

Legislative Assembly,

Monday, 1st February, 1892.

Smuggling on Northern Coast—Fremantle jetty: insufficiency of trucks—Census, 1891: expenditure in connection with—Drought in the North—Death of the Duke of Clarence and Avondale: message from the Administrator—Police Bill: third reading—Bankruptcy Bill: third reading—Game Bill: Legislative Council's amendments—Aboriginal Offenders Act Amendment Bill: committee—Adjournment.

THE SPEAKER took the chair at 7:30 p.m.

PRAYERS.

SMUGGLING ON NORTHERN COAST.

MR. SYMON, in accordance with notice, asked the Premier, whether in view of the strong probability of extensive smuggling being carried on along the Northern coast, it was the intention of the Government to appoint travelling inspectors to guard against the same.

THE PREMIER (Hon. Sir J. Forrest): The Government will take steps to prevent smuggling, but it is not intended at present to appoint permanent travelling inspectors.

FREMANTLE JETTY—INSUFFICIENCY OF TRUCKS.

MR. SYMON, in accordance with notice, asked the Commissioner of Railways whether it was the intention of the Government to give the Wharfinger sufficient trucks, engines, and men to enable him to cope with the large amount of merchandise coming into Fremantle, so that merchants and others might get their goods within reasonable time after landing.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): The Government are at present supplying trucks, engines, and men sufficient for the merchandise, and no complaint of a scarcity of either has been received from the Wharfinger.

CENSUS, 1891—EXPENDITURE IN CONNECTION WITH.

MR. CANNING, in accordance with notice, moved for a return of the expenses of making preparations for taking and compiling the Census of April, 1891, giving the names of all persons employed,

the special work allotted to and performed by, and the actual amount paid to, each individual employed.

MR. MOLLOY seconded the motion.

THE PREMIER (Hon. Sir J. Forrest): The Government have no objection to supplying this information, although, perhaps, we shall not be prepared to go to the extent the hon. member wishes. To make such a return would take hours of the time of the clerks in the department, because the whole of the police force of the colony, besides a number of enumerators and sub-enumerators, were employed on the work. Last year we passed a law giving the Superintendent of Census certain powers to appoint officers to carry out various duties. The work was, therefore, entrusted to him by this House, and I must say he carried out his duties in a most excellent manner. As far as I know, notwithstanding great difficulties, everything was done in a most thorough manner. A report was drawn up and presented to this House, which report has met with the approval of hon. members. The Government will not have the slightest objection to supplying the names of the principal persons employed, if it is in the interests of the country to do so; but I do not think we shall be prepared to give the names of all the persons employed on the work. I do not think the House would desire such a return. It seems to me, therefore, that the motion will require some little amendment, unless it is understood that we are not to comply with it as it stands. We might give it in this form: Enumerators so much, police so much, clerks so much, and so on. If that will not be sufficient, perhaps the hon. member will explain what more he desires.

MR. CANNING: I wish to make the motion as comprehensive as possible, because I think it is desirable that we should know the exact cost in order that we may compare it with the amount the Census cost in 1881. It has been pointed out that in 1881 the cost was something like one-third of what it was last year. Attention having been called to this, it is our duty to point it out, for we are spending the money of the people of this colony. Every inhabitant contributes to it, and I for one will not sit here and see money spent recklessly. I have the right

to question the expenditure of every penny that is made by the Government, and that right I shall exercise as long as I hold a seat in this House. The population in 1881 was something over 30,000; the population at the last Census was about 49,000, and the expenses of taking that Census were three times as great as they were for taking the Census when the population was only 30,000 in 1881, and this too when there are increased facilities of communication and we are in possession of other facilities generally, which would greatly assist in carrying out the work. I, therefore, think this is a fit subject for inquiry. I desire to know under general heads (I do not want each particular item) the amount expended, so that the House and the country may know what has been the expenditure involved.

MR. A. FORREST: I am sorry to detain the House on a small matter like this. The taking of the Census was a most important matter. A vote was taken in this House authorising it, and a certain amount of expenditure was voted. I am now sorry to find an hon. member getting warm over this matter, for, although I admit every hon. member has a right to speak and question any expenditure made by the Government, he should, I think, before asking for returns, know exactly what he wants and not call upon the Government to prepare some gigantic statement which means the expenditure of further money belonging to the people, and from which no good result whatever can accrue. If the Census had been got out badly, or was faulty, it would be a different thing; but it has been carried out well, and we have been furnished upon this occasion with far more details than ever we were before. I believe the expense of taking it would have been far less had it not been for the North, and, considering the difficulties of communication with our large and scattered population, I think that, compared with the cost of taking the Census in the other colonies, ours has been carried out at a very cheap rate indeed. I believe if the cost is compared with the population, we shall find that it has been taken cheaper in this colony than anywhere else.

MR. RICHARDSON: I do not think there is much in the argument that be-

cause it took only a certain amount to take the Census with 30,000 people, the present cost has been extravagant. We must remember the nature of the returns. Let me ask the hon. member whether the same amount of detail was afforded in the return of 1881 as in the return for 1891? I am sure if hon. members will look at the two returns they will see they have been compiled in a totally different manner. The return of 1891 is most comprehensive and valuable, and I think, if it has only cost three times as much as the return of 1881, it has been a remarkably cheap census.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): There is one other feature which seems to have been forgotten, and that is the change in the circumstances of the colony now and ten years ago. Ten years ago, had we any Yilgarn goldfields? Ten years ago, had we any settlement on the Murchison? Ten years ago, had we anything at all at Kimberley? In fact had we, ten years ago, anything like the prosperity we have now, or was there the necessity of incurring any expense in order to arrive at a proper estimate of our population? The conditions now and then are totally different, and the hon. member knows it perfectly well, and to say that the cost should have been anything like what it was ten years ago is, to put it mildly, to utter a fallacy. I do not think it worth while to make an excited speech on a question of this sort, and I am sorry the hon. member has thought fit to do so. I do not intend to follow him.

Question—put and negatived.

DROUGHT IN THE NORTH.

MR. RICHARDSON, in accordance with notice, moved, "That it is the opinion of this Assembly that, in consideration of the prolonged and disastrous drought prevailing over the Northern Districts—resulting in losses in the live stock of the settlers, which will require many years of fairly good seasons to recover from—the Government should, without delay, bring in a Bill repealing those clauses in the Land Regulations of 1887 which provide for an increase of rent at the expiration of the first seven years of lease; and, in lieu thereof, substitute clauses which shall cause such increase to be postponed till after the

expiration of the second term of seven years from date of leases." He said: In rising to move the motion standing in my name, I feel I stand on not altogether satisfactory ground, for it may be alleged against me and others, that we have a certain amount of interest in the question; but that is our misfortune. I can, however, say that, although I may be, to a certain extent, interested in this matter, I have tabled this motion from no interested motive. I should be the last to bring forward anything for my own personal benefit. My object now is simply to mete out some little assistance to the large body of settlers who have been engaged in the pastoral industry for some time past, and who have hitherto been the backbone and sinew of the colony. We all know that these settlers for some months past have been laboring under a most disastrous calamity, and their flocks and herds have been threatened with annihilation. I do not want to draw too dark a picture, but I say they are entitled to more than the mere empty sympathy of words; and it is really due to them that the Government should take their position into consideration and afford them some practical assistance. Knowing the state of affairs that exists, notwithstanding I may be slightly interested in the matter myself, I consider I should be guilty of a certain amount of moral cowardice if I did not bring the matter under the notice of hon. members. The little assistance which I ask will not amount to much at present, because we shall not be dealing with sums of money which we have been accustomed to use. It is not asking that we should draw out items of revenue that have previously entered into our returns. No doubt, if I had asked anything of that sort the Government would have had some strong reason to withstand the motion. I do not think I should be guilty of attempting to force upon the Government such an unstatesmanlike act as that, but I would remind hon. members that the increase in the rents I ask to be remitted will not accrue for a couple of years. When we were discussing the loan last year, these increased rents were certainly taken into account by some hon. members as affording a means of paying, to a large extent, the interest upon the money we borrowed. I say if this were even intended

it would be a most unjustifiable use to make of this revenue, because, if the North were to be mulct in a large portion of this interest, they have a right to demand that a considerable portion of the money borrowed should be spent there. I admit that a fair and reasonable portion has been allotted to these districts, but nothing in proportion to the revenue derived, if it were applied to the purpose of paying interest on the loan. Suppose the increase in the revenue from these land rents amounted to £10,000 a year, that amount, if capitalised, would mean £200,000, and the North has a perfect right to ask for that expenditure in addition to what has already been voted, if that revenue is to be applied to the payment of interest on borrowed money. Besides, if that argument is allowed to prevail, it will go a long way to keep up the irritation which we thought had died out, and will give rise again to the cry for separation. I hope this argument will not be made use of again, because to my mind our desire should be to show our Northern settlers that the South does consider them, and we should endeavor to show them that when they are in straitened circumstances we are ready to make every effort to meet and help them in a more practical way than mere empty words. We may, perhaps, suffer some little loss in the revenue, but I do not think the Government should consider this if it will help these settlers, who are now in dire distress, to pull round again. A suggestion has been made that my motion might be altered so that only the present lessees should be benefited, and not their successors or assigns. I am not prepared to say whether that would be practical legislation or not, but there would be grave objections to it, and I will point them out. Firstly, my general desire is to help those settlers who have suffered so severely but who have hope of surviving and carrying through. I wish to put them in this position: Say they have received all the assistance that the banks and financial institutions dare give them, and that they are not in a position to obtain from these sources any further aid—because we must bear in mind that all financial institutions have a limit, and they will say to the settlers, "Your leases are only worth so much, be-

cause in 1894 there will be a further charge upon them." I wish to put them in the position that they can go and say to these institutions, "We have now some little hope left; we have no increased rents to pay, and now if you will give us a little further assistance it will see us through to the break up of the drought, and we shall be able to carry on." If that were the position they were placed in, a number of those who are now on the eve of sinking will be able to save themselves. But what will be the effect if the assignees are not to participate? When the settler comes to his banker and asks for the further assistance I have referred to, he will be told that his lease is not worth twopence more as a security than it was before. It would be no difficult matter for me to give extracts of letters from dozens of settlers whose details are almost heart-rending, but I dare say other hon. members have similar letters which contain accounts of a most appalling description, and which disclose a state of things no one, except the settlers themselves, are in a position to realise to the full extent. Under these circumstances I think it would be wise if the Government were to show that they are true to the settlers by coming forward and helping them in their need. An extension of three months of the time in which to pay their rents will be of little or no use. The amount of their rents is £25,000, the interest on which would involve £500, and it would only be equivalent to giving this sum between the whole of the settlers in these districts. I hope hon. members will support me in this motion. I am not wedded to the wording of it, and I shall be willing to accept any suggestion that may be offered which will bring about the object I have in view—that of helping the settlers in a time of dire distress.

MR. H. W. SHOLL: I have much pleasure in seconding this motion. In this colony we are in a different position to settlers in other colonies who are overtaken by drought. There, as soon as the drought breaks up, all the settlers have to do is to go across the border and purchase thousands of sheep to re-stock with. Here we are in the position that if we lose our sheep we cannot buy any more, and we must wait to re-stock our runs

from the few that have survived the drought.

MR. A. FORREST: I should like to give my small meed of support to the motion of the hon. member for the DeGrey. There would, perhaps, be no necessity for this motion if men were allowed to take up only so much country as they required; but under the present Land Regulations affecting the North the minimum of 20,000 acres must be rented and paid for, whereas in other districts a man may take 2,000 or 3,000 acres only. Now, although a man at the North rents 20,000 acres, possibly only a small portion of it is good land, the rest being of such a character that it will not carry a hoof. After experience such as they have recently had, settlers cannot afford to pay for these large blocks of land, which are of no use to them, and unless some concession is made they will have to throw them up. If the Government cannot agree to the motion as it stands, perhaps they will forego the rent which will shortly be due by settlers in the drought-stricken districts. If I could tell of instances in which I am interested, and in which I am behind the scenes, I think the Government would endeavor to make some effort to relieve those who had suffered through no fault of their own. Everyone who has a station in these districts, and who has to depend solely upon it for a livelihood, is in a very bad position. He has lost the greater portion of his sheep; he cannot get his wool down, and the natives are attacking his flocks and herds. Altogether I think the case the hon. member has made out will justify the House in treating these settlers with a liberal hand. When the Loan Bill was before us, I think I pointed out that these increased rents which would be payable in 1894 would help us to meet the interest on the loan. I cannot altogether agree with the wording of the motion of the hon. member, for I think it would be better if the rents were remitted this year so as to afford some immediate aid. It may not be so much required in 1894 as it is now. If something is not done, I am afraid to say what the consequence will be. No one in the colony wishes to see the pastoral industry die out. It has been an industry which has kept this colony going

for many years, and now, if it were not for the goldfields, I do not know what our position would be. I ask the Government to take some steps before 1894 and to bring in a Bill to amend the Land Regulations so as not to compel a man to take up 20,000 acres, if 3,000 acres will be sufficient for him. I never could understand why a man should be compelled to take 20,000 acres in the North and only 1,000 acres elsewhere.

MR. LOTON: I suppose the great majority of the members of this House have a very fair idea of the condition of the settlers in the North, whom this motion is intended to alleviate to some extent. What the Government are asked to do is to bring in a bill to do away with the increase of rent, which is not to take place for two years. Looking at the matter in a practical light, I say if we are to do anything, now is the time to do it. If the Government are prepared to remit this year's rent, they will be helping the settlers at a time they most need it. The motion resolves itself into the question of whether the rent charged for these pastoral leases is exorbitant under ordinary circumstances. I do not think it is. The leases are for 21 years, and, assuming that a settler in the North holds 200,000 acres, the increased rental he will have to pay in 1894 will amount to £50 per annum. In ordinary seasons I do not think that is sufficient to break a man's back. But this is an extraordinary season. Although I have never been in these districts, I have had a long experience with the pastoralists, and I know perfectly well that, unless a number of them have immediate extraneous aid, they will have to give up altogether. Granting, then, that there is a present necessity, what is the use of meeting them half-way? If we want to help them let us do so now. I do not think the motion before the House will attain that end, and until I am convinced that it will, I shall not give it my support.

MR. THROSSELL: It is not right that the country should stand by and see a lot of men go wrong for the want of assistance. If any disaster overtook the agriculturists they would consider they were entitled to some assistance, and they would be fully justified in their contention. In fact the Government have helped them in years gone by when

their crops failed, and I cannot now see why the same principle should not be applied to these men who carried the colony along before the goldfields were established. I feel that the concession now asked for would meet the wishes of the majority of the people of this colony, and that being so, I have great pleasure in supporting the motion. If this is agreed to, I believe the details can be so managed as to benefit only the people who need assistance. Whilst trying to help the squatter it may be that the bank or some other financial institution may benefit instead, but I believe matters can be so arranged that the persons intended should be the only ones who benefit. I think we should be cowardly to stand aside and play into the hands of speculators without lifting a hand. I am only speaking on what I have heard outside, and if only one-half of it be true, these settlers are entitled to our full sympathy and support. It may be said that hon. members, in trying to benefit others, would benefit themselves, but I think we should have the courage of our opinions, put sentiment aside, and try to help a body of men who, before the goldfields were discovered, kept the whole colony going. I trust that the fear of establishing a dangerous precedent will not stand in the way of our lending practical aid at the present time.

MR. MOLLOY: I do not profess to know anything about the subject, but it does seem to me the motion will not have the effect the mover of it desires. There is no bill before the House, and can we, I ask, anticipate legislation in the future so as to give effect to this motion? There is a point which has struck me, and that is, whether, if this concession be granted, it will benefit the parties intended. If the settlers are in such desperate straits, will a concession to accrue in 1894 afford them such assistance as they need, or will the financial institutions afford greater assistance on account of the extra security of the leases? If we had this information assured to us, then I think the motion would meet with the approval of the majority of the members of this House. It is to be deplored that this disaster has occurred to these people, and if assistance can be given in some way or other, I think it will not only have a good effect on the settlers them-

selves, but will be of great benefit to the colony generally. The only question, to my mind, now, is whether we can give effect to the motion of the hon. member?

MR. DE HAMEL: For my part, looking at the motion as it stands, I think it will not give effect to the desire which the hon. member intends. I agree with the hon. member for the Swan that if any relief is to be given it should be given to the settlers and not to the banks. If we, in this House, pass this resolution we shall benefit, not the settlers, but the banks and financial institutions who have the settlers under their thumbs. If we make this concession we have no guarantee that the banks will show any mercy. They may close upon these settlers and sell their properties to others who would get the benefit of what we want to give to the present settlers. I should be inclined to support an absolute remission of some portion of the rents for the present year in preference to carrying this resolution. Again, I cannot see any need for us to pass this resolution at the present time. It is not until 1894 that these new and increased rents begin. We may find, long before that time arrives, that rain has come, and that the settlers are again in fair circumstances, or we may find that the drought has continued, and that what we now propose to do is worthless. I think the suggestion of the hon. member for the Swan is reasonable and right, as it will be a means of affording at the present time the settlers some advantage. I shall oppose this resolution because I do not believe it will help those we desire to benefit.

MR. SIMPSON: I have much pleasure in supporting what I conclude is the spirit of the motion put before the House by the hon. member for the DeGrey. To my mind it might have been more happily worded, but, having it before us, we have to deal with it in a practical way. This colony has been brimful of sympathy with the Nor'-West squatters for a considerable time past, but this has not brought rain, nor has it increased the stock. I was in a certain part of the country afflicted with the drought recently, and I can tell the House that unless some aid is given the tracks will not be marked much longer by wells, but

by the dead bodies of valuable stock belonging to the squatters. I believe we have no right to consider the particular individuals we shall benefit by any concession we make. There is a large amount of capital invested in this colony in pastoral pursuits; and if it will be an aid to that capital I think that the Government should deal with the matter in some such way as merchants or bankers would. When trouble comes every banker, every financial institution, and every merchant lends assistance to the hard-working man. This is a national question, and the Government should come forward and give all the assistance they can. Under all the circumstances, I shall support the resolution.

MR. R. F. SHOLL: The only objection hon. members who have spoken in opposition to this motion have seems to be that the hon. member who has brought it forward has not asked for sufficient. The hon. member for the Swan made use of the argument that if the Government granted the concession asked for by the motion it would amount to only a relief of £50 a year where any settler was holding 200,000 acres. For my part I do not know that the Government are not prepared to act more liberally than this. I speak with some diffidence on this subject, representing, as I do, a pastoral district, and being slightly interested myself in squatting pursuits. But I am aware, and the House is aware, that the state of affairs in the North is appalling. We hear of stations which not long ago had 40,000 or 50,000 sheep reduced to 100,000. We hear of people who, twelve or eighteen months ago, were wealthy men, are now poor men. In the past our settlers have expended their profits on their station improvements in the shape of fencing and wells. They have, therefore, improved the public estate—not from philanthropic motives—but to benefit themselves, but nevertheless they have improved the public estate. When setting about these improvements, they thought to prepare themselves for the increased rents they would have to pay under the Land Regulations during the second term of their leases. I am confident, if it had been anticipated that such a state of things would happen, these increased rentals would never have been asked for, nor

would they have been consented to by the Legislature had the Government pressed for them. The hon. member for Albany suggested it would be time enough to make provision to assist these settlers if rain did not come before 1894. When that time comes, there will be no necessity to ask for any assistance, but it will be necessary for the Government to put on steamers to bring sheep and cattle from the other colonies. I do not think any good can result from discussing this matter at any length, as we are only stirring up muddy water and depreciating the value of our stations. I feel that if the settlers have anything to look forward to, or if they can feel that they will have no further burden in the second term of their leases, it will be an inducement for them to continue on. I know of a number of men who started in the North twenty years ago with a few sheep. They expended all their profits on increasing their flocks until at last their stations became very extensive, but to-day they are placed in the same position they were in when they first started. They have to start again and stock afresh. In the early days of settlement in the North the Government were particularly liberal. For the first three years settlers had the runs rent free, and for some years afterwards they only paid 5s. per 1,000 acres as rent. If it had not been for these liberal terms I do not think these areas would have been settled even at the present time. With the present rentals the settlers could not have been worked up, and if they have to be worked up again they must have more liberal terms. In the Northern parts of South Australia the Government had to reduce the land rents, simply because they found the settlers could not pay the rates they charged. I agree that we are not going far enough with this motion. I think the present rentals should be reduced by one-half in order to give the settler an opportunity of recovering a little of the ground they have lost. I can only say that the settlers have not only the sympathy of this House, but they have the sympathy of the whole colony. It is not because they live in the North that people in the South do not sympathise with them. If the Government cannot consent to this resolution, I hope they will consider what they can consent to,

and at any rate will do something in the matter.

THE PREMIER (Hon. Sir J. Forrest): I, to some extent, agree with the remarks of the hon. member for the Swan. If a man wants bread, it is no use giving him a stone, and therefore I do not think that this motion will lead to any practical advantage. It is a pity that this House should publish far and wide that the settlers in the Northern parts of this colony are in a state of bankruptcy. I stated the other evening that I deprecated a debate of this kind. It will not do the Northern settlers any good, and even if the resolution is passed it will be giving them something which is of no advantage to them. I do not think it will be to the advantage of anyone who is the proprietor of a station to have it published far and wide that he is in a state of bankruptcy, nor do I think that the settlers are in this condition. We may know of individual cases, but I do not think the whole of the settlers are in such a condition. I know that some of them have had large losses, but I have not heard that any of the squatters have desired that this House should come to the rescue and make them a present of public money. I believe if we were to vote a sum of money in order to remit the rents—which is the only way of affording relief at the present time—I believe many of the settlers would say, "No, thank you; we have not come to the position yet that we can take money from the public funds to pay our rents, but when the time does come we shall throw up the sponge and take to some other industry." Now the rents derived from the leases in the Gascoyne and Ashburton districts amount to about £25,000 a year. Let us take the settler who is holding 300,000 acres of land. The rent he pays is £150 a year, and, in two years time—that is in 1894—he will be called upon to pay £75 a year more. Therefore, to carry this motion into effect would mean that that settler would be let off an amount of £75 a year for seven years, which would make a gross sum of £525. That is to say, that this settler, who leases 300,000 acres, would be given, if this proposition were to become law, £525 extended over a period of seven years. Would, I ask, this individual be saved from bankruptcy by a present of

£525, the first instalment of which he would not receive for two years, and the balance of which would be spread over a period of seven years? In my opinion it would not do him the slightest good, and I do not think there is a financial institution that would lend him sixpence more on account of it. The only way in which you can assist the squatter, at the present time, is by remitting a portion of the rents which become due on the 1st of March, and, if the House desires to do anything, in my opinion, this is the shape the resolution should take, because the promise of something being done in two years time means nothing. These leases were given for three periods of seven years each. For the first period the lessees pay 10s. per thousand acres; for the second period 15s., and for the third period 20s., and the question is, is this a fair rent? Taking the whole leases into consideration, my opinion is—and I had a good deal to do with the framing of the Regulations—that it is a fair rent. I think it was a happy arrangement come to at the time, and I have yet to learn that the settlers as a whole have not done fairly well under it. If a man goes to the North he expects to do better than he does at the South, but I may tell hon. members that there are plenty of settlers who have lived there all their lives and who have not yet made a fortune. I cannot promise to support the proposition I have suggested, but this is the form, in my opinion, it should take if the House wishes to help them. We should vote a sum of money in order that we may remit the rents which become due on March 1st next, and, as I have said, if we remit the whole of the rents a sum of £25,000 will be necessary to cover the two districts of the Ashburton and the Gascoyne. Even if we do vote it, I believe many settlers will refuse to take it. They will not accept a vote of public money in this way. I have no sympathy whatever with the proposition of the hon. member for the DeGrey, because it would do no good; it would give the squatter no greater borrowing power, and no benefit whatever would accrue to him personally for two years hence. I would suggest to the hon. member to withdraw the motion and consider the matter again. At the present time I think it is premature. We do not know but that in two years time

we may wish to help them in an altogether different way, and I think we should wait before committing ourselves at the present to anything definite, especially in the way in which it is now proposed.

MR. CANNING: When the Land Regulations were framed the rents for the three periods of seven years were passed on the assumption that there would be a certain number of fairly good years. Such a calamity as has now happened was not calculated upon; but it having happened, it now becomes a question whether the Regulations should not be recast. It is said that the rents are fair, but that is a question I think we should consider. If it could be shown that the lands could be turned to any other account than for the pasturage of sheep and cattle it might be different, but we know the land is only suitable for that one purpose. Under the present circumstances, and considering the immediate future, I think the Government might consider whether they could not recast the Regulations. I am afraid the motion of the hon. member for the DeGrey as it stands cannot lead to any practical result; still at the same time I think the discussion which has taken place upon it may do good.

MR. CLARKSON: The motion of the hon. member reminds me of the old saying "Live, horse, and you will get grass." No doubt the House sympathises with the settlers, but it must be remembered that there are other parts of the colony which have suffered very severely, although perhaps not as much as the North. No doubt if the settlers at the North are assisted those in other parts who have also suffered will feel themselves entitled to some similar help. As regards the North there seems to be some immediate necessity, and therefore if we are going to render any assistance at all we should do so at once. At the same time I think this discussion is to be regretted, as it is simply advertising the nakedness of the land.

MR. RANDELL: I have listened carefully to the arguments made use of by both those who agree with the hon. member for the DeGrey and those who, although they are not fully in accord with the amendment, are still desirous of helping the pastoralists in some practical

form. It strikes me that the arguments of the hon. member for the Swan are unanswerable; and that the resolution will not accomplish the object the mover of it has in view, inasmuch as some present assistance is needed. I have confidence in the Government that if they are asked by the House to bring forward some measure that will meet the circumstances and exigencies of the case, they will do so. Having that object in view, I desire to propose an amendment as follows:—To strike out all the words after “That,” and to insert the following in lieu thereof:—“this House requests the Government, after careful consideration, to introduce, at an early date this session, such a measure by remission of rent or otherwise as will assist the pastoralists of the Gascoyne and North-West districts, and other districts affected in the present disastrous circumstances of those districts.” I do not think it requires many words for me to enlist the sympathies of hon. members, because our only object can be to obtain present and immediate relief to the settlers in the North-West districts. The Premier has stated that there has been no such desire on the part of the settlers in the North for any motion of this kind, but I believe it is generally known that the whole of the districts have suffered from want of rain, and that the losses have been extensive; but the settlers do not care to ask for any assistance. Perhaps the motion I propose is not large enough, but I shall be glad to amend it so as to cover the whole of the drought-stricken districts. My only object is that some immediate relief should be afforded. The motion of the hon. member for the DeGrey will not afford that present relief which is desired by the House. No part of the colony knows the moment when it will itself need help, and when we find one part stricken down it is the duty of the other parts to come forward and help those who have suffered. I think we have, all of us, the deepest sympathy with these settlers, and I think we are all prepared to help them and render every assistance we can in order to encourage the settlers to further prosecute their laudable industry. I shall be glad, if the words “Gascoyne and North-West Districts” do not go far enough, to insert other words to meet the case.

MR. TRAYLEN: I have great satisfaction in rising to second the amendment of the hon. member for the Moore. It will give greater effect to the value of the sympathy which we all entertain for those sufferers in the Gascoyne and North-West districts than the motion of the hon. member for the DeGrey. I am happy to say it will afford a practical kind of sympathy and show that we are one people; it will show that we are one body of colonists, and that we will not allow one portion of it to suffer without the other portion rendering some practical aid. We are in a happy position with regard to this amendment, because we have been favored with the Budget Speech, which has disclosed a very satisfactory state of our finances, and from which there is good reason to hope that there will be a credit balance of nearly £50,000 at the end of the year. Therefore, if we remit the whole of the rents, amounting to £25,000, we should not be disturbing very materially the finances of the colony for the current year. Believing that the resolution proposed by the hon. member for the DeGrey would be of little assistance to the settlers, I shall support the amendment.

MR. DE HAMEL: I am very pleased indeed to be able to support the amendment before the House. I felt very much ashamed of myself for having been compelled to oppose the original motion, but I felt when I did so that it did not carry out the wishes of those who so much desire to help the settlers. This amendment is practical and sensible, and I shall have great pleasure in supporting it.

MR. RICHARDSON: I have no desire to fly in the face of the expressed wish of the House, and rather than lose everything I have much pleasure in accepting this amendment. I might point out, however, that although the Premier has suggested a certain course, he has given us no assurance that the Government will fall in with it, and I should like to have some such assurance. The Premier said my resolution was like a man asking for bread and giving him a stone, but I thought, perhaps, a soft kind of stone was better than nothing. I brought the motion forward in the way it appears on the Notice Paper because I understood that the wish had been expressed by

many settlers that it should take this form. Some of the settlers thought that if they asked for a direct remission of their rents it would put the Government in a difficulty with reference to the finances of the country, and those who looked at this matter from a statesman-like point of view thought it would not be a proper thing to do to ask for a direct vote out of current revenue; besides which a vote of money for such a purpose is not a nice way of doing it. It looks too much like charity, but if we legitimately varied the rents no lessee could have any objection against falling in with the altered circumstances. When the rents were assessed there was general prosperity in these districts, and the price of wool was half as much again as it is now. No one could have foretold that wool would have receded in price to such an extent, or that such seasons as we have had lately had been possible. If anyone had thought that these things would have happened the rents would not have been assessed as they are. At the present time the wool returns do not pay the working expenses, and the whole state of things is completely changed. Such being the case to my mind it would only be a statesman-like act for the Government to turn round and say, "We have made a mistake and we will now rectify it."

THE PREMIER (Hon. Sir J. Forrest): I may point out that even with the amendment some difficulty may arise. Hon. members will notice that the districts are restricted, and I may point out that there are other districts besides those at the North which are in a bad way. There is the Eastern division, where the rent payable is 2s. 6d. per thousand acres, but it will soon be 5s. Then there is the Eucla division, and then part of the Kimberley division—I do not know whether these divisions will make any application for assistance. Then we have the South-West division, but I do not know whether there has been any drought in this district.

MR. COOKWORTHY: Cattle are dying daily.

THE PREMIER (Hon. Sir J. Forrest): I understand that it is the wish of the House only to extend this assistance to those districts which have suffered from drought.

MR. RICHARDSON: Any districts that have been afflicted by it?

THE PREMIER (Hon. Sir J. Forrest): Then I may point out that it will take from £30,000 to £40,000 from our revenue, and I do not know but that if the House wishes this we shall have to curtail our expenditure in some other way.

MR. RICHARDSON: I understood if the total rents were remitted it would only amount to £25,000.

THE PREMIER (Hon. Sir J. Forrest): That is only for two districts.

MR. RICHARDSON: I think that will cover all the parts that have suffered from the drought.

THE PREMIER (Hon. Sir J. Forrest): If that is understood, very well.

MR. RICHARDSON: I would ask the Government to give us some assurance on the subject now.

THE SPEAKER: The hon. member has already spoken.

THE ATTORNEY GENERAL (Hon. S. Burt): The House, I think, might make the resolution more definite and say that in the opinion of this House it is desirable that the whole of the rents, or that half the rents, or whatever portion is considered desirable, should be remitted. It is well known that some members of the Government are largely interested in stations at the North, and of course it goes without saying that they sympathise with the people who are placed in a similar position to themselves. Therefore I think the House should make some definite proposition which the Government may consider. Speaking as a member of the Government, I may say that this is a question which presents more difficulties than at first sight may appear. It creates a precedent which will be taken advantage of in the future, perhaps in a way we cannot now foresee. We know certainly in this instance that there has been a visitation of Providence over these districts, and that the flocks and herds of the settlers have been dying owing to the want of rain; but the same may be said as regards other callings in which there has been an equal visitation of Providence. Take the pearl-shell fishery. A man pays a license for his boats in the same way that the squatters pay rents for their runs. The pearler may say that notwithstanding he has used every effort, he has got no pearls, and he then comes

in and asks for assistance. Another man may take up a mineral lease, and after sinking down into the ground he finds there is nothing there. He also may come to us for assistance. In the present instance we certainly have a precedent in the case of the famine on the Greenough, where the Government voted a sum of money to help the farmers seed wheat.

AN HON. MEMBER: But they had to pay for it.

THE ATTORNEY GENERAL (Hon. S. Burt): I do not think any of them paid for it. At any rate if this resolution is passed it will become our duty as a Government to consider what is best to be done. Some reference has been made to the banks and financial institutions. I must say I cannot appreciate the distinction which has been drawn between the settlers and the banks. Some hon. members have expressed the desire to remit the rents if the settlers get them, but not if the banks get them. I think the bank would get them in any event. No settler would think of putting £200 or £300 into his pocket and leave an overdraft of £8,000 or £10,000 at the bank upon his station. Even if the bank did get it, it must benefit the settlers. I represent one of these Northern districts, and I know that some settlers have suffered very severely. Some of them have lost half their sheep, and in other cases considerably more than that, besides which some of them have had no increase for the last two years. This year there has been a very serious falling off in the wool clip, and we know also that wool has declined very much in price. I have no doubt that when these rents were fixed, the condition of the districts and the price of wool were taken into consideration. I was only looking yesterday at a statement showing the prices of wool in 1880 and 1891. According to this return, the price has fallen, during this period, very nearly one-half, and there has been a large decline ever since these rents were fixed. Even this year we know that the price of wool is one half-penny per pound less than it was last year, and I am not prepared to say that application will not be made from all parts of the colony to reduce these land rents. It must be borne in mind, however, that the Eucla and Kimberley divisions have the advantage of

the stocking clauses, and if these clauses were in force in the North-West and Gascoyne districts, there would be a reduction in the rent which would be at least equal to about one-half of what is at present paid. In the Eucla and Kimberley districts, as I say, if the lands are stocked, the rent is reduced one-half, but in the other districts, when the land is well stocked, no reduction whatever is made, and, therefore, although the Eucla and Kimberley districts may have suffered from the drought, I do not think they have the same claim as the Gascoyne and North-West districts.

MR. CANNING: I have suggested that the Land Regulations might be recast. The present rents were calculated on a basis of a fairly large number of prosperous years. That position may have been thought sound at the time, but experience has now shown us that it is not.

MR. RICHARDSON: I beg, by leave of the House, to withdraw my motion.

Motion, by leave, withdrawn.

Question—"That this House requests the Government, after careful consideration, to introduce, at an early date this session, such a measure by remission of rent, or otherwise, as will assist the pastoralists of the Gascoyne and North-West districts, and other districts affected, in the present disastrous circumstances of those districts"—put and passed.

DEATH OF THE DUKE OF CLARENCE AND AVONDALE: MESSAGE FROM ADMINISTRATOR.

THE SPEAKER announced the receipt of a message from His Excellency the Administrator informing the Legislative Assembly that the Address to Her Majesty therein referred to in Address No. 2 of the 19th instant was duly telegraphed, on the 23rd instant, to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Majesty the Queen.

POLICE BILL.

THIRD READING.

The Order of the Day for the third reading of this bill having been read,—

MR. TRAYLEN moved, "That the Bill be recommitted for the purpose of

amending clause 61, so as to make the playing of certain games on Sunday unlawful, and of amending clause 93 by making all lotteries and raffles unlawful." He said: The object I seek is to replace certain words which were struck out in committee (*vide p. 334, ante*) and to remove certain words which make lotteries for charitable purposes legal. If we allow games of cricket to be played on Sunday, we shall find that the minds of children who attend Sunday schools will be more occupied with the *pros* and *cons* of the game than with their lessons, and hence much injury will be done if this clause is allowed to stand part of the bill.

MR. PARKER: I am sorry to say I rise to oppose this amendment. The clause as it stands seems to me to be a very proper one. I understand from what the hon. gentleman has said that the objection he has to the playing of games on the Sabbath is that it may lead the thoughts of the children attending Sabbath schools outside the subjects they are being taught, or in other words it will lead them not to attend properly to their religious duties. I am under the impression, however, that according to the doctrine taught by Christian churches those games which should not be engaged in on Sunday should not be engaged in upon any other day; in fact that we should so rule our conduct that our actions should be the same on the week day as they are on the Sabbath. Nothing wrong or contrary to Christian doctrine ought to be engaged in on a week day any more than on a Sunday, and accordingly if a game of cricket should not be played on Sunday it should not be played on a week day. It may be that it is advisable to restrain persons from engaging in games during the time of church service, but, as far as I can see, having performed one's religious duties, the exercising of one's mind and body in reasonable recreation in purely innocent games, is not in any way objectionable or contrary to Christian principles. If I am correct in the view I am taking, that on the week-day we should engage in no games which are not also suitable for the Sabbath, the converse holds good that no games which are unsuitable for the Sabbath should be engaged in on the week-day. If it were possible to make people pious and relig-

ious by Act of Parliament it might be well to try, but people cannot be made religious or moral by this means. The only way these principles can be inculcated in the human mind is to train up the young in the way they should go, and not by attempting to do it by force. I think I may say that all the efforts to bring about morality, and induce religion by means of statutes, have been failures. At the present time there is a tendency, not only in the colonies, but also in the mother country, to the belief that not only should the Sabbath be a day of religious observance, but that it should also be a day of recreation and a day for the improvement of the mind. At Home they are opening the museums, libraries, and other places on the Sunday for the recreation and enjoyment of the population generally. Only recently I read that a well-known and highly respected Bishop of the Church of England said in regard to the game which has been referred to by the hon. member—the game of cricket—that no harm whatever could result, but that on the contrary he considered that it was better that the young men should be so engaged than occupying their time in idleness and habits which would conduce to immorality. I quite agree with that Bishop. We know that even in this place a great number of our youths devote the whole of the Sabbath to going out on the river. Even if the Act were amended in the way the hon. member suggests it would not affect these youths; they would still be able to take their boats and enjoy themselves upon our fine river. The owners of carriages would also, if they thought proper, be able to take their friends for 10 or 20 miles out of Perth and enjoy themselves, and this Bill would not affect them. It would only affect those who stayed at home quietly, and went to church and Sunday school, and who, after having fulfilled their religious exercises, wished to enjoy themselves by means of some quiet and innocent game.

MR. RANDALL: What about football?

MR. PARKER: As far as I am concerned, I object to football, because I do not think it is an innocent game. I think it is a rough unruly game, in which bad language is made use of, although no doubt, with proper management and

order, it might be made an innocent and enjoyable means of recreation. As a game I do not see any objection to it. I cannot see why any game that cannot be played on the Sabbath—

MR. RICHARDSON: Horse-racing?

MR. PARKER: I do not think it would be advisable to allow that.

MR. A. FORREST: They have it on the Continent.

MR. PARKER: No doubt they do, but I do not think that if horse-racing were established on the Sabbath Day in any British community it would succeed. Horse-racing will only be carried on so long as it is profitable. I see no objection to the running of horses. If this Legislature devotes some hundreds of pounds a year, as it does, in order to encourage it, surely it cannot be such an objectionable pastime. If it be objectionable we should not subscribe to encourage it from the public purse of the colony. The question of one's conduct upon the Sabbath is one that must be regulated, not only by our conscience, but also by our teaching, and we shall never have a Sabbath perfectly kept as a pure and holy day except by those earnest enthusiasts whose consciences are in accord with that view, and who have been brought up strictly in that line of doctrine. I can fearlessly say that if hon. members imagine that by adding these words they are going to make the people more moral, more religious, or more pious, they are very much mistaken. I think the Government were right in bringing in the bill as they have done. I hope to see our young men enjoying themselves on the Sabbath afternoon in a friendly game of cricket, instead of enjoying themselves by other means which are not so innocent or so rational.

MR. RANDELL: This amendment which the hon. member for Greenough complains of was made hastily at the last sitting of the House, and without any notice being given to any hon. member of the intention of the Government to propose it. I must say I am one of those who object to it, for it now legalises the playing of games on Sunday which hitherto were left to the individual conscience. And there is a distinction to be drawn between an Act of the Legislature which sanctions things and a law

which is only permissive. Although the hon. member for York is an excellent special pleader and a sound lawyer, he is not, I think, a good theologian. I should be sorry to think this House would permit the clause to pass as it stands, for it would, I think, have a very injurious effect on the minds of the youth of this colony. I do not know at the present time that ministers of religion interfere with those who indulge in innocent games on the Sabbath, although they have the best interests of the colony at heart; but it seems to me that the Legislature should not say, "You may desecrate the Sabbath; we will make it lawful for you to do so." As the clause stands, only the playing of games for money will be unlawful. Now how are the police to find out whether games are being played for money or amusement? We know it is difficult to obtain a conviction against a publican for selling drink on Sunday, and it will be even more difficult to obtain a conviction for playing games for money on Sunday. I think that as the clause as it now stands will only lead to evasion, it had better be left as it originally appeared in the Bill. It has worked well under the existing Act, and I think it will work well in the future. I do not think I hold narrow views, but I do believe in the sanctity of the Sabbath, and I should be sorry to see Australia in its great anxiety for amusement drift into what is known as the Continental Sabbath. I am not very anxious about the alteration the hon. member suggests in the 93rd clause, but I do hope this Assembly will retrace its steps and replace the words which were struck out, without careful consideration, in the 61st clause. I have spent a pretty long life, and, as hon. members know, it has been a busy one—I have had very little time for recreation—my life has been spent in business, and what little time I could afford I have given up to public matters and to religious matters. I have not confined myself solely to the denomination to which I belong, and I may venture to say to-night that my engagements on the Sabbath have, in my opinion, been the saving influence of my life physically, mentally, and I may say, morally; and I should be glad to see the whole population following on the same lines somewhat. Therefore I do deprecate this Legislature

opening the doors and sanctioning amusements upon the Sabbath. The game of cricket I admire. I believe it is a noble game, but there is something higher and better for our youth to do upon the Sabbath. Even at Katanning, where the hon. member has referred to, I think something might be done in another direction for the benefit of the youth than to encourage the playing of games. Cricket, as I have said, is perhaps not a very bad game, but football is. I think it is a brutal game,—one not to be patronised or witnessed by respectable people. To put the matter in another way, I think if we may seek amusement on the Sabbath Day we may also pursue our daily callings. Suppose the Supreme Court or the Police Court were open on the Sunday, I think hon. members would strongly object to it; and if any hon. member were called upon to work on the Sabbath, I think we should soon find him saying, “I have already had six days of it; I think that is enough.” I should be the last man to say to anyone, “You must go to church.” I think everyone should have liberty of conscience, and I am thankful to say that in this direction the law now allows us to make use of the Sabbath according to our own dictates and as we like. Hon. members will notice that the amendment in this clause was brought forward without any notice, and I think, in the interest of the community at large, although perhaps in some cases there may be a difficulty in finding profitable occupation for the young on the Sabbath, we should endeavor to lead them to a higher life.

MR. PIESSE: When this bill was before the House a few days ago I expressed my views as to Sunday amusements in the country. I said that I quite agreed that harmless and innocent games should be allowed in the country, but that they should not be allowed to interfere with Divine Service. In an isolated place like Katanning there can be no possible objection to amusements being participated in on the Sabbath. When I first went there I took a very strong objection to this procedure, and I endeavored to suppress the playing of these games on the Sunday. Those who have known me are aware that I used my best endeavors to draw the young men away from

these objects, but without any effect. In these small country places there are a number of people professing different religions. The difficulty is to assimilate them; but there are so few of each denomination that you cannot get them to go in together and form one congregation, even if you could get a minister in the district. It is better to let our youth play at cricket than to allow them to go to public houses, or conduct themselves in an immoral way. In my younger days I, like the hon. member for the Moore, have been told that it was a desecration of the Sabbath to play at cricket. I was told that it was an awful thing to do, but my experience in the country districts has shown me that it is better to allow cricket, or any other game which is not too boisterous, rather than allow the young people to be idling about or playing cards or drinking at public houses. I do not think, however, that games should be allowed to take place during the hours of Divine Service, nor do I think they should be allowed in the towns. In a town like Perth if football or other games conducted in a boisterous manner were allowed, it would soon lead to trouble, but there is a clause in the Bill by which the police could stop anything like this happening.

MR. RANDELL: It is out of their hands now.

MR. PIESSE: Of course I should prefer to see them not playing games, but I cannot see how it is to be prevented if there is nothing else to occupy the minds of the youth.

MR. THROSSELL: The young men in the country districts want something to do on Sundays, and I prefer to see them playing a good manly game of cricket to sitting behind some corner smoking a short pipe or, perhaps, going into public houses and getting drunk. At the same time we have here a petition from the Wesleyan body, representing as it does 4,000 of the people of this colony, and we ought to give some consideration to it. I may ask hon. members, however, why we should forbid cricket when we do not forbid anyone driving his buggy and taking his amusement in that way? Why, again, should we stop cricket and yet allow our youth to go on the river and indulge in boating? We know that on Sundays the young men who are shut

up all the week go out and spend their afternoon on the river; they come home after it better both morally and physically. It seems to me that if you stop those who like a game of cricket on Sunday, you must stop those who, like myself and others, enjoy ourselves in our own way.

MR. RICHARDSON: I am rather a believer in the axiom that you cannot make people moral by Act of Parliament. No doubt there is a great misconception on this Sunday question. I do not think we should impose anything upon a man's conscience which he is opposed to simply because it is in accordance with our own ideas. What we have to see is that no one in his own indulgence interferes with the indulgence and enjoyment of others. In the towns if a majority think it right to keep the Sabbath in a certain way, a minority should not be allowed to interfere with them, but, when it comes to the country districts, it is somewhat different. If, in the country, you do not allow people to go in the way their ideas would lead them, they will simply evade the spirit of the law or pursue their inclinations in some other way. If you prohibit them from playing cricket they will go somewhere else and amuse themselves by riding or shooting or some other sport. To my mind the observance of the Sabbath is a question the State should not interfere with. The religious man says, "Remember the Sabbath Day and keep it holy," but another man may say, "It is not the Sabbath at all; the Sabbath is on Saturday," and he might fairly object to the religious man trying to impose on his conscience that the first day of the week is the Sabbath. This shows one of the intricacies of the question. I think in our legislation we have already gone as far as we ought to, although perhaps some steps might be taken to prevent people who do indulge in games on Sunday from annoying others. For instance, we should not allow a number of boys to play a game of cricket alongside a church, but when we come to the outlying districts, where there are no churches, then it would be an undue interference with the liberty of the subject to allow a policeman to come up and stop a game of cricket. To try and force our own particular views and religious opinions upon others is, to my mind, simply

bigotry, and I do not think we have any right to do it.

MR. DE HAMEL: I am one of those who think that even now this clause does not go far enough. I take it that the youth of the towns require recreation as much as the youth of the country. Take Perth or Albany; we find that the shops keep open until 10 o'clock on Saturday night, and health requires that those who are employed in them should be able to take advantage of the Sabbath, not only for the purposes of religion, but also for recreation. We should, I think, be utterly wrong to prevent those who are engaged in these shops, which are kept open until a late hour for our benefit, from taking the recreation which they wish to on the Sabbath, or indulging in any enjoyment to their own liking.

MR. MOLLOY: I can hardly follow the doctrine of the hon. member for York when he says that we should only do on the Sabbath exactly what we do on other days of the week. I think the privilege of enjoying ourselves on Sunday should be hedged round with restrictions. I do not think people should have full liberty to enjoy their inclinations on the Sabbath. Most of us, at all events, are led to believe that the Sabbath was set apart for worship, and there are certain times when people wish to take advantage of their churches, and they should not during that time be annoyed by others behaving in a riotous manner. I do not think the hon. member for York intended this. I think that men occupying sedentary positions should be allowed to have some recreation on the Sabbath, but I think they should take it when the obligations which we are taught the day casts upon us are ended. I see no harm in cricket, but I do not think football will in any way conduce to a proper observance of the Sabbath. I think that the games which are allowed to be played on the Sabbath, and the time during which such games may be played, should be defined.

THE ATTORNEY GENERAL (Hon. S. Burt): Perhaps if these words "or otherwise" had been omitted from the bill as it was first printed, no hon. gentleman who has spoken would have noticed it, but the fact of my moving to omit them has drawn more readily to the minds of hon. members exactly

what it is we propose to do. Therefore hon. members had full notice of what was being done. Now the clause reads thus: "Every owner of any "public billiard room or place of "amusement within any city or town "who shall permit or suffer anyone to "play in his house or premises any game "on Sunday, Christmas Day, or Good "Friday, shall on conviction forfeit and "pay a sum not exceeding Five pounds "nor less than Three pounds; and it "shall be lawful for any police constable, "and he is hereby required to disperse "or cause to be dispersed all persons "gathering together on any of the days "aforesaid in any public or open place "for the purpose of gambling or playing "at any game for money, and to take "and seize or cause to be taken and "seized any implement, instrument, or "animals used or intended to be used or "which have been used therein, or which "such persons may have about or near "them, and to destroy or carry or lead "away the same; and every person ac- "tually gambling or playing as aforesaid, "shall be liable on conviction to a penalty of "any sum not exceeding Five pounds, or "in the discretion of the convicting Jus- "tice may be imprisoned with or without "hard labor for any term not exceeding "two calendar months." The Govern- ment have carefully considered this ques- tion, and they thought, in the year 1892, this was not a clause which would stand the test of public opinion for a moment if we inserted the words the hon. mem- ber for the Greenough wishes and made it unlawful for any person to play a game of cricket on the Sabbath. The Act now in force would prevent any people setting up a wicket in their back yard or playing at a game of ball. The attention of the Government was called to this matter by some of the country people, and it was thought better to allow innocent games to be played openly than to force young men to go behind a hay-stack and play at "twenty-fives," or some other game. We need not go into the question of right or wrong. This is a purely common-sense question. If I thought that the striking out of the words that were struck out in committee the other day was going to result in cricket matches being played on the Recreation Ground on Sundays, I would resist it, but

I am certain nothing of the sort will happen. What is done in the mother country, where the law is the same as we now propose it shall be here? Do we see cricket matches in the towns? Certainly not. But we do see the hard- worked people in the country, headed very often by the parson himself, playing at cricket after their religious duties have been fulfilled. Such things are unknown in the towns. Do any hon. members think our young men will play cricket in Perth? Of course they will not; they will go on the river if they wish to enjoy themselves, or take a trap and drive out somewhere. It is quite a mistake to think it would be anything like a com- mon practice in the towns. If we found that these games were indulged in to any extent in the towns, there might be some objection to it, on the ground that it would divert the attention of children attending the Sunday Schools from their lessons. I admit we should do all we possibly can to encourage those who are engaged in the religious and moral educa- tion of children, and if in practice this clause is found to interfere with them, I should be one to do my best to have it repealed.

Question—put and negatived.

Bill read a third time.

BANKRUPTCY BILL.

This bill was read a third time, and passed, and ordered to be transmitted to the Legislative Council, and their con- currence desired therein.

GAME BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

THE CHAIRMAN reported that the committee had (*vide p. 394, ante*) con- sidered the amendments of the Legis- lative Council, and had agreed to some, had disagreed to others, and had amended others, and that progress was then re- ported.

A committee, consisting of Messrs. Hassell, Piesse, and the Attorney General was now appointed to draw up reasons for the inability of the Assembly to agree with certain of the amendments pro- posed by the Legislative Council.

Subsequently they brought up the following reasons for disagreeing to amendments Nos. 1, 3, and 6 in the

Bill proposed by the Legislative Council:—

"No. 1.—This amendment is not agreed to, because it is considered more convenient to let the Bill come into force on its passing.

"No. 3.—The wording of this amendment is slightly altered to suit the transposition of the schedules, and is agreed to as so altered.

"No. 6.—This amendment is not agreed to on the ground that it is expedient to suffer any person to apprehend the offender. The proposed amendment recognises an *owner* of both imported and native game, which principle the Council have sought to eliminate by the amendments which the Assembly agree to."

Ordered—That a message be transmitted to the Legislative Council, returning the Bill, and forwarding the reasons drawn up by the committee for the inability of the Assembly to agree to certain amendments proposed by the Council.

ABORIGINAL OFFENDERS ACT AMENDMENT BILL.

IN COMMITTEE.

Clause 1—"It shall be lawful for any magistrate alone or with one or more Justices, or for any two or more Justices, or for any one Justice exercising jurisdiction under section seven of 'The Aboriginal Offenders Act, 1883,' hereinafter called 'The Principal Act,' upon the conviction of an aboriginal native of any offence made summarily triable under the Principal Act, to sentence such native to be imprisoned with or without hard labor, for any term not exceeding two years, and, in case of a male, with or without whipping, or to be whipped without imprisonment: Provided always, that if an aboriginal native shall be charged with having committed two or more offences the sentence or sentences for both or all the said offences shall not exceed in the whole the term of two years, nor in such case shall more than one whipping be awarded":

MR. DE HAMEL moved that the word "stipendiary" be inserted before the word "magistrate," as it would render the clause clearer. The word "magistrate"

was a wide term, and it included all the Justices of the Peace. In England every justice was a magistrate. In the Book of Common Prayer there was a prayer for magistrates, and not for Justices of the Peace. Why should they, if "magistrate" meant a paid magistrate, pray for him and not for the honorary justice?

THE ATTORNEY GENERAL (Hon. S. Burt) said the hon. member had evidently made a very superficial examination of the bill. This was simply an Amending Act, and it was incorporated with the principal Act, by which the term "magistrate" was defined, and excluded a Justice of the Peace.

MR. DE HAMEL said that because a certain course had been pursued in the past he did not see why it should be followed in the future. If his amendment were carried, it would make the Act more plain and save the necessity of carrying the principal Act about in order to ascertain what was the meaning of the word "magistrate." Every Act should speak for itself.

MR. SHOLL thought there was a great deal in the remark of the hon. member, for he did not see why they should have to go back to a previous Act to see what a word meant when they could make it plain in the one before them. A person taking up any Act should be able to see within it exactly what was intended.

THE ATTORNEY GENERAL (Hon. S. Burt) said he did not know that the hon. member had had much experience in the drafting of bills. He could only say that the word "stipendiary" was not known to the law of the colony, although it was known in England. Why should the hon. member suddenly change the wording of our local Acts? Anyone having a knowledge of the laws of Western Australia knew what a magistrate was; they knew it meant a paid magistrate and not an honorary justice. It included Resident Magistrates, Government Residents, and Police Magistrates, who were all stipendiary magistrates. They might well have been called stipendiary magistrates, but they had not been, and what was the use of making the change now? As Attorney General he said it would be wrong to insert the word "stipendiary," but hon. members

could of course follow the hon. member for Albany if they liked.

MR. DE HAMEL said the hon. the Attorney General said a stipendiary magistrate was something unknown in this colony, but if they turned to the Estimates they would find a number of stipendiary magistrates, and who were called such.

THE ATTORNEY GENERAL (Hon. S. Burt): We are not talking about Estimates; we are talking about the law.

MR. DE HAMEL said there were stipendiary magistrates for London, although at Bow Street and at Greenwich they were called "police magistrates." If the term "stipendiary" was wrong the Estimates were wrong. He asked hon. members to support the view he took and add the word.

MR. CANNING also thought that any person taking up an Act should be able to understand it without having to refer to another Act. Now a stipendiary magistrate meant a paid magistrate; and probably the hon. member for Albany would not object if the words "resident magistrate," or "police magistrate," or "Government resident" were inserted instead of "stipendiary."

MR. HASSELL said that in his experience as a justice, he always had the principal Act before him with an amending Act.

MR. R. F. SHOLL said he thought that when they gathered in Acts they should make them so that everyone could understand them without reference to other Acts. The Attorney General, with a big majority at his back, if any member took exception to the wording of a clause, got on a pedestal and said he was superior and higher than other hon. members, and that if the Government could not have their own way they would consider whether they would go on with the bill. This was a matter which did not affect the bill.

THE PREMIER (Hon. Sir J. Forrest) said that if they gave effect to the hon. member's views, they could never bring in anything but consolidating Acts. Such might be all very well, but it would not be always convenient.

MR. DE HAMEL said that the Government with their big majority at their

back, who followed like a flock of sheep, thought they could do what they liked; but he might inform them that even in this small question they would follow him, the hon. member for Albany. Why should the Government treat the House with contumely, as they did? If the House was divided on this question, the Government would find that they had not the majority they thought they had. He asked hon. members to follow him, and show the Government they were not going to defeat hon. members' wishes, especially where it was a personal matter against himself, and nothing more.

MR. LOTON said that the contention of the Attorney General seemed to be a perfectly reasonable one. If they wished to introduce new words into their legislation, they would also have to provide a definition of them.

THE ATTORNEY GENERAL (Hon. S. Burt) said that probably those hon. members who had just entered the House would want to know what the question was, and perhaps he might explain. The hon. member for Albany wished to insert the word "stipendiary" in the clause before the word "magistrate." "Stipendiary" was not a word used in our Ordinances. If the hon. member had been Attorney General, he might have used the words "stipendiary magistrates," but he would not have been right, because it was not a term known to the law of this colony. The hon. member produced the Estimates to show that the word had been used there, but this did not answer the argument that it was not a word known in our Acts. In the Act of 1883 there was a definition of what a magistrate was, and this Act was incorporated with that Act. He had told the hon. member this, and, as the result, a lot of hon. members, at the instance of the hon. member, had been driven in to vote, and probably they would like to know what the storm was about. The Government were to be shown, on this small matter, how defeat stared them in the face. If this word were inserted, it would lead magistrates astray, for it would be used in our Acts for the first time, and hence, instead of making matters more plain, as the hon. member suggested, it would make them more difficult. It was said every Act should speak for itself, but if that

principle were adopted there would never be such a thing as an Amending Act. Four lines down in the clause, the words "exercising jurisdiction under section 7 of the Principal Act" were to be found; and how could they interpret this without the Act of 1883? As Attorney General he was answerable for these Acts, and he asked the committee to follow him in endeavoring to maintain uniformity in their laws rather than follow the hon. member for Albany. The hon. member had no right, not being in charge of the bill, to seek to interpolate such a word as this.

MR. DE HAMEL objected to the Attorney General wasting the time of the House as he had done in this matter. Besides this he had insulted every justice of the peace in the colony by insinuating that they would not know the meaning of the term "stipendiary," and he hoped hon. members would not be led away by the sophistical arguments that had been used. All he asked was that the word "magistrate" should be made plain by preceding it by the word "stipendiary" or "paid" magistrate, so that the Act could speak for itself, and even on this small matter the decision of the House should be recorded by a division.

MR. CANNING said that if the Government thought justices would not know the meaning of the word "stipendiary," they could easily purchase a few of Nuttall's pocket dictionaries to aid them.

MR. R. F. SHOLL said that after all the matter was not a very important one. He thought at first that the amendment would make matters clearer, but it was hardly worth wasting time over it. He therefore hoped the hon. member for Albany would not press the question further, when the Attorney General, after hearing what they had to say, still wished to keep the bill as it was. If the matter were pressed to a division he should have to vote against the hon. member.

The amendment was then negatived on the voices.

MR. DE HAMEL called for a division with the following result:

Ayes	3
Noes	17

Majority against ... 14

ATES.
Mr. Canning
Mr. Molloy
Mr. De Hamel (*Teller*).

NOES.
Mr. Cookworthy
Mr. Durlét
Sir John Forrest
Mr. A. Forrest
Mr. Harper
Mr. Hassell
Mr. Loton
Mr. Parker
Mr. Piasse
Mr. Quinlan
Mr. R. F. Sholl
Mr. H. W. Sholl
Mr. Simpson
Sir J. G. Lee Steere
Mr. Throssell
Mr. Venn
Mr. Burt (*Teller*).

Clause agreed to.

The remaining clauses were agreed to without discussion, and the bill reported.

ADJOURNMENT.

The House adjourned at half-past eleven o'clock, p.m.

Legislative Council, Tuesday, 2nd February, 1892.

Geraldton-Mullewa Railway Bill: in committee—Police Bill: amendments of Legislative Assembly—Game Bill: amendments of Legislative Assembly—Bankruptcy Bill: first reading—Aboriginal Offenders Act Amendment Bill: first reading—Municipal Institutions Act Amendment Bill: amendments of Legislative Assembly—Adjournment.

THE PRESIDENT (Sir T. Cockburn-Campbell, Bart.) took the chair at 3 o'clock.

PRAYERS.

GERALDTON-MULLEWA RAILWAY BILL.

This bill was considered in committee and agreed to without amendment.

POLICE BILL.

AMENDMENTS OF LEGISLATIVE ASSEMBLY.

THE PRESIDENT announced the receipt of the following message from the Legislative Assembly:—

"Mr. President,

"The Legislative Assembly acquaints the Legislative Council that it has this day agreed to a Bill intituled 'An Act to consolidate and amend the Law relating to the Police in Western Aus-