

## Legislative Assembly,

Tuesday, 30th October, 1894.

Transhipment of cargo from Ocean Steamers to local Pearling Vessels—Leave of Absence—Anglo-Japanese Treaty—Papers relating to the alienation of land to the Hampton Plains Syndicate—Medical Bill: second reading—Railways Act Further Amendment Bill: in committee—Insect Pests Bill: in committee—Dentists Bill: Message from the Legislative Council—Municipal Institutions Bill: consideration of Legislative Council's Message—Estimates, 1894-5: further considered in committee—Adjournment.

THE SPEAKER took the chair at 4.30 p.m.

### PRAYERS.

### TRANSHIPMENT OF CARGO TO LOCAL PEARLING VESSELS.

MR. LEAKE, in accordance with notice, asked the Premier whether the Government were aware that cargo was transhipped from steamers on the high seas to vessels on the pearling grounds, thus offering unlimited opportunity for smuggling; and whether steps could and would be taken to inquire into and remedy the alleged abuse?

THE PREMIER (Hon. Sir J. Forrest) replied:—I believe cargo is transhipped from steamers to the pearling fleet in some cases. The practice is not a good one, as it offers opportunities for smuggling; but, owing to its being a great convenience to the pearl-ers, it has not been stopped. Every precaution possible is taken to prevent smuggling. I will make further inquiries into the matter.

### LEAVE OF ABSENCE.

On the motion of MR. A. FORREST, further leave of absence for a fortnight was granted to the hon. member for Plantagenet (Mr. Hassell), and, on the motion of MR. TRAYLEN, to the hon. member for the Irwin (Mr. Phillips), said to be ill.

### ANGLO-JAPANESE TREATY.

MR. ILLINGWORTH, in accordance with notice, moved "That this House desires to be directly consulted before the Government takes any action which will commit this colony to an acceptance of that clause in the Anglo-Japanese Treaty which proposes to give unrestricted admis-

sion to Japanese into British colonies." Members would probably have noticed from the published telegrams that it was proposed to urge the colonies to give their assent to a clause in this treaty which contemplated the unrestricted admission of Japanese into these colonies. He did not suppose the Government were likely to commit this country to such a proposal without consulting the House, and his only object was to strengthen the hands of the Government in the event of this matter coming up during the recess.

THE PREMIER (Hon. Sir J. Forrest) said he had not heard anything about this treaty as yet, but he certainly would not be anxious to do anything to encourage an influx of Japanese into the colony. Should any representations be made to the Government urging them to agree to any treaty which would give these aliens greater rights than they had at present, so far as coming to this colony was concerned, he certainly would not consent to it himself without consulting the House. There could be no harm in the hon. member's motion being on record.

Motion put and passed.

### ALIENATION OF LANDS TO THE HAMPTON PLAINS SYNDICATE.

MR. MORAN, in accordance with notice, moved "That the whole of the documents (including agreement of sale) relative to the alienation of the Hampton lands to the Hampton Plains Syndicate be laid on the table of the House." He moved for these documents in the hope that they might throw some light as to what had been the intentions of the Government and of the syndicate when the original negotiations for the sale of these lands were going on, with regard to the rights of the company to the gold or other minerals. There was a good deal of misunderstanding and dissatisfaction abroad as to the position of this syndicate in this respect, and recent developments at Coolgardie had brought the question into prominence. The public, and especially the mining public, would like to know what the Government really did sell to this syndicate—was it the land alone, or also the mineral rights? If the Government alienated the mineral rights of the Crown to this syndicate, contrary to all British law and custom, was it

done knowingly or unwittingly? Or was there any idea at the time that there was auriferous country in this neighbourhood; if there was, was there any special stipulation made with regard to the rights of the company to the minerals found under the soil? These were some of the questions which were agitating the public mind, and he moved for these papers in the hope that they would throw some light on the subject. There could be no doubt that recent developments had increased the value of this property tenfold. A few years ago it was in the wilderness; there was now on its very borders the largest consuming population in the colony, and a railway would soon go to its very doors. He wished it to be understood that he was not actuated by any spirit of antagonism towards this syndicate; he reserved any comments he might have to make until he saw what their real position is. Judges in the other colonies, both in Victoria and Queensland, had held that alienation of land from the Crown did not carry with it any mineral rights. It was also the unwritten law of the mining world that the minerals under the soil virtually belonged to the mining population on the soil. He had moved in this matter in the interests of his constituents, who were much concerned about the rights of this syndicate, under their agreement with the Government.

THE PREMIER (Hon. Sir J. Forrest) said the Government would have much pleasure in laying these papers on the table if the hon. member wished it. As a matter of fact they were on the table already, being incorporated with the "Votes and Proceedings" of former years. The history of the case was well known to most members. These lands were originally leased to the company under the Land Regulations of 1882, under which lessees holding lands in that part of the colony were entitled to purchase them at 2s. 6d. an acre, any time within the first seven years of their lease; and this Hampton Plains syndicate exercised that right of purchase, under a special agreement, by which a little time was given them to pay for their land (216,000 acres), as approved by the Legislature of the day. The hon. member would find this special agreement in the "Votes and Proceedings" for the third

session of 1889. Clause 9 provided that "No Crown grant for lands purchased under this agreement shall contain any reservation of mines of gold, silver, or other precious metals." That was what the Legislative Council of the day was willing to agree to; but there was a proviso at the end of the agreement to the effect that the agreement should be subject to the assent and approval of the Secretary of State for the Colonies, and also of the Legislative Council here. The Legislative Council did approve of it, including the clause referred to, as to the non-reservation of minerals, but the Secretary of State would not approve of this waiving of the rights of the Crown to the precious metals. Eventually, however, the objection of the Secretary of State was overcome by a proviso giving the company the right to acquire certain mineral rights on payment of a royalty. They were to pay 2s. an ounce (he thought it was) to the Crown for every ounce of gold that they raised. That was the state of affairs at the present time. The hon. member, if he looked at the agreement, would see that everything was done advisedly and deliberately on the part of the Legislature of the day. Of course, they had no idea at the time that there was gold there; nor had the company. The original lessees had acquired this large area of pastoral land, as such properties often were acquired, with the intention of floating a company and making some money out of this speculation; and they spent a good deal of money (£27,000) in the purchase of the land, and they were in a pretty bad way, he believed, afterwards, as they were unable to realise on the land, as they had anticipated. He thought they were almost in a state of collapse, when the Coolgardie goldfield was discovered, much to their surprise, and the surprise of everyone. Speaking for himself, he must say he had been very much surprised to find that gold was found so far to the Eastward; for he had been under the impression that this Hampton Plains country was a continuation of the Northern Eucla plains, and that it was limestone country. Certainly, they had no idea it was auriferous.

MR. MORAN: Why did they ask that there should be no mineral reservation then?

THE PREMIER (Hon. Sir J. Forrest) presumed that they thought it would enable them to float the thing easier, if they could point out that there was no reservation by the Crown of the precious metals. However, they did not get what they wanted, and under the subsequent agreement they had to pay a royalty of 2s. or 2s. 6d. an ounce. He should like the hon. member to bear in mind that these lands were acquired under the Land Regulations of the day, and the only concession which the company obtained under their special agreement was a little extension of time in which to pay the purchase money, which was a very large sum. Although he somewhat regretted the transaction now, he remembered very well that this £27,000 was regarded as a very lucky windfall at the time, and the Government of the day thought they had done a good stroke of business. Of course they knew now it was not so, so far as the colony was concerned. It was easy to be wise after the event. After all, it did not matter much for the colony who developed the country; and he believed that it was the intention of this syndicate to spend a large amount of capital in developing their property.

MR. MORAN said no one had a stronger desire than he had that no injustice should be done to anyone who had invested money in the purchase of land in this colony with any *bona fide* intention; but there could be no doubt that this syndicate had secured exceptionally liberal conditions. The colony may not have thought so at the time, but they could see now that they had made a very bad bargain for the colony. He knew, for a fact, that alluvial gold had been found on this property, and he did not suppose any royalty had been paid in respect of it. Some day there would probably be a "rush" there, and he was afraid the company's rights would not avail them much.

Motion put and passed.

#### MEDICAL BILL.

##### SECOND READING.

MR. JAMES: I beg to move the second reading of this Bill, which consolidates the law relating to medical practitioners. It makes very few altera-

tions in the existing Act, which it repeals—the Medical Ordinance, 1869. Members will observe that the Bill provides, in the first place, for the constitution of a Medical Board. That Board exists at present, and the members of it are nominated by the Governor-in-Council, and that system of nomination will still continue with the new Board. There is no alteration of the law, in fact, in the whole of this part of the Bill, except as to some matters of detail. The next part of the Bill provides for the registration of medical practitioners. A register already exists, but the Bill goes a little more into detail than the existing Ordinance does. Section 11, which deals with the persons who are entitled to be registered, is practically the same as the present law, with the exception of the provision which requires that the person applying to be registered shall have resided in the colony for at least six months immediately preceding the date of his application. This provision is introduced for the purpose of enabling those who have the granting of certificates an opportunity of ascertaining that the applicants are men of good character, and not blacklegs or scoundrels. Am I not right in saying that we have, already, several practitioners in this colony who would not have been admitted, if this provision had been in force? We know that a similar provision exists with regard to the admission of barristers, and that it has not operated harshly or worked any injustice, while at the same time it has enabled the Barristers' Board to inquire into the antecedents of all applicants for admission to the bar, if they thought it was necessary. I do not see why the same provision should not apply to the medical profession. With this exception the legislation contained in this part of the Bill is practically the existing law. Part III. of the Bill is new. It gives power to a coroner, when holding an inquest, to summon any medical practitioner residing in the neighbourhood to assist at the inquiry, if the deceased person was not attended by a doctor when he died, or immediately before he died. These provisions of the Bill are copied from the Victorian Act, and if members will read these sections they will see their object. Part IV. of the Bill deals with miscellaneous matters, including offences under the Act and the penalties. Clause

21 defines these offences, which include the making of false declarations, fraudulent representations, and other misdemeanours. Clause 23 provides that no person who is not registered under the Act shall be allowed to practise medicine or surgery, or to advertise himself as such. Sub-section (3) of this clause aims at the suppression of that class of practitioner who introduces himself to his victims, with such advertisements as "Young man! Are you ill?" and similar appeals. Clause 24 gives the right to medical practitioners to sue for fees, and for medicine supplied. The Bill, as I have said, contains nothing that is particularly new, except what I have referred to. I think members will admit that there is a growing need for having some provision for ensuring the registration of qualified medical practitioners, and having some competent Board to test their qualifications, so that the public may be protected. I move that the Bill be read a second time.

MR. R. F. SHOLL: While agreeing that a Bill of this kind is necessary, in order to provide that only properly qualified men shall practise medicine, I think that sub-section (d) of Clause 11, which insists upon a six months residence in the colony before a medical man can be allowed to practise his profession, is going too far. We know that the Government often have to send to England for medical officers for some of the outlying districts of the colony; in what position would the Government be in if these medical men had to wait in the colony, doing nothing for six months, before they could enter upon their duties? This provision would not work so much hardship in the case of a solicitor or barrister, because the members of that profession, while they were waiting to be admitted, could obtain temporary employment in the office of some other practising solicitor. A medical man could not very well do that. I think, so long as a medical practitioner coming to the colony has proper certificates or diplomas that will satisfy the Medical Board as to his fitness, that ought to be sufficient, without insisting on his remaining in the colony for six months before he is allowed to practise. I hope that, in committee on the Bill, that sub-section will be struck out.

MR. TRAYLEN: I heartily hope the hon. member will be successful in striking out the sub-section he refers to. Such a provision would work intolerable hardship. To expect a medical man, however well qualified, to remain six months in the colony before he is allowed to earn anything seems to me altogether uncalled for. The analogy is not complete between the position of a medical man and a barrister. I understand that the object of preventing a newly arrived barrister from practising immediately upon his arrival is to enable him to qualify himself for local practice by becoming acquainted with our colonial laws, which in many respects might be different from the Scottish or English law, or whatever law he had been accustomed to. But I am not aware that there is any such difference in the treatment of diseases, or in the manifestation of diseases. Surely it is quite as possible for the Medical Board to ascertain a man's qualifications in two or three weeks as in six months? I hope the hon. member for the Gascoyne will carry his amendment, and have this provision struck out of the Bill.

MR. SOLOMON: Although not opposed to the Bill, I think we should be very careful before we pass Clauses 11 and 12, which appear to me very stringent clauses. The latter clause gives a power to the Medical Board which, in my opinion, no board ought to be allowed to exercise. It says: "The name of any person registered under this Act, who either before or after he is registered shall be convicted in any part of Her Majesty's dominions or elsewhere of any felony, or misdemeanour, or of any other offence which, in the opinion of the board, renders him unfit to practise, or who, after due inquiry, is adjudged by the Board to have been guilty of infamous conduct in a professional respect, shall be erased from the register." I think that is a very arbitrary power to place in the hands of this board; and I hope the hon. member in charge of the Bill will amend both these clauses in committee.

MR. ILLINGWORTH: In committee I shall give my strongest opposition to the two clauses referred to. Why should a duly qualified medical man have to wait in the colony six months before he can practise his profession, when the Medical Board could satisfy themselves as to his

competency within a week or a fortnight after his arrival? Some of the very best surgeons from Great Britain might land in the colony, men whose reputation might be worth a hundred guineas a week to them; yet these men, who were an ornament to their profession, would have to wait here, kicking their heels, for six months, before they would be allowed to give any patient the benefit of their skill or advice. There is neither justice nor reason in such a proposal. With regard to Clause 12, it leaves the door open to the grossest form of persecution, when it allows this Medical Board to erase a man's name from the register, the board being the prosecutor and the judge. It is well known that there generally exists a considerable amount of petty jealousy amongst medical men belonging to different schools of medicine, and this clause might work the most serious hardship and injustice. I have known instances myself, in another colony, where some of the very best practitioners from Europe were prevented from practising simply through a petty feeling of jealousy and persecution on the part of a Medical Board. Under this clause any medical man might be made the victim of the Medical Board of this colony, who might have a narrow perception of their duties. I do not propose to vote against the second reading of the Bill, but, in committee, I shall strongly urge upon the mover of the Bill to make very material alterations in both these clauses.

MR. JAMES: I should like to point out that Clause 12 is simply the same law as exists elsewhere, and to my knowledge it never has been abused. Members must not forget this: this Medical Board is not an independent board, but a board the members of which can be removed at any time; if they did an unjust act they would be liable to removal from office.

Motion put and passed.

Bill read a second time.

#### RAILWAYS ACT FURTHER AMENDMENT BILL.

This Bill passed through committee without discussion or amendment.

#### INSECT PESTS BILL.

##### IN COMMITTEE.

Clauses 1, 2, and 3:

Put and passed.

Clause 4.—Order for destruction of infected vineyard or orchard:

MR. ILLINGWORTH said the fourth sub-section of this clause, which provided that no appeal should lie from any final order of a magistrate under this section, appeared to him to be a very arbitrary provision. Some magistrates might know very little about law, and less about insect pests, and not be endowed with much sense of justice, and great injury might be done to an orchard or vineyard proprietor if there was to be no appeal from the order of a magistrate. Surely, magistrates were not so absolutely infallible that, under this Act, persons should be amenable to have their properties destroyed, just at the whim of an inspector, supported by the district magistrate, who probably knew nothing about the case. He thought they ought to allow all such questions to go to the proper tribunal, the Supreme Court, if necessary. Legislation that did away with the right of appeal was, he thought, legislation in the wrong direction, and a dangerous direction. He moved that sub-section (4) be struck out.

THE ATTORNEY GENERAL (Hon. S. Burt) said he was not much wedded to this sub-section. If any one thought this right of appeal would be valuable, he had no serious objection to its being allowed in this case, though the result would be to encourage litigation. For his own part, he liked to stop litigation as much as possible, although litigation suited his own purpose. But to strike out the sub-section would not effect the hon. member's object, because an appeal would not lie unless the right of appeal was specifically given by the Act itself, in so many words. Of course, there might be cases in which the Bureau or an inspector might be a little severe upon the owner of a large property, in ordering its destruction, and, perhaps, it would be as well to give a right of appeal to the Supreme Court. He would suggest that the hon. member should withdraw his amendment to strike out the clause, and substitute another.

Amendment, by leave, withdrawn.

MR. ILLINGWORTH, at the suggestion of the Attorney General, moved that the words "No appeal shall lie from any final" be struck out, and that the words "The Bureau or any person aggrieved

may appeal to the Supreme Court from any" be inserted in lieu thereof. The sub-section would then read: "The Bureau, or any person aggrieved, may appeal to the Supreme Court from any order of a Resident Magistrate under this section."

MR. LEAKE said, before the committee agreed to the amendment it would be well to consider the scope and the object of the Bill. As he understood it, its object was to prevent the spread of insect pests and diseases injurious to the health and growth of fruit trees. In order to accomplish this end it was necessary to give certain persons the right to summarily decide what steps should be taken for that purpose. It might be necessary to destroy, or it might be necessary to do something else; but whatever was to be done must be done quickly. Time was the very essence of the remedy. A lot of fruit trees might be found infected by that enterprising individual, the codlin moth, and it would be necessary to destroy Mr. Codlin straight away, and, unless you had summary power to do so, the object of the Bill would be defeated at once. If you gave the owner the right of appealing against the order for the destruction of his fruit trees, it simply meant delay, and, instead of stamping out the disease, you would be encouraging its propagation. If they were going to suspend this right to destroy at once, the disease might spread all over the country before the appeal could be heard. It would probably be two months before you got your appeal to the Supreme Court, and, in the meantime, what was to become of the principal offender, namely, the codlin moth? He would have a chance of spreading himself all over the country, and, once this arch-enemy was let loose, there was an end of it. Whilst they were protecting the individual, possibly they might be doing great damage to many others. Anyone importing fruit trees into the colony had the remedy largely in his own hand, by giving instructions that none should be sent except such as were free from disease.

MR. PIESSE was glad that the member for Albany had called attention to this matter. At first sight it did seem a somewhat harsh proceeding to deprive a man of the right of appealing against an order to destroy his property; but it must be borne in mind that unless this order—

which would only be made in very urgent cases, and as a last resource—were carried out immediately, the mischief would be done, and there was no knowing where it would end. He did not think the clause would operate as harshly as some members thought. No doubt there might be exceptional cases in which an appeal ought to lie, but he thought it would be very rare, because these orders would be issued by men who had some knowledge of what was really necessary to be done, and, acting under their recommendation, a magistrate, who might not himself know much about fruit diseases, could not go far astray in making his final order. If they were going to do any good at all with this Bill, it would be necessary to act promptly under it. It did not apply altogether to trees newly imported into the colony, but also to established vineyards and orchards where disease was known to exist, but where the owners took no steps to eradicate it. The Bill, he thought, was a most necessary one, and one under which there should be given the most sweeping powers to deal with these insect pests, which were a very serious source of trouble. If they allowed everyone to appeal against the order of a magistrate or an inspector, and action was to be delayed for two or three months, they might as well be without the Bill.

MR. ILLINGWORTH said the hon. member evidently had not read the clause, and the hon. member for Albany seemed to be equally at fault. The amendment was intended to attain the very object which the hon. member desired—prompt action on the part of the inspectors, and not to give time for the codlin moth to travel about the country. The order to destroy would be made by the inspector, and the owner who objected to the order would apply to the magistrate to prevent the destruction of his vineyard or orchard, as the case might be. The magistrate, who probably would know nothing about the case, but might sympathise with the owner, might make an order that the vineyard or orchard should not be destroyed, and that order would be final, and there would be no appeal against it, as the clause now stood. The Bureau or the inspector would be powerless. The object of the amendment was exactly opposite to what the hon. member was

arguing against. If the hon. member would only read the clause, he would see that he was arguing on the wrong side of the tree.

MR. SOLOMON thought the hon. member for Albany was right in drawing attention to the danger of delay, in the event of appeals being allowed. He agreed with the hon. member that there ought to be no right of appeal, although it might cause a little hardship in some cases. He looked upon disease amongst fruit trees much in the same light as scab amongst sheep. Supposing they had a law to the effect that any sheep found with scab on them should be destroyed, would they not give an inspector power to destroy them at once, although it might inflict a hardship upon the individual owner? He did not see why they should not act on the same principle in dealing with disease found in an orchard or vineyard, if there was no other remedy.

THE ATTORNEY GENERAL (Hon. S. Burt) said no doubt the hon. member for Nannine was right in his contention, that the appeal contemplated under this clause was an appeal against the order of the magistrate, and the only order that a magistrate could make under this section would be an order restraining the Bureau or the inspector from destroying. He thought it would be well to give the Bureau, or any person aggrieved, a right to appeal, under the circumstances.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 5 to 10 inclusive:

Put and passed.

Preamble and title:

Agreed to.

Bill reported.

#### DENTISTS BILL.

##### MESSAGE FROM THE LEGISLATIVE COUNCIL.

The following Message was received from the Legislative Council:—

"Mr. Speaker,

"The Legislative Council acquaints the "Legislative Assembly that it has agreed "to a Bill intituled 'An Act to provide "for the Registration of Dentists,' subject "to the amendments contained in the "Schedule annexed; in which amend-

"ments the Legislative Council desires the "concurrence of the Legislative Assembly.

"GEO. SHENTON,

"President.

"Legislative Council Chamber, Perth,  
"30th October, 1894."

*Schedule of Amendments made by the  
Legislative Council in "The Dentists  
Bill."*

No. 1.—On page 4, Clause 10, sub-clause (d), line 1.—Strike out "ten," and insert "seven" in lieu thereof.

No. 2.—On page 6, Clause 15.—Add to the end of the clause, "nor to any person "who may extract teeth at any place more "than ten miles from the place of business "of the nearest practising dentist."

C. LEE STEERE,

Clerk Legislative Council.

30-10-94.

Ordered—That the consideration in committee of the foregoing Message be made an Order of the Day for Thursday, 1st November.

#### MUNICIPAL INSTITUTIONS BILL.

##### LEGISLATIVE COUNCIL'S AMENDMENTS.

The House went into committee for the consideration of the amendments (*vide* p. 1165 *ante*) made by the Legislative Council in the above Bill:

THE ATTORNEY GENERAL (Hon. S. Burt) said most of the amendments were small and unimportant, and one or two of them had been made, at the instance of the Government, by the Minister representing the Government in the other House. Amendment No. 36 raised the constitutional question upon which the Speaker had already given his ruling, as being an amendment that infringed the privileges of the Assembly. He did not know that there was any serious objection to any of the other amendments.

Amendments Nos. 1 to 16, inclusive:

Put and passed.

Amendment No. 17: Clause 69, line 12.—After "blind" insert "or unable to read or write."

THE ATTORNEY GENERAL (Hon. S. Burt) said this clause dealt with the manner of voting by ballot. At the end of the clause, as originally proposed, there was the following proviso:—"Provided always, that in the case of any "person qualified to vote, and who is "blind or unable to read, the returning

"officer shall, in the presence of such scrutineers as are then in attendance, strike through, upon each ballot paper, the names of all persons except such as such person declares his intention of voting for." The Assembly, in committee on the Bill, struck out the words "or unable to read," as it was considered undesirable to allow the returning officer to interfere in this way with the voting papers of persons who could not read nor write, as it destroyed the secrecy of the ballot. The Council wished to have these words reinstated in the clause.

MR. JAMES moved that the amendment be not agreed to. He did not think the other House could have understood the object of the Assembly in striking out these words.

Question put and passed, and amendment rejected.

Amendment No. 18: Clause 82, Sub-clause (1), paragraph (d), strike out "or horse or carriage hire, or conveyance by steam or otherwise."

MR. LEAKE said this was the clause dealing with acts of bribery and corruption at municipal elections. Among the acts which were deemed to be acts of bribery was the supplying of an elector with horse or carriage hire, or other means of conveyance to the poll. The question was considerably discussed in committee, and in his opinion these words were very properly allowed to remain in the clause. Now the other House wanted them struck out. He did not know whether members had changed their views since the question was previously discussed. He had not, and he thought it very desirable that the words should remain. He would therefore move that this amendment be not agreed to.

MR. JAMES desired to express his entire concurrence with the amendment. He had objected to these words when the clause was discussed in committee. He thought it was absurd to suppose that a man's vote was influenced by the fact of his being conveyed to the poll in a vehicle. Very often an elector was driven to the poll by one candidate, and, when he got there, voted for the other candidate. He thought that in a scattered place like Perth, where the polling booths were few and far between, no possible harm would arise from allowing electors to be driven to the poll to record their votes.

THE ATTORNEY GENERAL (Hon. S. Burt) believed that what weighed with the other House in moving to strike out these words, and allowing the use of carriages, was a consideration for the convenience of ladies who had votes. The objection that weighed with the Assembly was that to allow the free use of vehicles at elections placed the candidate who could not afford to hire vehicles at a disadvantage compared with the more wealthy candidate.

MR. ILLINGWORTH thought it was undesirable to increase the cost of elections, and many a good man might be kept out of the town council through not being able to afford to hire carriages for the conveyance of his supporters to the poll, while the moneyed candidate would have a distinct advantage. He hoped the House would not accept the amendment.

Amendment disagreed with.

Amendments 19 to 27, inclusive:

Put and passed.

Amendment No. 28: Clause 99, sub-clause (27).—Add the following new paragraph:—"Prohibiting any impure water, or any liquid matter of whatever description, being drained or allowed to flow from any house, land, or premises into or upon any street, footway, or gutter in the municipality, or being thrown or placed thereon or therein."

MR. RANDELL said this was the clause giving power to the municipal councils to make by-laws for various purposes. This question of dealing with water flowing into the street was discussed in committee, and he thought the proposed sub-clause would be unworkable as now worded. He could understand the objection to allowing "impure" water to be thrown into the streets or the footpaths, but this sub-clause applied to "any liquid matter," pure or impure, wholesome or unwholesome. He moved that the amendment be not agreed to.

MR. JAMES pointed out that the inference was irresistible, that the intention of the amendment was to deal with offensive liquid matter, as the context clearly showed. He thought if the word "offensive" were inserted before "liquid matter" it would remove the objection.

Motion, by leave, withdrawn.



THE ATTORNEY GENERAL (Hon. S. Burt) moved that the word "offensive" be inserted before the word "liquid."

Question put and passed.

Amendment, as amended, agreed to.

Amendments Nos. 29 to 35, inclusive: Put and passed.

Amendment No. 36.—Clause 155, sub-clause (3), strike out "Two pounds ten shillings" and insert "Three pounds":

THE ATTORNEY GENERAL (Hon. S. Burt) said this was the amendment which had been the subject of the Speaker's ruling. It dealt with the question of the valuation of land for rating purposes. The clause as it left this House provided that the annual value of rateable land which was occupied should in no case be deemed to be less than £2 10s. per cent. upon the capital value, which the Legislative Council desired to increase to £3 per centum. The Speaker had ruled that this was a direct infringement of the privileges and rights of the Assembly. That being so, the Government, without expressing any opinion as to the value of the amendment, felt that they must support the Speaker in his ruling; therefore, it became his duty to ask the committee not to agree with this amendment. At the same time, he might be pardoned, perhaps, for pointing out that although the question raised involved an important principle, the difference (if any) between the two Houses was simply a matter of one-half per cent. Having regard, however, to the principle involved, and to the Speaker's ruling, he moved that this amendment be not agreed to.

Motion put and passed.

Amendments Nos. 37 to 41, inclusive: Put and passed.

At 6:30 p.m. the CHAIRMAN left the chair.

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

Amendment No. 42: Clause 169, sub-clause (6).—Add to the end of the sub-clause:—"Provided, however, that the "goods and chattels exempted from distress or sale shall in no case exceed Ten "pounds in value:"

MR. JAMES moved that the amendment be not agreed to. This clause dealt

with the right to levy distress in respect of unpaid rates, and he submitted that it came within the Speaker's ruling, that any amendment made by the Legislative Council which altered the mode of levying, or collecting, or the limit within which a rate was leviable, was an infringement of the privileges of the Assembly.

THE ATTORNEY GENERAL (Hon. S. Burt) could not agree that this was a similar case at all to the case which had called forth the Speaker's ruling. It seemed to him a very good proviso, to exempt from distress goods and chattels exceeding £10 in value. It imposed no burden upon the ratepayers, nor interfered in any way with taxation, or anything of the kind.

THE CHAIRMAN: The Speaker's ruling last evening was that it was not competent for the Legislative Council to make any amendment in any Bill imposing local taxation for local purposes, "if such amendment alter the amount of a vote, or change its duration, mode of assessment, levy, collection, appropriation, or management, or the persons who pay, receive, manage, or control it, or the limits within which it is leviable." I rule that this amendment falls within the constitutional objection.

Motion—That the amendment be not agreed to, put and passed.

Amendments Nos. 43 to 52, inclusive: Put and passed.

The House having resumed,

THE CHAIRMAN reported that the committee had considered the amendments made by the Legislative Council in the Municipal Institutions Bill, and had agreed to some, had not agreed to others, and had amended one.

Ordered—That the consideration of the committee's report be made an order of the day for Thursday, 1st November.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that Mr. Randall, Mr. James, and the Mover be appointed a committee to draw up reasons for the inability of the Assembly to agree to certain amendments made by the Legislative Council.

Question put and passed.

Ordered—That the consideration of the committee's reasons be made an Order of the Day for Thursday, 1st November.

## ESTIMATES, 1894-95.

The House went into committee for the further consideration of the Estimates.

*Harbour and Light, £9,748:*

Put and passed.

*Government Storekeeper, £4,255 4s.:*

MR. LEAKE asked whether it was not a fact that the Government Storekeeper had lately had double duty cast upon him, in connection with the management of the railway stores? If so, how was it that he was not down for any increase of salary, although other officers who had not been so long in the service had been more liberally treated in that respect? He understood this officer discharged his duties with energy and with zeal.

THE PREMIER (Hon. Sir J. Forrest) said it was true the Government Storekeeper now had control over all the stores, including the railway stores; but, although he had had a greater responsibility cast upon him, and additional duties, his staff had also been increased. He really thought that £400 a year was not an illiberal salary for this officer. He had received some increase within the last year or two, or, at any rate, since the present Government took office; and they could not go on increasing salaries every year. He was of opinion that the salary of this officer at present was a fair one, and therefore he had not recommended any increase.

MR. SOLOMON called attention to the discrepancy between the salaries of the accountant and of the storeman in this department. He believed the storeman's duties were not less important than those of a clerk or accountant, and he hoped this would be recognised by a corresponding increase of salary.

Vote agreed to.

*Ecclesiastical Grant, £3,543:*

MR. A. FORREST understood the Government had agreed to make some arrangement for capitalising this grant, or reducing it by annual instalments. Unless he got some promise from the Government that they were going to do something in that direction, he would move that the grant be reduced. He had no wish whatever to deal harshly or unfairly with the Churches; he would give them a lump sum, or some equivalent, and get rid of this item from the Estimates as soon as possible.

MR. ILLINGWORTH thought the understanding arrived at the other day was that this vote was to be reduced at the rate of 10 per cent. annually, so that it would disappear altogether at the end of ten years. That was what the Attorney General suggested, and he understood that was what the House assented to.

THE PREMIER (Hon. Sir J. Forrest) did not exactly remember the tenour of the resolution moved by the hon. member for Geraldton the other day, but, from the discussion that took place upon it, he understood that the general feeling expressed on both sides of the House was that some arrangement should be made for terminating this grant. The Attorney General suggested it might be made to terminate in ten years, by an annual reduction; but the hon. member for Geraldton who was the mover in the matter (and was now absent from Perth) said he would be prepared to deal more liberally with the Churches than that, and he suggested that the present grant be continued, without reduction, for ten years, and then cease. Nothing was definitely decided, but that was the impression left on his mind, and he thought it was understood that the hon. member would have brought forward some resolution to that effect. Nothing, however, had been done in the matter up to the present time. Probably, if the hon. member for Geraldton had been in his place that evening, when the vote came on, he would have moved in the matter. For his own part, he thought they ought not to be illiberal in dealing with this grant. It had been established a long while, and there were a good many vested interests concerned; and he was sure no one in that House wished to act harshly towards the Churches in this matter. His own opinion was that if they continued the present grant for ten years, the Churches ought to be satisfied. That was his own view. The Government had not considered the matter since, because they expected that someone would have moved a resolution on the subject, so that the question of the withdrawal of the grant might be discussed. If members would pass the grant now, he would undertake in a day or two to submit a motion on the subject for the consideration of the House.

MR. RANDELL thought the suggestion made by the Attorney General, that the grant should be reduced 10 per cent. annually, and so disappear at the end of ten years, had been pretty generally accepted throughout the House. He did not think any member would wish to act in an illiberal manner as regards this grant; there was no necessity to do so, nor was there any desire to do so, beyond a general desire that the grant should cease soon. Personally, he would prefer to see it cease at once, giving the Churches what might be considered a fair and reasonable equivalent. He thought the sooner some decision was arrived at with regard to it, the better it would be for the Churches themselves. It was a grant that had to be voted anew every year, and some day they might have a Parliament pledged to abolish the vote at once. Therefore, the sooner some settlement was arrived at, the better would it be for those concerned. His own idea was that it would be better to capitalise the grant than to reduce it 10 per cent. every year, until it disappeared.

Vote agreed to.

*Literary, Scientific, and Agricultural Grants, £3,600:*

MR. R. F. SHOLL asked why it was proposed to increase the grant to the Victoria Library by £400? Did the Government propose to erect a new building for this library, or what?

THE PREMIER (Hon. Sir J. Forrest) hoped they would be able to erect a new building some day, but the reason for the increase was that the library committee had secured the services of a new librarian, who required a higher salary than the old one, and it was also found that the amount previously granted was not sufficient to do all that was necessary to be done. There was also a small donation made, on the recommendation of the committee, to the late librarian, who had unfortunately become blind.

MR. R. F. SHOLL asked why the salaries of the officers connected with this institution did not appear on the Estimates, in detail?

THE PREMIER (Hon. Sir J. Forrest) said it was not looked upon as a Government department, this institution. It was managed by a committee, who expended the grant as they thought proper. That was the reason why the items of

expenditure were not classified on these Estimates. The information which the hon. member required could be obtained from the report of the Library Committee, which was laid before Parliament every year.

MR. R. F. SHOLL said he fully sympathised with the late librarian in his affliction, but he objected to any public money being voted in gratuities.

THE PREMIER (Hon. Sir J. Forrest) explained that this was not a gratuity; the librarian's leave of absence was extended for six months, and he received six months' pay. The salary was a very small one. The new librarian received £250.

MR. RANDELL said he had heard this library very highly spoken of by visitors from other colonies, as containing an excellent collection of books, and that the institution was a credit to the colony. He had observed some correspondence in the newspapers, commenting on the fact that no colonial newspapers were to be found in the library. He did not think that the supplying of newspaper literature came within the scope of this institution; it was intended to supply the public with a higher and less ephemeral class of literature, which was not obtainable at the ordinary circulating libraries.

MR. JAMES thought if they admitted newspapers at all into this library there was no reason why the leading Australasian papers should not find a place on the table. He noticed that there were several English, and some Scotch papers taken in; surely such a paper as the *Australasian* or the *Town and Country* would be more likely to interest and instruct colonial visitors than the *Pall Mall Budget* or the *St. James' Gazette*. If they were going to have newspapers at all, those of the sister colonies should have a claim upon us in preference to foreign papers. With regard to the expenditure of the grant, he should like to see the salaries shown on the Estimates, as in the case of the Bureau of Agriculture.

SIR J. G. LEE STEERE, speaking as one of the members of the Library Committee, said he should like to make a few remarks with reference to the question of newspapers. This was a matter that had engaged the attention of the committee, but the want of some room apart from

the library itself decided the committee not to admit more newspapers into the library. In all public libraries in the other colonies the newspapers were kept in a separate room, as the constant rustling of the leaves by newspaper readers had a disturbing effect upon the student of books. But the present accommodation at the Victoria Library was totally inadequate for the requirements of that institution; in fact, as the number of books accumulated they would soon have no place to put them. The shelves were now nearly full. There was the nucleus of a very good library, but they wanted more room; and, when they got it, he thought it would be advisable to have the leading newspapers there.

THE PREMIER (Hon. Sir J. Forrest) quite agreed that the present accommodation was inadequate, and he hoped the Government would be able to do something in the direction of providing better accommodation. No doubt, one of the wants of the city was a commodious and well-stocked public library and museum; and he hoped they would be able to make some provision for that purpose another year.

MR. ILLINGWORTH suggested that a suitable chamber should be erected adjoining the present Legislative Assembly building for the Legislative Council; they could then appropriate the present site of the Council chamber for a public library and museum.

MR. R. F. SHOLL thought the most suitable site for a library and museum would be the site now occupied by the Government Boys' School.

MR. LEAKE, referring to the grant for agricultural societies, said he noticed this grant was considerably increased this year. How was it proposed to allot this grant?

THE PREMIER (Hon. Sir J. Forrest) said the practice in the past had been to allot a certain amount (generally £25) to each agricultural society. He believed the Royal Agricultural Society received £100. The intention of the Government was to increase these grants this year, and give them a little more than £25, which seemed a paltry sum to contribute to these agricultural associations. As the country progressed and the revenue expanded, so also ought they to contribute a little more to encourage horticulture

and agriculture throughout the various districts of the colony. He was aware it might be said by some members that the more the Government contributed to these societies the less would the people themselves contribute; but he had felt for a long time that this pittance of £25 was really too small, and that the least they should contribute should be £50. This was the reason why the vote was increased.

MR. LEAKE suggested that instead of doling out a paltry sum to each of these little petty societies all over the colony, they should endeavour to encourage the amalgamation of these local societies, and the holding of one really good representative show. Instead of giving £25 to the York Society, and £25 to the Northam Society, and £25 to the Newcastle Society, and £25 to the Beverley Society, let the Government give a decent sum, say £200 or £250 to the Eastern Districts, and let the societies combine, and have one really good show. The same with other districts of the colony. Surely it would do infinitely more good than having a paltry little show in every little town. Owing to the amount of local jealousy that existed, these societies would never amalgamate and make one united effort, unless they were forced to do so, by withdrawing the local grants, and contributing a substantial subsidy towards having a really representative show in one part of the district. It would do more good to the farmers than any Agricultural Bank, or any other of the Premier's particular fads would.

MR. A. FORREST said it was very evident that the hon. member for Albany did not travel much in the country districts, otherwise he would never have suggested that these agricultural societies should amalgamate. The various districts would never consent to that. His own opinion was that these local shows, although they were small, did an immense amount of good. It brought the settlers of the district together, once a year, and encouraged local competition. If they were only to have one central show, it would be found that people would not travel a long distance to attend it. Take the Guildford show, for instance; how many people from Albany, Bunbury, Geraldton, and other parts of the colony attended that show? Very

few, indeed, outside Perth, Fremantle, and Guildford. If he were a betting man, he would venture to say there wouldn't be a hundred settlers attending the Royal Agricultural Society's show this year from the outside districts.

Mr. JAMES agreed with what had fallen from the hon. member for Albany. If they had a rule, the effect of which was that every "twopenny-ha'penny" society that liked to call itself an agricultural or horticultural society, was entitled to receive £25 or £50 from the Government, they simply gave a bonus for increasing the number of such societies all over the colony, for no earthly purpose than to give a few people an opportunity of having a glass of beer together, and a wretched show of local products. He did not often attend these bucolic gatherings, but he had heard frequent remarks about their inutility. He did not think the Legislature was justified in voting £1,200 a year for the sake of giving these people an opportunity of coming into town, have a glass together, shake hands, and then go out again, and calling it encouraging agriculture. He should like to see the Government adopting some steps to encourage the amalgamation of these local societies, as suggested.

Mr. PIESSE thought there was a good deal in what the hon. member for Albany had said. If one really good show could be held in one town in each district in succession, and a substantial subsidy granted to induce a healthy spirit of competition between the various districts, the beneficial result would be greater than at present. There was a great deal of jealousy at present between these district societies, and a narrow spirit of localism, which should not be encouraged. It was all very well to have a local show in every town in the district, in days gone by, when there were no facilities of transport or means of communication between various parts of the country; but now, with railway communication, there was no longer the same excuse for each locality having its own local show, which he was afraid did not confer much benefit upon agriculture.

Mr. SOLOMON thought it would be an improvement in every way if the amalgamation of these local societies could be brought about. It would give a much greater impetus to agriculture,

and do more to encourage a spirit of emulation and rivalry amongst the various districts than to have a number of paltry shows in each district, confined to a few local farmers.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said that on visiting the Eastern Districts, some years ago, during the progress of these agricultural exhibitions, it fell to his lot to offer a few remarks to improve the occasion; and he then made the same suggestion, that it would benefit the district societies if they were to amalgamate and have one good show. He could assure the House that the suggestion was simply scouted, utterly scouted. They would scarcely listen to him, and he was unable to convince them that any benefit whatever would accrue from an amalgamation of these societies. It seemed to him it would be useless on the part of Parliament or of the Government to drive these societies to do that which they did not wish to do. It might be said that the grant should be withdrawn; but he thought that would be a great pity, for, after all, these shows, though they were only small affairs, no doubt did an amount of good, locally. There was another point to be borne in mind: if these shows were only held in each town, in its turn, every three or four years, assuming that there would be a considerable increase of exhibits, additional accommodation in each town would have to be provided, which would mean an additional expense; and the probability was that, as the show only came round once in three or four years, these grounds and any buildings on them would in the meantime be neglected, and be allowed to fall into disrepair.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) thought these local shows did a considerable amount of good in their way, and might do a great deal more good if the societies were conducted with a little more energy and intelligence. There was a strong local feeling in favour of continuing them, and, if the subsidy were withdrawn altogether, he did not think these local fair days (for they were nothing else) would be discontinued. Nor did he think it would be a good thing if they were discontinued. But he thought the national show now held at Guildford should be a

movable one, and held in different districts in succession. He thought that would do much more good than an amalgamation of local shows. He should like to see the subsidy to the National Association increased, conditionally upon its shows being held in different parts of the country in succession, while at the same time he would continue the present grant to the local shows.

MR. LEAKE said as the Government seemed inclined to discourage the amalgamation of these parochial societies, he would move that the proposed grant be reduced by £400.

Question put and negatived.

Vote agreed to.

*Bureau of Agriculture, £2,600:*

MR. RANDELL expressed his satisfaction at seeing provision made for the appointment of a Conservator of Forests. He thought the time had arrived when some steps should be taken not only to preserve our own indigenous timber, but also to introduce other timbers, suitable to the climate, from other countries. Perhaps the Premier would tell them what the duties of this officer would be, and the intentions of the Government with regard to forest conservation?

THE PREMIER (Hon. Sir J. Forrest) said this department was under the management of the Bureau, nearly all the members of which were also members of that House, and who gave their services gratuitously to the country. They had, however, a paid secretary, whose salary, on the strong recommendations of the Bureau, was to be increased. They also recommended the appointment of a Conservator of Forests, at a salary of £250, and that the vote for the general purposes of the Bureau should be increased, in order to enable them to extend their operations. The Government looked upon this matter in this light: here were a number of experienced gentlemen who were prepared to devote their services gratuitously to the encouragement and improvement of agriculture and of other cultures, and to the eradication of insect pests and other diseases; and the Government thought it was only right that these gentlemen, who gave their services to the country free, should have an opportunity of showing what they could do. He believed the operations of the Bureau would be found to be very beneficial in

many ways. They had also established a journal, which was circulated all over the colony, and although he could not say that he was a regular student of this little journal himself, he believed it was very much appreciated by people in the country. He had heard from several sources that it was calculated to do a considerable amount of good in disseminating information that would be useful to our agriculturalists and others. He thought it was only proper that they should give the members of this Bureau a chance of showing what they could do. He was sure they would not waste the money at any rate; they were all known to be very careful and exact men, who would expend the funds at their disposal to the best advantage. With regard to the Conservator of Forests, no doubt such an appointment was greatly needed, not only in order to preserve our own timbers, but also to acclimatise useful varieties of other timbers. The pine, for instance, grew splendidly in this colony, and might be largely utilised, thereby saving the colony thousands of pounds annually sent out of the country for the introduction of this and other soft woods. If they could get a good man for this work at £250 a year, he did not know that they could spend £250 in a better way.

MR. A. FORREST said that when this Bureau of Agriculture was established, the Government asked for the modest sum of £500 for it. He stated then that the vote would soon have to be increased, and the staff increased; and they now found the Government asking for £2,600 for this Board. No doubt the members of the Board were very careful men with their own funds, but how were they going to control the expenditure of this grant, living, as they did, in different parts of the colony, and only meeting occasionally? It was well known that £350 was not all the salary which the secretary of the Bureau received; he also got his travelling expenses, and, altogether, he probably drew pretty near £500 a year. [MR. RICHARDSON: No, he doesn't.] As to a Conservator of Forests, if this officer could find some means for preventing bush fires, which caused so much destruction of the country's timber, he would be well worth his salary. But he hoped the

Government were not going to increase the grant any more.

MR. LEFROY did not know that there was any great necessity at present to take active steps for the preservation of timber in this colony. The great complaint of people who settled on the land was that it was too much encumbered with timber, and they found the settlers obliged to resort to burning the timber in all directions. The Government exercised no power over the timber on leasehold or freehold lands; and how they were going to preserve the timber on unoccupied Crown lands he did not know. An army of soldiers could not put out a raging bush fire, much less could one man.

MR. RICHARDSON said the Conservator of Forests might not be able to put out bush fires, but there was such a thing as prevention, which was generally regarded better than the cure; and some steps might be devised to prevent these bush fires. But that was not the object of this appointment. Up to the present we had been very prodigal indeed with our timber. Young and medium-grown wood was cut down ruthlessly in all directions, and no steps taken to provide for a future supply. This young timber, if conserved for 10 or 15 years, would be worth as many pounds as it was worth shillings now. He thought the time was not far distant when leaseholders would not be allowed to destroy the valuable timber on their land indiscriminately and ruthlessly as they did now, and the sooner we made some systematic efforts for the conservation of our forests the better.

MR. PIESSE also thought it very necessary that some steps should be taken to prevent the indiscriminate destruction of timber that was going on all over the colony. This wholesale destruction of one of the country's most valuable resources would be deplored some day. The country was being denuded in many parts by bush fires and indiscriminate ringbarking, and the sooner some check was placed upon the present wholesale denudation of the country's timber the better.

MR. LEAKE asked what was the use of a Conservator of Forests unless they had his duties defined? Was he to be a free-lance, or was he to be under the

control of that mysterious body which some people called the "Burroo?"

THE PREMIER (Hon. Sir J. Forrest) thought everyone possessed of ordinary intelligence would know what the duties of a Conservator of Forests would be. The hon. member would lead them to suppose that there never was such an appointment as this in the world. [MR. LEAKE: There never was here.] For one thing the timber regulations, which were part of the land laws, required altering, and the Government intended to deal with them, in order that, while granting facilities and licenses for the cutting of timber, the young trees should be protected, and ruthless destruction be prevented. The Conservator of Forests would look after this, and would see that the immature wood was not cut; he would superintend the cultivation and importation of trees and plants that were suitable for the country; also introduce and try to cultivate soft woods, and generally look after the timber industry of this country. Surely, speaking generally, that was a sufficient description of the duties of a Conservator of Forests. The hon. member seemed to wish him to get a dictionary and hunt up the word for him. They all knew what "forests" were. They all knew what "conserving" meant. If there was anything in the country they should be proud of, it was their timber, and it was generally agreed that some steps should be taken to conserve it. The Bureau of Agriculture had recommended this matter to the attention of the Government, and he thought their advice should be followed. In South Australia and New South Wales, a Conservator of Forests had done much good; and there was a necessity in this colony for some one who had an intelligent interest in the matter to take care of the timber.

MR. LEFROY said the timber regulations should be amended as a first necessity. Trees grew in this country more quickly than the timber could be cleared.

MR. LEAKE asked for explanation of the incidental expenses, £2,000.

THE PREMIER (Hon. Sir J. Forrest) said the Insect Pests Bill, just passed, would require administration. The *Journal* published by the Bureau, and the inspection of imported fruit trees, &c., would also require some expenditure.

MR. R. F. SHOLL hoped this vote would not grow year by year. If the accounts were submitted to this House, the members could see whether the money was being wasted or wisely expended.

MR. THROSSELL said that, instead of agricultural colleges, he and others were hoping to see experimental farms dotted all over the colony, and now was the time, or never, to do this. Men coming into the colony should be shown how to cultivate the land, by having object lessons presented to all, and he thought that some expenditure in this direction would be reproductive.

MR. LEAKE said the cat was out of the bag at last. The £2,000 was required for an experimental farm. That was a "large order" to spring on the House. If that was the intention, the Government should come down with a direct vote, and not try to bustle the scheme through in this way.

MR. R. F. SHOLL asked whether the intention was to expend the £2,000 on one or more experimental farms? If so, a special vote should be put on the Estimates for the purpose.

THE PREMIER (Hon. Sir J. Forrest): No; nothing of the sort.

MR. PIESSE said the reference made to experimental farms by the hon. member for Northam was only his personal hope that something would be done in that direction. Unless those persons who came to the colony could be shown what the land was capable of producing, how could people be expected to settle on the soil? This item did not include any sum for an experimental farm, but the Bureau intended, under the item, to send out seeds to different parts of the colony, for enabling farmers to show what results they could produce from the seeds. The item also included the cost of printing the *Journal*, which had become an institution in every part of the colony.

Vote put and passed.

*Pensions, £4,391 17s. 1d.:*

MR. LEAKE asked whether persons joining the Public Service now became entitled to pensions, or was the pension system abolished?

THE PREMIER (Hon. Sir J. Forrest) said the Superannuation Act was still in force.

MR. R. F. SHOLL asked whether the time had not arrived for some alteration to be made in this direction, because the Civil Service might have to be reduced considerably if depression ensued.

THE PREMIER (Hon. Sir J. Forrest): Better repeal the Act, then.

MR. R. F. SHOLL said the other colonies had found it necessary to reduce their Civil Services considerably, and this colony would have to pay a large sum in compensations when reduction became necessary.

MR. LEAKE said a Civil Service insurance fund should be started, and he hoped the Government would consider the question during the recess. They might establish a separate society for the purpose of insurance, or make arrangements with some of the established societies.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said he had taken this matter up about two years ago, in connection with the Railway Department, and he believed it was so far advanced that the insurance companies would now take up the question of insurance in the way suggested by the hon. member for Albany.

MR. JAMES asked whether the suggested insurance scheme would do away with pensions in the Railway Department?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said there was no pension system in the Railway Department.

MR. JAMES said the pension system in the Government service should be abolished. He looked forward to a time when there would be a system of State insurance. The Commissioner of Railways deserved all credit for the action taken in his department, but the insurance system should be kept in the hands of the Government, and not be handed over to any private company.

MR. A. FORREST hoped the Government would continue the system of pensions. After a capable officer had become entitled to a pension, he did not attempt to leave the service for other employment. Men brought up in the Government service were generally unfit to enter into other businesses. Although the pension system in this colony had been in operation about fifty years, the total amount payable in pensions was



only a little over £4,000 a year, and most members must be astonished to find the total so small. Civil servants looked forward to the surety of a pension in their old age, and this was a compensation for the smallness of the salaries. Even the member for Albany had had to retire from the service, lately, because the pay was small, and he could not wait long enough for a pension.

Vote put and passed.

*Refunds, £600:*

Put and passed.

*Miscellaneous Services, £21,632 13s. 2d.:*

MR. ILLINGWORTH, referring to Item 1, "Queen's plates, Perth and Roebourne, £200," said public money should not be voted for racing plates, and if the vote had been in existence forty years, the money had been wasted, because there were few things more injurious to a State than the practice of gambling which this vote was calculated to promote. Those who engaged in horse racing should at least pay for the sport, and not expect the taxpayers to contribute. He moved that the item be struck out.

MR. A. FORREST said these plates were given for three-mile races, to improve the breed of horses, and the export of horses was formerly a considerable item in this colony. The hon. member for Nannine should withdraw the amendment, as he could not be in earnest.

MR. JAMES supported the amendment. Most abuses were very old, and after an experience of forty years they found that, though this item was intended to improve the breed of horses, yet the export of horses had now ceased.

THE PREMIER (Hon. Sir J. Forrest) asked the member for Nannine not to press his amendment, because to strike out the item without notice might be doing injustice to the clubs, which might have made arrangements in expectation of receiving the usual grant. If the House agreed that notice should be given for discontinuing the Queen's plates, the Government would know how to act in preparing the next year's Estimates. A definite motion would be preferable.

MR. R. F. SHOLL said the Turf Club in Perth could well afford to do without this subsidy, as the club's revenue was increasing annually. He believed that, so far as the Perth district was concerned, the grant in the past had done its work

by improving the breed of horses; but the grant was no longer required, the Turf Club being in a prosperous position.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said that, until this House passed a resolution to the contrary, the Government had to put this item on the Estimates, because it was a sort of promise on which these clubs reckoned in arranging their finances. The proper course for those members who objected to the subsidy was to move a direct motion.

MR. LEAKE said any suggestion which had for its object the quelling of the racing and gambling spirit in this community would commend itself to the House. He supported the amendment, as a member of the W. A. Turf Club committee; and he might tell the House that the committee did not care a fig whether they got this £100 or not. If the money were voted, the committee would take it. In the case of the Roebourne Club, a hardship might be caused by stopping the subsidy, but that argument did not apply to the W.A. Turf Club. He would, therefore, support a reduction of £100, if proposed.

MR. H. W. SHOLL said these plates did not encourage gambling. In the Roebourne district these plates had induced the breeding of some of the best horses that ever appeared on the course. There was no more gambling in this than in buying land as a speculation.

MR. MORAN said that following on the suggestion that it would be good policy to allot this money to young clubs, he knew of two clubs that would not only be thankful for a grant of £100, but would stand a champagne supper on the night of the races. The Yilgarn Racing Club would be a suitable object for a donation of £100 this year, and in every year that a new racing club came into existence a grant of £100 might be made to it.

MR. ILLINGWORTH said this might be a matter for laughter and joking to some members, but, in opposing this grant, he was never more serious in his life, because the racecourse evil was one of the worst that afflicted society, and this grant gave a distinct countenance to the evil thing. He was much more concerned about the improvement of the character of men than an improvement in

the breed of horses. As to the withdrawal of this vote being a disappointment to the clubs, there was the assurance of one member of a club that his committee did not care whether this money was voted or not. He would withdraw his amendment, and move to reduce the amount by £100, which could go to the Roebourne Club. He simply wished to meet the views of hon. members.

Motion, by leave, withdrawn.

MR. ILLINGWORTH moved, as an amendment, in Item 1, that the words "Perth and" be struck out, and that the amount be reduced by £100.

MR. LEFROY said the better course would be to pass the item for this year, and, if it was the general wish of the House, a distinct motion could be made afterwards, affirming that the Queen's Plates should be abolished. Everyone was opposed to the principle of gambling, but there was no gambling in an honest horse race; and although some persons did run horses dishonestly, yet that was no reason why the sport should be considered a dishonest sport. There was dishonesty in most things.

MR. A. FORREST hoped the Government would support the item as it stood, and that they would not back down now, after having put the item in the Estimates, for if they did they would find later on that some of their supporters would vote the other way.

MR. WOOD endorsed the remarks of the member for the Moore, and supported the item.

THE PREMIER (Hon. Sir J. Forrest) said the Government would support their own Estimates, but, after hearing the speech of the hon. member for Albany, his intention was not to call for a division, because, if the Perth Club did not want this money, he was not anxious to vote it for them. If the House wished to get rid of this item, it should pass a resolution to that effect. Although the Government would support their Estimates, they would not call for a division on this item.

MR. JAMES said the House should not continue to vote money to clubs that were avowedly wealthy enough to do without it, and the Perth Club could do without it, at any rate.

Amendment put and negatived.

MR. R. F. SHOLL, referring to Item 5, "Incidental expenses, £3,000," said

this item was increasing enormously, and under it the Government had been expending money illegally instead of asking for specific votes. He found that £110 18s. 6d. had been expended out of this item for travelling expenses, whereas there was a separate amount voted for that purpose.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member was confusing the matter. Referring to the return which had been supplied to the hon. member, he (the Premier) affirmed there had been no money illegally expended.

MR. R. F. SHOLL said this "Miscellaneous" item was being abused, and he would, as a protest, move that the amount be reduced by £1,000.

MR. JAMES asked what the £3,000 was wanted for.

THE PREMIER (Hon. Sir J. Forrest) said it was required for everything that was not otherwise provided for. A return showing the expenditure would be presented, if moved for. After the remarks about the illegal expenditure of £110 18s. 6d., as alleged by the hon. member for the Gascoyne, he had looked up the figures, and found, as he expected, that the amount was not paid out of this item last year, but out of a separate item of "Travelling expenses of officials," which did not appear in the present Estimates, as those expenses were now charged to the several departments under the new arrangement. This "Miscellaneous" item was the only one available for any unforeseen expenditure that was not provided for specifically in the Estimates. The Government must have some vote to come and go on; and, considering the large transactions going forward in the colony, the amount of £3,000 was not large. He would have pleasure in presenting a return of last year's expenditure under this item, if moved for.

Amendment put and negatived.

MR. JAMES, referring to Item 14, "Reprinting statutes, £2,000," said he was glad to see this item, because it was really time for the statutes to be revised and reprinted. They were formerly sent to Melbourne to be printed, and were done in a scandalous manner.

Vote put and passed.

Progress reported, and leave given to sit again.

## ADJOURNMENT.

THE PREMIER (Hon. Sir J. Forrest) moved that the House, at its rising, adjourn until Thursday, 1st November.

Question put and passed.

The House adjourned at 10.8 o'clock p.m.

## Legislative Council,

Thursday, 1st November, 1894.

Loan Items: procedure as to—Leave of Absence to Hon. H. J. Saunders—Agricultural Bank Bill: third reading—Police Act Amendment Bill: third reading—Constitution Act Further Amendment Bill: second reading: committee; third reading—Loan Bill: Legislative Assembly's Message; committee: third reading—Droving Bill: committee—Railways Act Amendment Bill: first reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4.30 o'clock p.m.

## PRAYERS.

## LOAN ITEMS—PROCEDURE AS TO.

THE HON. E. H. WITTENOOM, by leave, without notice, asked whether the Government would undertake to make each railway mentioned on the Schedule in the Loan Bill the subject of a separate Act or Bill.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Yes.

## LEAVE OF ABSENCE TO THE HON.

H. J. SAUNDERS.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved by leave, without notice, that leave of absence for one week be granted to the Hon. H. J. Saunders on account of illness.

Question put and passed.

## THE AGRICULTURAL BANK BILL.

## THIRD READING.

This Bill was read a third time, and passed.

## POLICE ACT AMENDMENT BILL.

## THIRD READING.

This Bill was read a third time, and passed.

## CONSTITUTION ACT FURTHER AMENDMENT BILL.

## SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Hon. members are aware that under the Constitution Act of 1889 there are certain penalties relating to persons who enter into contracts with the Government. A contract under that Act is a very wide term, and it includes almost all engagements entered into by persons with the Government. It may be that some persons have unwittingly offended against the Act, and have rendered themselves liable to the penalties of the Statute. In view of this, the Government have passed through the Assembly this Bill, which reduces the penalty of £500 in the original Act to £200, as the sum payable every day a person shall sit or vote when disqualified. It is further provided by this Bill that all actions shall be brought within three months of the time the right to bring them arose. At present there is no limitation, and years after a person may have unfortunately been a contractor within the meaning of the Act, and voted, he may have a writ issued against him for the recovery of a penalty. The Government and the members of the Assembly think it fair and advisable to limit the time in which these actions can be brought to three months. There is a further provision that a person bringing an action of this kind must find security for costs. At present, a man who owes another a grudge may induce some person who has not a farthing in the world to bring an action against a member of either House—it may be a groundless action, and after the case is heard the unfortunate defendant, although he may have been perfectly in the right, has to pay his own costs. It seems to me only reasonable that if persons bring actions to recover penalties of this sort,