirous of utilising this land, subject to the approval of the Legislature. They were now negotiating with a member of that House to try this experiment upon 10,000 acres of land eastward of York, and that experiment would give them some idea of the value of the land. He would therefore suggest that it would be better to wait until they saw the result of that experiment, before throwing open these millions of acres, as was now proposed. They were bringing this country within easy reach of railway communication, and it would be a very bad advertisement indeed to insert in their new Land Regulations a clause setting forth that there was land within sixty miles of this railway the fee simple of which could be had, in any quantity, merely for cutting down nine-tenths of the trees on the land.

MR. HARPER said he thought one of the hon. member's reasons was absurd. The hon. member said it would be a bad advertisement to say that land within sixty miles of a railway could be had upon these conditions. There was abundance of land, not within sixty miles, but within a mile of some of the railways in the other colonies, which was equally as valueless as this. He believed that in Victoria alone there were some 8,000,000 or 10,000,000 of acres of land uninhabited and uncultivated at the present moment, and it was not considered bad policy there to try to hide what were actual facts. As to giving the Governor power to deal with this land under the special

concession clause, he thought that would be inadvisable. They did not know what use might be made of that power, and he thought a much better way would be to lay down the conditions upon which the land was to be dealt with, rather than leave it to the discretionary power of any Governor.

The clause as amended was then put, and upon a division the numbers were—

Ayes	... ...	7
Noes	... ...	13
Majority against	...	6

Ayes.	Noes.
Mr. Brockman	Hon. M. S. Smith
Mr. Crowther	Hon. S. Burt
Mr. Grant	Hon. J. A. Wright
Mr. McRae	Mr. Burges
Mr. Shenton	Capt. Fawcett
Mr. Wittenoom	Mr. Layman
Mr. Harper (*Teller.*)	Mr. Loton
	Mr. Marmion
	Mr. Pearse
	Mr. Randell
	Hon. J. G. Lee-Steere
	Mr. Venn
	Hon. J. Forrest (*Teller.*)

The clause was therefore rejected.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) then moved that the Regulations be reported.

Agreed to.

The SPEAKER took the Chair.

The CHAIRMAN OF COMMITTEES reported that the committee had considered the Regulations, and agreed to the same, with amendments.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved that the Regulations be recommitted, for the purpose of further amendments.

Agreed to.

IN COMMITTEE.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved some verbal amendments in Clauses 20 and 21 (*vide* "Votes and Proceedings," p. 165), which were agreed to, without discussion or comment.

Clause 48 was, on the motion of Mr. Venn, struck out.

Mr. VENN thereupon moved that the following New Clause be inserted in lieu of it: "For the encouragement of "planting vineyards, orchards, and gar- "dens, the Commissioner may dispose of "land in blocks of not less than 5 acres, "nor more than 20 acres, at not less "than 20s. per acre; provided that "within three years from the date of "survey the land shall be fenced on the "surveyed boundary lines and at least "one-tenth part be planted with vines or "fruit trees, or otherwise be cultivated "in a *bonâ fide* manner as a vegetable "garden; and also provided that not "more than 20 acres shall be granted to "any one person, and that, except in the "South-West division, the selection shall "be within a special area or within ten "miles of a declared site of a city or "town. On failure of fulfilment of any "of the conditions the purchaser shall "forfeit the purchase money and all "right to the land." The hon. member said the clause might seem to be in contradiction of the principles he had advocated all through in dealing with these land regulations—of course he did not personally approve of the principle of restricting the areas—but, in deference to the wishes of the majority he had amended the clause, restricting the size of these blocks to twenty acres.

Mr. HARPER moved an amendment, to insert after the word "land," in the fourth line, the words "in the South-West division." This would re-introduce the original provision in the first draft, restricting the operation of the clause to the South-West division of the colony. As the clause now stood it applied to the whole colony, and to parts of the colony where land would never be taken up for vineyards. The 22nd clause empowered the Governor to grant leases not exceeding 25 acres for market gardens, in any part of the colony; therefore he thought the clause now before the committee should be restricted to the South-West division.

Mr. MARMION said the provision contained in Clause 22, as to land for market gardens, had escaped his attention altogether, and seemed to do away with the necessity for the present clause, which he could see was liable to abuse.

Mr. VENN pointed out that Clause 22 only applied to leases, and not to the sale of land.

The committee divided upon Mr. Harper's amendment, with the following result:

Ayes	... ...	8
Noes	... ...	13
Majority against	...	5

Ayes.	Noes.
Mr. Burges	Hon. M. S. Smith
Mr. Crowther	Hon. J. A. Wright
Mr. Grant	Mr. Brockman
Mr. Marmion	Captain Fawcett
Mr. McRae	Mr. Layman
Mr. Sholl	Mr. Loton
Mr. Wittenoom	Mr. Parker
Mr. Harper (*teller.*)	Mr. Randell
	Mr. Scott
	Mr. Shenton
	Hon. J. G. Lee-Steere
	Mr. Venn
	Hon. J. Forrest (*teller.*)

The new clause was then put and passed.

Clause 49—Agricultural areas:

Mr. HARPER moved to insert before the word "it," in the 6th line, the words "at least one-half." His object was that there should be a certain amount of land reserved within an area, after selection and survey, for future operation. This reserved land would be in the nature of a commonage, until the other half of the land had been taken up, when this reserved land might be thrown open.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) could not see the use of the amendment. The object they had in view was to make the land very cheap, and let it be occupied, on very easy terms. He thought that if they offered the land at 6d. an acre, payment extending over twenty years, there would be no necessity to keep any land in reserve. There was power in the Regulations to declare commonages, if necessary.

The amendment was negatived.

Clause 65—Existing pastoral lessees in the South-West Division to be allowed to obtain a conditional purchase adjoining their homesteads:

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved that the word "existing" in the first line of the clause be struck out, and to insert after the word "division" the words "at any time within five years of the coming into operation of these Regulations." In the corresponding clause granting the same privilege to lessees in the North District, five years was given within which to claim this privilege, and he thought that was quite long enough; and he proposed to restrict the time to five years in the South-West division, instead of allowing lessees to claim this privilege at any time during the currency of their leases.

The amendment was adopted without opposition.

Clause 72.—Lessees in Kimberley or Eucla division to have reduction of rent if land is stocked with a certain date:

Mr. SCOTT moved to insert, after the word "lease," in the 4th line of the clause, the words, "or, in Eucla division, eastward of Point Culver, shall prove to the satisfaction of the Commissioner that a sum equal to £8 per thousand acres leased has been expended in boring for water." The hon. member said the object of his amendment, as the committee would be aware, was to offer some encouragement to sink for water in this part of the colony. There was an immense area of country which would be admirably adapted for carrying sheep if they could only find water, and this part of our territory would then become a valuable portion of the national estate, instead of remaining as at present unutilised.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the Government were ready to meet the hon. member if he would modify his proposal a little. The amendment only referred to boring for water; a man might simply walk over the country and send in his claim. He thought that if the money were expended in tanks, dams, or wells, and these words were introduced into the amendment, it would be as well.

Mr. SCOTT said he had no objection, and, the verbal amendment having been made, it was adopted.

Clause 74—Poison land:

Mr. GRANT thought that lessees of poisoned land under the existing regulations should have the same privileges as were proposed to be granted to lessees under the new regulations. He therefore moved that the following words be added to this clause: "Provided that any lessee of any poisoned lands under present regulations shall be entitled to all the privileges of these regulations, but shall not be entitled to any extension of the term of such lease."

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I have no objection.

The proviso was then put and passed.

Clause 79—Payment of rents:

Mr. GRANT thought it would save a great deal of trouble to lessees, and also to the Land Office in collecting rents, if the names of lessees who had to pay rent were published in the *Gazette* some time

before the 1st March in each year, the date upon which rents fell due. It would be a good reminder to them, and he begged to move that the following words be added to the clause: "The names of all holders of land on which instalments of purchase money or rents are payable on the 1st March shall be published in the *Government Gazette* during the month of January in each year."

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he had no objection to the amendment, but it would cause a great deal of trouble, and would be a serious demand upon the resources of the Government Printer. No doubt it would be an advantage to the public, and he did not propose to offer any opposition.

The amendment was then put and passed.

Clause 80—Payment for improvements:

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved to insert after the word "houses" in the 8th line the words "except where such dwelling houses exist upon land purchased or taken out of a pastoral lease." This was to meet an objection raised the other day by the hon. member Mr. Burges. If a house existed upon a leasehold and the land upon which the house stood was taken away by the Government it would scarcely be fair that the value should not be paid to the pastoral lessee.

The amendment was accepted, *nem. con.*

Clause 110—Special concessions:

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said this was the clause he referred to when speaking that evening to the proposal of the hon. member for York as to densely wooded land; and he now moved to insert, after the word "utility," in the 3rd line of the clause, the words "or for otherwise promoting the settlement of the colony."

The motion was adopted, and the clause as amended agreed to.

MR. PARKER—referring to the new clause dealing with fees payable on transfer (not yet numbered)—moved that the following words be added to the clause: "A transfer made by way of security under the provisions of Clause may include any number of blocks or holdings of land not exceeding ten; in other cases it shall include only one block or holding." The object of the amendment, as hon. members would see, was so that a mortgagor might not be taxed unnecessarily, in respect of each individual block of land included in a mortgage. Sometimes they saw as many as thirty or forty blocks, belonging to one person or one firm, transferred by way of security to Banks, and if each individual block were to be liable to a transfer fee of £1, the fees in respect of that one transfer would be £30 or £40, and the same amount would have to be paid again when the security was released and the re-transfer made.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he followed the hon. member as to the expense, but in the other colonies they charged a great deal more for these transfers. There was a great deal of work connected with them, and he was not quite sure that the colony itself did not gain by it. He thought ten blocks would be altogether too many blocks to be included in one and the same transfer. If the hon. member would reduce it to five, it would not be so objectionable.

MR. PARKER said he would do that; and "five" having been substituted for "ten," the amendment was adopted, and the clause agreed to.

The House then resumed.

THE CHAIRMAN OF COMMITTEES reported that the committee had reconsidered the Land Regulations, and agreed to the same, with further amendments.

The House adjourned at midnight.