

MUNICIPAL INSTITUTIONS BILL.

DISCHARGE OF ORDER.

The Order of the Day for the consideration of this Bill in committee having been read,

MR. SIMPSON moved that the Order of the Day be discharged. He asked the Government to consent to the postponement of this important and lengthy Bill until the next session, saying the Municipal Council at Geraldton had not been able to fully consider the Bill, and the country generally ought to have more time for considering the numerous provisions.

MR. DEHAMEL seconded the motion.

MR. A. FORREST said the Bill had been generally approved by the Perth Council, and as there were only a few clauses that would cause any discussion, the Bill might be passed this session. It was desirable that the new principle of rating unimproved lots should come into operation as early as possible, because of the unfairness of the present system.

MR. SOLOMON supported the motion, and said time should be given to the local Councils for a fuller consideration of this important Bill.

MR. QUINLAN said he would defer to the wish of the Government in the matter, while anxious to see the new rating provisions put into operation.

MR. HASSELL supported the motion.

THE PREMIER (Hon. Sir J. Forrest) said the Government were ready and willing to go on with the Bill; and, in the absence of the Attorney General, the Colonial Secretary would assist him with legal advice in dealing with the clauses. It did seem a pity, after all the time and labour expended on the Bill, that it should not pass in this session. Personally, however, he would not be sorry, at this late stage of the session, if the Bill could be postponed by agreement until the beginning of the next session. If the Mayor of Perth would consent, they might be unanimous.

Motion put and passed.

Order of the Day discharged accordingly.

ADJOURNMENT.

The House adjourned at 10:10 p.m.

Legislative Council,

Thursday, 28th September, 1893.

Elementary Education Act Amendment Bill: first reading—Engine Sparks Fire Prevention Bill: recommittal—Constitution Act Amendment Bill: Legislative Council's amendments—Tariff Bill: second reading: committee: third reading—Public Institutions and Friendly Societies Lands Improvement Act Amendment Bill: second reading: committee—Adjournment.

The PRESIDENT (Hon. Sir G. Shenton) took the chair at 4:30 o'clock p.m.

PRAYERS.

ELEMENTARY EDUCATION ACT AMENDMENT BILL.

This Bill was introduced by the COLONIAL SECRETARY, and was read a first time.

ENGINE SPARKS FIRE PREVENTION BILL.

The Order of the Day for the consideration of the committee's report on this Bill having been read,

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Order of the Day be discharged, and that the Bill be recommitted.

Question put and passed.

IN COMMITTEE.

Clause 1.—"Title:"

THE COLONIAL SECRETARY (Hon. S. H. Parker): As this Bill was originally proposed, it dealt only with sparks from engines; but a select committee of the Legislative Assembly added a clause dealing also with cinders in the ash-pan. I propose now to make the title accord with the Bill by striking out the word "sparks" in this clause.

Question put and passed. Clause, as amended, agreed to.

Clause 2.—"Interpretation:"

THE COLONIAL SECRETARY (Hon. S. H. Parker): I move that the following words be added to the end of the clause:—"Line of Railway" shall mean the lands taken, resumed, purchased, or otherwise acquired for the construction or maintenance of any railway line, whether the same shall be fenced or not. 'Prescribed' shall mean prescribed by regulations from time to time made by the Governor-in-Council." It will be observed that the

owner of a railway is required to burn the grass at such time as may be defined; but the draftsman of the Bill has omitted to point out how the time is to be defined. I propose to substitute the word "prescribed," and then make it mean regulations made from time to time by the Governor-in-Council.

Amendment put and passed, and the clause, as amended, agreed to.

Clause 3.—"Engines to be fitted with spark arresters."

THE COLONIAL SECRETARY (Hon. S. H. Parker): I move that this clause be struck out, and the following new clause be inserted in lieu thereof:—"The owner of every engine (1) shall forthwith fit or affix, or cause to be fitted or affixed, a spark-arrester of a type approved by the Commissioner of Railways, to or upon the chimney funnel or other parts of such engine from which live sparks are or may be emitted, and shall at all times maintain such spark-arrester in good order and fit for its intended purpose; and (2) shall also forthwith fit such engine or cause it to be fitted with a steam jet connected with the engine, and carried into the ash-pan of such engine, for the purpose of extinguishing the live cinders in such ash-pan, and shall at all times maintain such steam jet in good order and fit for its intended purpose."

THE HON. J. A. WRIGHT: I have no objection to the clause either being struck out, or continued, because it is utterly unworkable. It is impossible to do what is proposed. To procure a spark-arrester which will arrest live sparks means simply to stop the work of any railway. Such a thing cannot be obtained. It would be better to insert a clause to say that the railways shall not work than to have an unworkable Act such as this is. Every owner whose property is damaged has his remedy at common law, and if a railway company does not take proper precautions to guard against damage by fire to adjoining lands it must take the consequences, and it is better to leave it in this way.

THE HON. E. T. HOOLEY: Any remarks of the Hon. Mr. Wright on a subject of this kind must command the attention of the House. He has more knowledge on this subject than anyone else; but he refers to the remedy persons

have at common law. Now, we know that last year several attempts were made to recover damages for injury to crops on lands adjoining railways, but it was found impossible to prove how the fire occurred. I think, therefore, that something should be done.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I shall be satisfied to say "an efficient spark arrester," if that will suit my hon. friend.

THE HON. G. W. LEAKE: I think it will be sufficient to say that they shall carry arresters which shall, as far as possible, prevent the emission of sparks, for it is impossible to call on the railway authorities to be absolute insurers against grass and crops catching fire. As far as the law is concerned it is this: engines may be constructed under statutes, and if the owners of them take every possible means of preventing the emission of sparks, or incandescent matter, which we call cinders, I do not think they would be liable if a conflagration took place.

THE HON. G. RANDELL: I am inclined to agree with the Hon. Mr. Wright, for I think the only efficient spark-arrester which can be placed on an engine should be a damper, for anything else cannot prevent the emission of sparks, and if we put the damper in, it is absolutely impossible for the engine to work. As to sending a jet of steam or water into the ash-pan, I think it is a very serious matter. It means the destruction of the fire bars and the expansion and contraction of the boiler. We are, in my opinion, going altogether too far. Every means possible should be taken to prevent damage resulting from sparks or live coals, but I think it would be sufficient if we said that a spark arrester which is the best of its kind should be used. I presume all engines carry some kind of spark arrester?

THE HON. J. A. WRIGHT: Yes.

THE HON. G. RANDELL: I believe a spark arrester has been made in the colony, and a number of gentlemen were invited, I think, to see it work. Perhaps the Hon. Mr. Wright may know something about it.

THE HON. J. A. WRIGHT: We did not get there.

THE HON. G. RANDELL: I believe it was a failure, like most others of its kind,

because it stopped the engine from doing its work.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I may say that this clause is principally aimed at contractors' engines which carry no spark arresters of any kind. I have received a letter from the Northam Council, which particularly requests that this Bill shall become law as soon as possible, on account of the damage which is being done by the engines used on the construction of the Yilgarn line. Might I suggest that we say that such a spark-arrester shall be used as shall be approved by the Commissioner of Railways.

THE HON. J. A. WRIGHT: I should say that that was a reasonable suggestion. On the Great Southern Railway we use the best spark-arresters we can get, and we have steam jets in the ash-pans.

THE HON. J. F. T. HASSELL: It seems to me that something should be done to stop the sparks flying out of the funnels. I think some kind of spark-arrester should be used.

Clause struck out.

THE HON. J. A. WRIGHT: It seems to me that there is a great deal too much verbiage about this new clause. It says, for instance, that the arrester shall be fixed on the chimney, but you cannot very well put it on the tender or on the cow-catcher. It appears to me that the whole of the first part of the Bill could be well eliminated, if power is given to the Commissioner of Railways and to private companies to burn on both sides of their lines. We might not only give the power to burn, but compel them to burn. As a matter of fact railway companies generally burn for their own safety, and I think owners of property alongside the line should be compelled to assist in the burning, or at all events not to oppose the burning.

THE HON. J. W. HACKETT: The history of this Bill is most unfortunate. It was introduced in another place, and was met with roars of laughter. It was then sent to a select committee, and, if report is to be trusted, the proceedings there were somewhat of a similar character. The select committee were, I believe, divided in opinion. They took evidence as to effect of spark-arresters, and some members were of opinion that any spark-arrester can also be described as a steam annihilator. Would it not be well for us

to have the evidence taken by that select committee before us before proceeding further with the Bill?

THE HON. J. MORRISON: I should like to know from the Hon. Mr. Wright, if in the event of members voting against Clauses 3 and 4, he intends to leave the remainder of the Bill as it stands. I am inclined to follow him and do away with the inspectors and the arresters; but I should like to know what he proposes to do afterwards.

THE HON. G. RANDELL: If we do away with the spark-arrester, the mischief which is being done by contractors' engines will still go on. Legislation is not necessary as far as the Great Southern Railway or the Government are concerned, and therefore I do not think any great amount of harm will be done if this clause is passed. It would certainly stop this reckless running on the part of contractors.

THE HON. J. A. WRIGHT: Everyone has his remedy, especially if it can be proved that ordinary precautions have not been taken.

THE HON. H. ANSTEY: Supposing a spark-arrester as is approved by the Commissioner of Railways is used, it seems to me that it would provide a loop-hole for escape, in case any damage were done.

Question—That the words proposed to be inserted in lieu of the words struck out be inserted—put.

Committee divided.

Ayes	...	...	...	5
Noes	...	...	...	9

Majority against ... 4

AYES.	NOES.
The Hon. J. G. H. Amherst	The Hon. H. Anstey
The Hon. B. W. Hardey	The Hon. D. K. Congdon
The Hon. E. T. Hooley	The Hon. G. Glyde
The Hon. G. Randell	The Hon. J. W. Hackett
The Hon. S. H. Parker	The Hon. E. Hamersley*
(Teller).	The Hon. J. F. T. Hassell*
	The Hon. G. W. Leake
	The Hon. J. Morrison
	The Hon. J. A. Wright
	(Teller).

Clause 4 also struck out.

New Clause:

THE COLONIAL SECRETARY (Hon. S. H. Parker): The clause I propose to insert in place of this is virtually the same as sub-section 3 of Clause 4 of the

* During this division the Hons. E. Hamersley and J. F. T. Hassell, after the tellers were appointed, crossed the floor with a view to voting with the Ayes. The Chairman (Hon. Sir G. Shenton) ordered their votes to be recorded with the Noes.

Bill as it came to this House; but I have provided that the Government may exempt certain portions of any railway, because it is obvious that the sides of lines running through towns cannot be burnt. I therefore propose that the following new clause be added to the Bill, to stand as Clause 3:—"The owner of every line of railway shall, yearly, at such time or times as may be prescribed, burn or cause to be burnt all the grass and herbage growing or being upon such line of railway. Provided, nevertheless, that the Governor in Council may, from time to time, order that any portion of any line of railway shall be exempted from the operation of this section. Upon the publication of any such order in the *Government Gazette* the portion of any line of railway so exempted shall not be subject to the provisions of this section so long as such order remains in force. Any such order may at any time be rescinded by the Governor in Council by notice in the *Government Gazette*."

THE HON. J. W. HACKETT: I think that the time or times and the manner of burning should be prescribed.

THE HON. J. A. WRIGHT: I think the proper time should be decided by the Railway Company or the Commissioner. It would be impossible this year, for instance, to specify a time. As a rule the burning is done in September, but this year the grass is all green.

THE HON. J. MORRISON: Even if we pass this clause, would it include contractors?

THE COLONIAL SECRETARY (Hon. S. H. Parker): Perhaps it would be better to draft a new clause.

THE HON. J. A. WRIGHT: I think it would be better to report progress, and in the meantime I shall be glad to consult with my hon. friend, which may lead to something being brought in which will meet with the approval of the House.

THE COLONIAL SECRETARY (Hon. S. H. Parker): This matter has occupied the attention of the Lower House for the last two years, and it has been pressed on the Government. A Bill was brought in, which was referred to a select committee, and there amended. I have taken the Bill and tried to put it in the best possible shape. This committee has now struck out the only way I know of

dealing with contractors' engines. We may report progress, but I do not see how we can amend the Bill. The object of allowing the Governor to prescribe the times for burning is so that if necessary a different period may be fixed for various districts, as the exigencies of circumstances require. If we leave the matter open some companies may burn, and others, who have not such a conscientious manager as my hon. friend Mr. Wright, may not take the trouble to do it. I have spent more time over this subject than it is worth, and I am not prepared to spend any more. As far as the Government Railways are concerned, every precaution is taken, and the grass alongside the lines is regularly and properly burnt, and if this House thinks it better to leave the matter open and put everyone to his common law remedy, we must bow to the decision. I have no objection to reporting progress, but I do not see what can be done with the Bill.

Question—That progress be reported—put and passed.

CONSTITUTION ACT AMENDMENT BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

The Order of the Day for the consideration of Message No. 30 from the Legislative Assembly having been read, the Colonial Secretary moved that the President do now leave the chair.

Question put and passed.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I beg to move that the Amendments Nos. 2, 4, 5, 6, 7, and 8, made by the Legislative Council in the Constitution Act Amendment Bill, with which the Legislative Assembly has disagreed, be not insisted on. As the Bill came to this House it enacted, by the 4th clause, that the future Council should consist of 21 elected members. This House struck out twenty-one and inserted eighteen, and in Clause 5 we struck out the words "electoral districts," so that the Metropolitan Division, instead of comprising the three electoral districts of Perth only, was made to include also the three electoral districts of Fremantle—making the six electoral districts one electoral province. In Clause 8, hon. members struck out the word "two" and inserted "three," which had the effect of increas-

ing the term of office for a member of this House from six years to nine years. I propose to deal with the amendments which are numbered 2, 4, 5, 6, 7, and 8 as one, because if the first of them is insisted upon, the others follow as consequential. The reasons given by the Assembly for disagreeing with the amendments are:—

1. That the proposed arrangement of placing Perth and Fremantle in one Electoral Province is inequitable, as there is about one-third of the population of the whole colony in these two towns, and therefore they should not be restricted to one-sixth of the representation of the whole colony. 2. It would tend to encourage undesirable friction between Perth and Fremantle, as the proposed representation would most probably result in Fremantle being unrepresented in the Legislative Council, by reason of the electors being fewer there than in Perth. 3. The reduction of the members of the Legislative Council to 18 instead of 21 would decrease its usefulness and power for good. I can hardly think that hon. members of this House desire to reduce our numbers, for the greater the number we are, the larger are our powers and the greater the influence of the House. I could quite understand the Assembly desiring to keep our numbers as low as possible; but I cannot comprehend this House desiring it. We were all in favour of increasing the number of delegates to the Federal Council from three to five, and the same arguments that were used in support of that proposition apply with equal force in this instance. I trust, therefore, that hon. members will see the force of retaining the number twenty-one as it appeared in the Bill when it came from the Assembly. The idea of hon. members when proposing to make Perth and Fremantle one electoral province was to prevent too great Radical representation in this House. It was thought that members returned by Perth and Fremantle would be representatives of purely Radical provinces, and it was therefore desired to keep the number of Radical representatives down to half what was proposed by the Government. I trust, however, that hon. members will bear in mind that the qualification for electors for this House is extremely high. An elector must be a leaseholder of the value of £25 per an-

num, or be a leaseholder of a house of the value of £25 a year, or a lessee of the Crown paying at least £10 a year; and this last was reduced from £25 in the interest of the settler, for certainly not many in Perth or Fremantle would qualify under this. Hon. members will agree that in the old Legislative Council the Conservative element was well and effectively represented, while the Radical element was almost entirely absent, and yet the qualification for an elector for that House was being a £10 householder. It is obvious, then, that the class of electors for this House under this Bill will be more limited than that which appertained as regards the old Council, for they must now possess double the amount of property. What fear, therefore, can there be that the members returned will represent the radical element? Surely hon. members do not imagine that because a person happens to reside in Perth or Fremantle he is likely to be more Radical than the members of this House deem desirable? At the present time we know that most of our members reside in Perth and Fremantle, and do we find them representing the Radical element? The mere fact then of members residing in these two towns is obviously no argument in this respect. Then I ask why these two towns, which represent one-third of the population of the colony, and certainly considerably more than one-third of the property and intelligence of the community, should not be duly represented in the Upper House? I trust hon. members will see the force of the reasoning contained in the Message from the Assembly, and that they will reconsider the decision they have arrived at, and will allow to Perth and Fremantle that which is common justice. I move, sir, that this House does not insist on its amendments 2, 4, 5, 6, 7, and 8; and I may point out that if hon. members desire to vote against this there is no necessity for any amendment to be proposed—they will simply vote against my proposition.

THE HON. E. T. HOOLEY: I must vote against the motion of the Colonial Secretary, and my reasons for so doing are exactly the same as they were on a former occasion. It seems to me that in the arrangement of these electoral provinces the country districts are not fairly represented. A great many hon.

members will agree with me that under different circumstances Perth and Fremantle might be entitled to three members each; but when we take into consideration that the country from the Arrowsmith to Wyndham is only allowed six members, it would be a great injustice to allow the towns to be represented in the way proposed. Take again the Moore River District and the districts south of that,—they are not represented to anything like the extent as is proposed for Perth and Fremantle. Then again I fail to see where any hardship comes in. Under our present Constitution Act Perth and Fremantle form one province. This has been the law for some time, and there has been no outcry against it up to the present, and our amendment simply leaves things as they are. I may say that as long as I am in this House I shall raise my voice against one district being benefited at the expense of others. Fully half the revenue of the colony comes from the districts beyond the Irwin, and those districts are to be represented under the Bill as it is proposed by only six members out of twenty-one. With regard to what has fallen from the Hon. the Colonial Secretary as to the power of this House being increased by larger numbers, I must say I fail to follow him. Whether we have 15, 21, or 30 members we shall have the same power of vetoing a Bill, and hence the argument will not hold water. I shall oppose the motion of the Hon. the Colonial Secretary.

THE HON. H. ANSTEY: As regards the argument of the Colonial Secretary that we are afraid that Perth and Fremantle might send Radical representatives to this House, I may say that it in no way affects me. I do not care whether members are Radical or not, so long as they do their duty properly. What I object to is that it seems absurd to make the boundaries of the districts for both Houses the same. If there were to be 33 members for this House and the electoral districts were made the same as those for the Lower House, we should have two Houses constituted in an exactly similar manner. The Constitutions of the two Houses were never intended or desired to be similar, otherwise there would have been no object in having two Houses. Suppose Perth and Fremantle send three members to the Lower House and three

to the Upper House, you might just as well shuffle them up like a pack of cards, for it would be a matter of indifference which members went to the Upper or which went to the Lower House. What we want is that the members of this House shall not represent any one spot, but the country as a whole. It is because I do not wish the Constitution of this House to be the same as that of the other House that I supported the amendment we made, and I can see no reason to alter my opinion.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Apparently the hon. member has not even read the Bill! He objects because, he says, the provinces are the same. Now this is exactly what the Bill does not provide. Perth does not return three members for the Lower House—East Perth returns one, West Perth one, and Perth (Central) one.

THE HON. H. ANSTEY: They are all the same.

THE COLONIAL SECRETARY (Hon. S. H. Parker): They are not all the same, and thus if we are to go by the hon. member's argument he will vote for the Bill as I wish to have it. There are three districts in Perth, and each is separately interested, and each district returns one member. So also in the case of Fremantle; and I may tell the hon. member that as regards the members for the three districts of Perth, they are sometimes not at all united in their actions. Their interests are quite opposed to one another; but under this Bill we propose to amalgamate them as regards the Upper House, and make one electoral province of the three districts. Then let me ask hon. members what it is this House is to represent? Surely not a vast area of land, which may have a considerable export of wool, but which is mainly inhabited by sheep, cattle, and stock? Members are not returned here to represent cattle and horses or huge areas of land. They are returned to represent people; and as Perth and Fremantle contain half the intelligence of the colony, surely it is a matter for grave consideration whether they should be represented or not. Apparently some members think that the sole consideration should be that of area. If so the Eucla division, with its vast area and its sparse population, should return the largest number of members.

We are not here to represent sheep or sand; we are here to represent people and intelligence. If we do not, what is our influence? I agree with the Hon. Mr. Hooley that we have the same power of veto whether we have 150 members or 21; but what I meant to convey was that our judgment and determination on any subject would have more force and more weight were the number of members increased, in the same way that a large body of persons of average intelligence must have more weight than a small one. I hope and trust hon. members will reconsider their decision and not insist on the amendments.

THE HON. J. F. T. HASSELL: Notwithstanding all that has fallen from the Colonial Secretary, I do not see anything to lead me to alter my opinion, and I shall vote as I did before.

THE HON. J. A. WRIGHT: I think that is an exceedingly able and proper way of putting the case, and for similar reasons I shall vote as I did before. I think, however, it is much better for us to swallow the Bill we have than to wait and have to swallow it later, when a great deal of the gilt is knocked off. It is better to have the Conservative Bill this is, than throw it out simply on the question of whether Fremantle is to have three members or not, and ultimately have to assent to a far more Radical one. The Hon. Mr. Hooley wishes area to be represented. I believe in one portion of the colony there are only 186 electors in all, and in the case of a contested election how many would come to the poll is a matter of conjecture; but, as regards Perth and Fremantle, nearly every member would roll up. We are asked whether we are to be under the Radical domination of Perth and Fremantle, but it seems to me that it is better to accept the devil we know than the devil we don't know, and the question is whether it is better to be held by Perth and Fremantle we know than by the North we don't know. I believe it will be better, although I am opposed, as hon. members know, to universal suffrage, to accept this on the principle of the old gentleman we know than throw it out and perhaps get something worse. I shall support the Colonial Secretary.

THE HON. J. G. H. AMHERST: Since this Bill was before us last I have had more time to consider the matter, and

to assure myself of various matters I did not quite understand before. Considering the way the Lower House has accepted our amendments, I do not feel inclined to insist on those they do not agree with. The Hon. Mr. Wright has put the matter in a very clever and argumentative fashion, and seeing that the Lower House has met us, I shall follow him and vote with the Ayes.

THE HON. J. W. HACKETT: I think we are indebted to the Lower House for the courteous way in which they have met us. We owe a debt of gratitude to them for coming forward as they have, and meeting us in a manner which was most conciliatory, and in the utmost spirit of compromise, in order to bring about a final settlement of a matter which involves the true welfare of the country. It is, perhaps, ill at this time to thrash over again the long series of arguments which were submitted to this House on the various clauses of the Bill during several days. It may be that it is hardly possible to add anything more to them, although, perhaps, I may recall to the minds of hon. members some of the stronger points which were made during the debates. My hon. friend the Colonial Secretary has again pressed the point as regards the larger number, and I do think that it deserved more attention than it received at the time when we divided and found ourselves in a small minority. There is no question that the House suffers, at the present time, by the smallness of its numbers. In the first place, it cannot be said to be as truly representative as it would be if the number were increased. The more members we have, the more views and arguments will be brought to bear upon any question. There is another aspect of this matter: the smaller the number of members the more important does each individual member become. The House loses, but the individual gains, and this means that it is in the power of two or three members to affect every division. Surely this is not desirable. While, of course, it is pleasant for us to feel that we possess this influence individually, we suffer as a whole, and just in the ratio that the individual may pride himself on having more weight, so the House loses. If the House were larger we could say that all sides of a question had been

put before us by members representing the divers interests of the country, and more weight would attach to our decisions. Even if it be necessary to disfranchise Fremantle, I think 21 members is the smallest minimum this House can carry on with and do its work with the approval and appreciation of the general body of the public. I leave this question, and come to the Hon. Mr. Hooley's argument. I was astonished—I might say I was indignant—to find that his main reason for keeping the two towns of Perth and Fremantle in one electorate, was that the same provision was to be found in the existing Constitution Act. I say that Act in no way represents the colony. It was passed four years ago, and it did not represent the opinions of the colony then, and even if it did, Western Australia has since then been altogether transformed. That Act represented the five gentlemen who were delegated by Downing Street to undertake the management of the colony. I decline to follow the Secretary of State, who, with his clerks, knew as much about the colony, if as much, as the new chum who only landed the day before yesterday; and I go as far as to say, that however excellent their intentions may have been, their ignorance of the feeling of the country, as shown by the rules laid down for us in that Act, proves that the arrangement was an injudicious one. I do trust that if appeal is to be made to precedent, it will be to something more than the opinion of the Secretary of State. Then my hon. friend (Mr. Hooley) says that the country north of the Arrowsmith returns half of the revenue of the colony, but against statements like these this House has every right to protest. The hon. member stands up and delivers himself of a most remarkable and erroneous statement, and then asks the country to accept legislation founded upon it. I will not, however, follow the hon. gentleman in his statement. If he looks into the matter he will find that he is 50 per cent. out. The revenue of this colony is principally derived from the Customs, and from which we expect about £300,000 this year.

THE HON. J. F. T. HASSELL: From loans.

THE HON. J. W. HACKETT: Customs returns and loans are not the same thing.

THE HON. J. F. T. HASSELL: Indirectly.

THE HON. J. W. HACKETT: Certainly when loans bring progress to the colony, but we must have produce to support it. The Hon. Mr. Hooley said that half the revenue was derived from the district north of the imaginary line of the Arrowsmith, but he will find that one-fifth is nearer the mark, and I must strongly protest against this House being asked to accept such statements and to legislate in a retrograde manner on such a foundation. My hon. friend Mr. Anstey has been effectively answered by the Colonial Secretary. He said that Perth returned three members to the Lower House, and so did Fremantle, and that each town would also, if this Bill was agreed to, return three members to the Upper House. The Colonial Secretary told him that he did not appear to have read the Bill, or he would not have made such a statement; and I may ask the hon. member why he does not act consistently, and also protest against three members being returned to the Upper House for the South-Eastern Districts, seeing that those districts also return three to the Lower House. If he argues that Perth, with its 12,000 inhabitants, and Fremantle, with its 7,000 or 8,000, should be amalgamated and have only three members, he should be consistent and urge that the South-Eastern districts, with their population of 5,000, should also be amalgamated.

THE HON. H. ANSTAY: Amalgamate the whole lot.

THE HON. J. W. HACKETT: Yes, why not? I do not, however, want to argue these points, for it seems to me that the reasons already given are overwhelming. I have not touched on the reasons given by the Assembly; but there can be no doubt that if these amendments be insisted on, friction, ill feeling, and jealousy will increase to such an extent, when it is found that Perth swallows up the entire representation of the metropolitan province, as she is bound to do if a little common sense be displayed and a little management used, that we shall have, at the very next session, to pass a Bill giving Fremantle the representation she is entitled to. I do hope this House will endeavour to meet the Lower House in a better spirit and not insist on the amendments which the Assembly, for very sound and valid reasons, say they cannot assent to.

THE HON. H. ANSTEY: I do not agree with my hon. friend that there is likely to be the great friction the hon. member refers to, and I think such arguments are only used as bug-bears to frighten people. The electors look to their representatives in the Lower House, and do not care so much who their representatives in the Upper House may be. The Hon. Mr. Hackett has made an able speech, but if he thinks over it he will see that there was nothing in it.

THE HON. D. K. CONGDON: The Hon. Mr. Anstey seems to think that there is nothing in the argument that if Perth and Fremantle were merged into one province ill feeling and animosity would be created. I am quite sure that the people of Fremantle will feel very much disgusted at being disfranchised, as they will be if these amendments are insisted upon, and it is very certain that a good deal of friction will arise. Certainly the people of Fremantle would never consent to be wiped off the State altogether. It is patent to everyone that at the elections the larger voting power of Perth would enable that town to elect the whole of the three members, which would be both unfair and unjust. I shall, therefore, vote with the Colonial Secretary.

THE HON. G. RANDELL: I would only say that it strikes me that if the Council insists on its amendments we shall be proceeding against the general train of legislation in modern times, by ignoring individuals and emphasising broad acres and stock. I do not think this is a right and proper way to proceed, and I cannot, therefore, bring myself to vote in such a way. The Hon. Mr. Anstey says he would like to see the whole of the provinces amalgamated; if so, let it be done in this Chamber. Members will be elected for different parts of the colony, and will come here to argue out the different subjects and legislate for the benefit of the colony, having regard to various diverse interests; but if we make one province of the whole colony, I can see that many and innumerable difficulties will arise. It seems to be forgotten that the franchise for this House is totally different to that of the Lower House, and that as far as we are concerned every safeguard in the Conservative interest has been provided. The House should exer-

cise a judicial position, and I think that, by extending the number of members, we shall, as the Colonial Secretary has said, increase the prestige of the House. A large number of men must have more power in debate and influence than a small number, otherwise we might as well go back to the old state of things, when the Governor was the supreme authority, and could invariably have his view carried out. There seems to me to be far more likelihood of the North sending a body of men to the House who will exercise a greater influence in the House than will the six members from Perth and Fremantle, for the latter will represent diverse interests, which is not likely to be the case as regards the Northern members. I look on the Northern electorates somewhat in the light we regard pocket boroughs. A few people there can select their candidates, and it will be impossible for the remaining parts of the constituency to carry the elections against them. I think it is a most illiberal thing to limit Perth and Fremantle to three members between them, and at the same time give 186 electors the same number of members. I have thought over this matter well, and I can see that members in voting for this limitation are animated by a desire to retain the Conservative element in this House as much as possible. I can appreciate their sentiments; but at the same time I do not think we should go to extremes. As the Bill stands we have as near a Conservative measure as is wise, and if we insist on the amendments the result will be that the Bill will be thrown out, and when the next one comes to us it will be of a still more sweeping character. I shall, therefore, vote as I have done before.

The committee divided on the motion that the amendments of the House be not insisted upon.

Ayes	...	...	...	7
Noes	...	...	...	7

AYES.	NOES.
The Hon. J. G. H. Amherst	The Hon. H. Anstey
The Hon. D. K. Congdon	The Hon. G. Glyde
The Hon. J. W. Hackett	The Hon. E. Hamersley
The Hon. R. W. Hardey	The Hon. J. F. T. Hassell
The Hon. G. Randell	The Hon. G. W. Leake
The Hon. J. A. Wright	The Hon. J. Morrison
The Hon. S. H. Parker	The Hon. E. T. Hookey
(Teller).	(Teller).

THE CHAIRMAN (Hon. Sir G. Shenton): The voting being equal, I shall

follow the ordinary Parliamentary practice and vote with the Noes, in order to give further time for consideration.

Motion negatived.

THE HON. E. T. HOOLEY moved that the amendments be insisted on.

Question put and passed.

At half-past six o'clock, p.m., the Chairman left the chair.

At eight o'clock, p.m., the Chairman resumed the chair.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I now move that the committee does not insist on its amendments, numbered 10 and 11. We resolved, it will be remembered, that the members of the Legislative Council of the future shall be elected for nine years instead of six years as proposed by the Legislative Assembly. The reasons given by the Legislative Assembly for not agreeing to the longer term are:—“(1) The extension “of the term of office of a member of the “Legislative Council to nine years instead “of six, as proposed by the Legislative “Assembly, is considered to be unduly “long, and such extension would probably “tend to make members indifferent to “the wishes of their constituents, and “possibly would result in less attention “being given by members to their duties. “(2.) The period of nine years is more “than double the term for the Legislative “Assembly, and it is considered that six “years, which is one-and-a-half times “greater than the term for the Legislative “Assembly, is a reasonable and sufficient “period of office, and would give great “stability and independence to the mem- “bers of the Legislative Council, who are, “besides, not liable to be dissolved, as is “the case with the Legislative Assembly.” I do not intend to add much to these reasons, but I will ask hon. members whether they suppose that any man who contests an election for the Legislative Council will get in, if he favours a nine years’ tenure, against his opponent who pledges himself to have the period altered to six years. It is obvious he would have no show. These highly qualified electors will not be such fools as to put a man in for such a term as will make him independent of them, and which will be almost returning him for the rest of the

term of his natural life. Six years, it must be borne in mind, is a long time in the life of anyone, and unless a member is frequently in touch with his constituents he may be altogether out of accord with their views. If we make the period nine years, it will in many cases mean the entire political life of the member. We desire to see in this House members of mature age, who can give us the advantage of the experience and wisdom which has been gained by years, but if we make the tenure of so long a duration, they may altogether disregard the wishes of their constituents, intending, after the term is up, not to seek re-election. True, members are not to change their views as the views of their constituents change; but I certainly think that if a member finds himself out of accord with his constituents it is his duty to resign. Members are not here to represent themselves, and when they find they are not in accord with the views of those who elected them, it is their duty to resign and give the electors a chance of returning some other person who can represent them. I should be sorry to see any member sacrifice his views to his constituents; but, at the same time, he must bear in mind he is returned to represent them. What will a member who is returned for nine years care about his constituents? He will say: I am not going to seek re-election, and while I am here I shall represent myself and my own views only. In order to prevent this, the term is fixed for the Lower House at four years, and there dissolutions are liable to occur, and members may lose their seats, having, perhaps, only just been elected. But no dissolution can affect this House, and therefore, if we make the term nine years, members will be apt not to represent their constituents, but will be guided by what they themselves think is to their own interest and advantage. I believe no reasonable man will dare contest an election and advocate his return for nine years. I move that the committee does not insist on its amendments 10 and 11.

Committee divided.

Ayes	...	...	...	8
Noes	...	...	...	6
				—
Majority for	...	...	...	2

AYES.

The Hon. J. G. H. Amherst
The Hon. H. Anstey
The Hon. D. K. Congdon
The Hon. J. W. Hackett
The Hon. R. W. Hardey
The Hon. G. Randell
The Hon. J. A. Wright
The Hon. S. H. Parker
(Teller).

NOES.

The Hon. G. Glyde
The Hon. E. Hamersley
The Hon. J. F. T. Hassell
The Hon. E. T. Hooley
The Hon. J. Morrison
The Hon. G. W. Leake
(Teller).

Question—That the Amendments Nos. 10 and 11 be not insisted on—put and passed.

Resolutions reported.

The President resumed the chair, and reported that the committee had considered Message No. 30 from the Legislative Assembly, and had agreed to insist on its amendments Nos. 2, 4, 5, 6, 7, and 8, and not to insist on amendments Nos. 10 and 11.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved: "That this House informs the Legislative Assembly that it insists on amendments 2, 4, 5, 6, 7 and 8, and does not insist on amendments 10 and 11."

THE HON. J. W. HACKETT: I move, as an amendment, that this House does not insist on any of its amendments. Once more I would appeal to hon. members. There is now only one point standing between us and the Legislative Assembly, and I do ask hon. members to try and meet the Lower House. Are we to insist, and protract the session, by spending many days in a further discussion of this matter, and occasion much friction on a question whether Fremantle is to have representation or not? I do ask hon. members to reconsider their decision.

THE HON. J. G. H. AMHERST: I have great pleasure in seconding the amendment. I feel that the House has met us in a generous way, and I do not see why we should bring ourselves, at this stage, in opposition to them.

THE PRESIDENT (Hon. Sir G. Shenton): Before putting the question, I shall avail myself of my right to speak. I do ask hon. members to carefully consider this question. It has been said by previous speakers that the amendments made by this House have been received in a most generous spirit by the Lower House, and now there is only one question in dispute between us. Even on this question there is an even vote in the House, and in a case where our future constitu-

tional history depends upon this Bill, I ask is it right to throw it out where there is an equality in the voting? It has been said that there always has been and is a strong political feeling between the two towns of Perth and Fremantle, and now, if the Bill is passed with the amendments, Fremantle will virtually be disfranchised. Perth has the larger number of voters, and will, of course, be able to return three members, and I ask is this fair to Fremantle? Again I ask, do hon. members think that Fremantle would remain quiet under such circumstances? Would they not rouse up, and would not the whole colony go with them in demanding at our next session they should be given proper and fair representation? In this House opinion is equally divided. If this Bill had only been passed by a small majority in another place, perhaps hon. members might have more reason to insist upon their views; but we must bear in mind that it has been sent to this House without a division being called for elsewhere, and we should therefore hesitate before we take the responsibility of what amounts to throwing it out.

THE HON. G. W. LEAKE: Are we, sir, a parcel of children? Do we vote here from mere impulse, and not from conviction? We are asked to recall our votes because we are told something about the Lower House having done this, that, and the other unanimously; but we have discussed the matter and considered it, and I do not think the Lower House has. Why should they not give way? Why should we give way or be threatened with friction and all sorts of other combustibles by the Hon. Mr. Hackett if we do not? Why should we be almost implored, as if the welfare of the Upper House depended upon it? We are at least equal, as a deliberative Assembly, to the Lower House, and why should not they give way? Are we less sensible than they? Surely not. We have had all the gravity of the President leaving his seat and imploring us as if we should never have another opportunity. Suppose we have not, whose fault is it? I think it is a case in which the Lower House should give way. Why should we be twitted with, what shall I call it?—not exactly a want of sincerity, but a want of sense—in not seeing that august body, the Lower

House, override us a parcel of children. I shall exercise my own discretion and vote as I have done before. I shall not say, "Stick to our colours, we will not give way," but I say we have our opinions. We have our opinions as to universal suffrage, and this Bill is trying to force universal suffrage on both Houses under pain of creating friction and all such things as that. I shall vote in favour of—

THE HON. J. A. WRIGHT: In favour of what—sticking to your colours?

THE HON. G. W. LEAKE: Yes.

THE HON. J. A. WRIGHT: The expression you would not use.

THE HON. G. W. LEAKE: I dare say I shall have the mature wisdom of the Hon. Mr. Congdon assailing me; but I say we have heard no additional reasons given why we should not vote as we have done in the past.

THE COLONIAL SECRETARY (Hon. S. H. Parker): My hon. and learned friend says that some men vote from impulse. I believe some do. He also said that the matter had been discussed here, and he insinuated that it had not been discussed in the Lower House. I have been here all the time this matter has been under consideration, but all the discussion I have heard has been on one side—on our side. The hon. member and those who voted with him used no argument. The only reasons urged were such as those used by the Hon. Mr. Anstey, and which showed utter ignorance of the subject; while others did not discuss it at all, but simply voted against the Bill. All the argument has been one way. Because a man changes his opinion after hearing argument he is not supposed to be a child, as the Hon. Mr. Leake thinks. One of the most renowned men who ever lived is stated to have said, "Show me a consistent man and I'll show you a fool." The opinions of most men advance from year to year as they grow older, and what they thought to be correct views last year they do not think correct now. Man changes as his wisdom increases, and it is not because any one voted in a certain way, without due consideration, he should not vote another way, if it is shown to him that it is better he should. If he votes as he did before, after he is shown to be wrong, it is then he is the fool and the child the hon. member refers to. Now

what is the sole question in dispute? We are asked to say that the Upper House shall consist of twenty-one members and that three of them shall be allotted to Fremantle. Together Perth and Fremantle have one-third of the population of the colony, and I should like to know what valid reason there can be for disfranchising the latter? I deny that any reason whatever has been given for it. Why should it be so? Is it to be because members voted on a previous occasion against it, or because they are acting on impulse? Why is it? Is it because some members who come from Albany do not like Fremantle?

THE HON. J. A. WRIGHT: I object to that.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I did not say all.

THE HON. J. W. HACKETT: From an unworthy jealousy.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Why should not Fremantle be represented? Anyone who considers the matter for a moment must see that the 2,000 voters in Perth must outvote the 1,100 voters of Fremantle. Suppose the President, the Hon. Mr. Randell, and myself put up to represent the Legislative Council, would any Fremantle man have a show against us? Why, we should be returned for a certainty. The Fremantle men would vote for the Hon. Mr. Congdon and other local candidates, but the larger number in Perth would outvote them. There has been absolutely no argument used in favour of this. The nearest approach to anything of the kind was the statement of the Hon. Mr. Hooley that the North was not properly represented; but that is merely tantamount to saying, because you have spited the North, we will take away one of your constituencies. The Hon. Mr. Hooley knows very well that a number of persons who live in Perth and Fremantle have as much interest in the North as those who reside there; in fact the people here virtually possess the stations in the North.

THE HON. G. W. LEAKE: The banks.

THE COLONIAL SECRETARY (Hon. S. H. Parker): We have only to look at the register of leases, or the register of bills of sale, to see whose names the properties are in.

THE HON. J. W. HACKETT: Dalgety & Co.

THE COLONIAL SECRETARY (Hon. S. H. Parker): They are in the names of the people here and in the names of the companies represented here.

THE HON. J. W. HACKETT: And they hold the Northern members in their hands.

THE COLONIAL SECRETARY (Hon. S. H. Parker): If Perth and Fremantle returned every member, does anyone suppose that the North would not be represented? Unless they did their utmost to advance the interests of that portion of the colony, they would suffer far more than those who reside on the stations. I ask my hon. friend whether he supposes, if Fremantle returns three members, they will be opposed to the North? I am sure he would tell me they would not, and I say that on the contrary they would have more interest than those who reside there. If that be so, surely we are not going to adhere to our resolution purely out of jealousy to the Lower House, especially when they have met us in every way except this. They have conceded to us the right to amend Money Bills, a practice which has always been objected to by Lower Houses. This shows that there is no pique on the part of the Lower House; and I would ask hon. members whether it shows that there is any idea on the part of the Lower House to override us? They have sent back our amendments, with reasons for dissenting from them, and is it not reasonable that we should consider them and try to bring ourselves in accord with their views? I ask hon. members to do so, and I trust that we, as reasonable beings, who are actuated by reasonable motives, will do so, and give way.

THE HON. G. RANDELL: The Hon. Mr. Leake said why should not the Lower House give way, and I think the reason may easily be supplied. It is because there was an almost unanimous vote in the Lower House, whilst we are equally divided.

THE HON. J. W. HACKETT: They were unanimous on this amendment.

THE HON. E. T. HOOLEY: After what has fallen from the Colonial Secretary I feel I must say a few words in defence of the Northern settlers. In effect he says that the whole of the settlers have parted with their property, and that

it has passed into the hands of the banks and financial institutions. Such a statement seems very hard on those who have been overtaken by a calamity. On account of the recent drought many have been compelled to mortgage their securities in order to enable them to carry on and fence their runs; but because of this it is not fair to say that they have parted with their rights in the stations. I maintain that those settlers who have thought it right to borrow money to improve their property and restock have acted judiciously, and it is not right that we should cast a slur upon them because they have done the right thing.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I only used the argument to show how interested the South was in the North. I know that it is largely in consequence of the drought that these men have had to borrow money, but the result has been to make the South more interested in the properties.

THE HON. E. T. HOOLEY: I am glad so many in the South are interested in the North. It is said that Perth and Fremantle will only have three members between them; but they will really have eight or ten, for many residents in these two towns will represent Northern constituencies.

THE HON. H. ANSTEY: I wish to repudiate the insinuation of the Colonial Secretary that any opposition on the part of this House is engendered by any feelings of pique against the Lower House. Such an idea never entered my head, and I repudiate it entirely.

THE HON. J. MORRISON: I did not intend to say any more on this Bill after the resolution I tried to carry on the third reading. Hon. members opposite are mistaking the real feelings of many of us who are voting against this Bill. As far as I am concerned, I consider it a bad Bill and one which will be the beginning of—

THE COLONIAL SECRETARY (Hon. S. H. Parker): The question of the Bill is not before the House. The point is, will we agree to these amendments?

THE HON. J. MORRISON: We are accused of going blindly to work, and with being foolish if we do not change our votes. So far as I am concerned, I consider it a bad Bill.

THE PRESIDENT (Hon. Sir G. Shenton): The hon. member must speak to the amendment.

THE HON. J. MORRISON: I am giving a reason for my vote. I shall do all I can to prevent this Bill becoming law. I will not say there are not good arguments against disfranchising Fremantle, but what we wish is to do our utmost to stop the Bill, which is a bad one, from passing. We object to the principle of the Bill as a whole, and especially that part of it which relates to six months residence being sufficient to entitle a man to vote. The Bill is not what it is represented to be.

THE HON. J. W. HACKETT: The Hon. Mr. Hooley points out that Perth and Fremantle will be represented by persons elected for other parts of the colony; but I would remind him that if these districts are not allowed proper representation their representatives will be driven to other electorates and prevent local men being returned. The position is this: we sent to the Lower House a number of amendments, and, with the exception of two, the Assembly fell in with them. One of them we have now conceded, and the only matter between the two Houses now is whether Fremantle shall be disfranchised or not. The Lower House was unanimous that it should not be, and we were equally divided. That being so, I ask hon. members is it worth while perpetuating this conflict, especially when, after the next election, we shall be bound to give way?

THE HON. J. A. WRIGHT: And get a worse Bill than we have now.

Council divided.

Ayes	...	...	...	7
Noes	...	...	...	7

AYES.
THE HON. J. G. H. AMHERST
THE HON. D. K. CONGDON
THE HON. J. W. HACKETT
THE HON. R. W. HARDY
THE HON. G. RANDALL
THE HON. J. A. WRIGHT
THE HON. S. H. PARKER
 (Teller).

NOES.
THE HON. H. ANSTAY
THE HON. G. GLYDE
THE HON. E. HAMERLEY
THE HON. J. F. T. HASSELL
THE HON. G. W. LEAKE
THE HON. J. MORRISON
THE HON. E. T. HOOLEY
 (Teller).

THE PRESIDENT (Hon. Sir G. Shenton): The voting being equal, I must follow the Parliamentary practice and vote with the Noes, in order to give further time for consideration.

Amendment negatived.

Question—That the report be adopted—put and passed.

HOMESTEADS BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): For some time past there has been a desire, not only on the part of the Government but also on the part of the people of this colony, to promote, as far as possible, the settlement of the land. We know that agricultural settlement, unless fostered to a considerable degree, is a very slow process, and when persons have to go perhaps miles away from a townsite and bury themselves in the bush, and take up virgin soil, and fence and clear it, we are all aware it requires people of considerable courage and energy to undertake the task. Under our present Land Regulations, which are, admittedly, of a very liberal nature, settlement has progressed to a certain degree. Many acres of land have been taken up and brought into cultivation, but notwithstanding all this the process of settling the soil has not progressed at such a rate as the Government and the people have desired. Under these circumstances, the Government, last session, introduced a measure to promote that which everyone wished to see—the permanent settlement of the soil. That Bill did not meet with the success that was anticipated for it in the Lower House, and consequently it did not reach this House. We have now before us a measure which has already been passed by the Legislative Assembly, and which is entitled an Act to facilitate permanent settlement by homestead farms and leases. The Government trust, if this House approves of the measure, to induce many persons to take advantage of its provisions and take up and improve some of our land, and it is hoped it will also have the effect of preventing people swarming into the towns. Everyone will admit that the greater area we can get under cultivation and settled, the greater must be the progress of the colony. It is an axiom of political economy, that all taxation eventually falls on the land, and therefore if we wish to see a prosperous colony, we must see our land brought into cultivation—we must see it producing those cereals and other necessities of life, which we now, I regret to say, import so largely from abroad. Gold may bring temporary success and induce a large population, but if we really desire permanent success—if we wish to see this colony take its stand

as one of the great Australian colonies, and rank with her sisters, we must have a large agricultural population. It will be observed by this Bill that the Governor may define certain homestead farms, and that every male person above the age of eighteen years may select one of these farms, which shall contain an area not exceeding 160 acres. This selection is limited to persons who have not already more than 100 acres of fee simple land in the colony. The object of the Government is to give the person of small means an opportunity of taking up land on extremely favourable terms and improving it. Under the Bill, the person who takes up a homestead farm is called a selector, and once he has entered upon possession, his land is protected against an execution, until he has obtained the Crown grant. Within six months after a person obtains the approval of the Minister to his selection, he must reside upon the land, and he will be compelled to live upon it for six months out of every year for the first five years of his occupation. Within at least two years he will be obliged to expend £30 in the erection of a house, or in clearing and grubbing, or he may expend the money in preparing two acres of the land as an orchard or vineyard; and the probability is that the man who takes up suitable land, and expends his money in this way, will ultimately receive a larger return than he who determines to cultivate cereals only. Then within five years the selector must fence at least one-fourth and clear and grub one-eighth of the whole land, and within seven years he must fence the whole, and clear and grub one-fourth. Then there are certain provisions for forfeiture. If a man does not comply with the provisions I have stated his land will be forfeited. As I have said, until a selector has obtained his Crown grant, which he cannot do until all the conditions are complied with, his land cannot be taken in execution, and it is further provided that during the period I have named no assignment or mortgage shall be valid. In other words, the Government proposal is to give a man 160 acres of land and to compel him to reside on it, cultivate, improve, and fence it, and to protect him against any execution by the sheriff, or any transfer or mortgage by himself, until he obtains the Crown grant. After seven

years, if the selector has performed all the improvements and conditions, the Crown grant will issue, and then he may deal with the land in the same way that every other owner of land can. There is a provision, however, that a selector who has resided on the land for twelve months may obtain the Crown grant by paying five shillings an acre. It may be that a number of persons will take up homestead farms contiguous to one another, and when that is so the Government propose to waive the condition of residence on the farms, provided the selectors live upon what are called village lots. Under the Bill, provision is made for the laying out of village sites when there are not less than twenty families who have taken up homestead farms contiguous to one another. In such place each selector will, in addition to his farm, be entitled to a village lot, and residence on such lot will count as residence on the farm. The selectors will, therefore, by this means have the advantage of schools, and association with their fellows, and at the expiration of the time every person who has fulfilled the conditions necessary, in regard to his farm, will not only be entitled to the Crown grant of the land comprising the farm, but also to the Crown grant of his village lot, without any further payment. These are virtually the conditions of the Bill. I do not see that any more reasonable inducement can be offered to people to settle and cultivate the soil, but if any hon. member can suggest a better mode, I am sure we shall all be glad to adopt it. This Bill also deals with another subject. It is provided that the Government may set apart any lands in the South-Western, Eastern, and Eucla divisions, if situated within 40 miles of a railway, for homestead leases, and the land so set apart shall be classified as second and third-class land. Any person may take up a homestead lease of not more than 5,000 acres of second-class land, and not more than 10,000 acres of third-class land, but no lease will be less than 1,000 acres. The rent shall be one penny per acre per annum for the first fifteen years of the lease, and twopence per acre per annum for the remaining fifteen years, for third-class lands, and twopence per acre per annum, for the first fifteen years, and

threepence per acre per annum, for the remaining fifteen years for second-class lands, the term of the lease in each instance being 30 years. These leases may be granted to anyone above the age of eighteen years, subject to certain conditions. It is provided that the lessee shall pay half the cost of survey, in five yearly instalments, and within six months of the approval of his application for the lease, he must take possession of the land, and within two years he must fence half the area, and within the next two years the remaining half, and he must reside upon it, either by himself or his agent, for five years. It is further provided that if the lessee duly pays his rent and keeps the exterior fence in good order, and has otherwise complied with the conditions, he shall be entitled, at the end of his term of the lease, to a Crown grant of the land. It is further provided, that after five years from the granting of the lease, the lessee, upon proving to the satisfaction of the Minister that he has complied with all the conditions, shall be entitled to a Crown grant of the land, on paying the difference between the amount paid as rent, and the price of 6s. 3d. per acre for second-class land, and 3s. 9d. for third-class land. It will be observed that a man who takes up a homestead lease will have to incur considerable expense. At present the land is let for a small rental of twenty shillings per thousand acres per annum, but under this Bill a man will have to pay twopence per acre, per annum, for the first fifteen years and threepence per acre for the remainder of the term for second-class land, and will have to fence it and improve it. I hope, however, that this provision will be taken advantage of. There is good deal of land in the colony that can only be called second or third-class land, and if we can only induce persons to take it up and improve it, it will no doubt be a good thing for the colony, as it must tend to largely increase the carrying capabilities of the land for stock, even if we do not consider its agricultural capabilities. It is further provided by this part of the Bill that no transfer of these leases shall be held valid until after the expiration of five years, and then only on the approval of the Minister. Some slight alterations in the present Land Regulations are also provided for. For instance, Clause 46 of

the present law is repealed, and Clause 33 of this Bill is substituted for it. There is also an amendment to Clause 49 of the Land Regulations, and there is a provision by which the Minister may appoint agents to facilitate and assist in the sale of Crown Lands. I do not think, however, I need go into these matters at this stage. This Bill has occupied a considerable time in the Lower House, and I have no doubt that hon. members who have listened to or who have read the discussions which have taken place are probably more acquainted with the arguments for and against its main provisions than I am. I need only say, in conclusion, that I commend this Bill to hon. members as being an honest attempt at settlement of the soil, and I trust its effect will be to bring about that which the present Land Regulations have not succeeded in doing. I move that the Bill be now read a second time.

THE HON. J. W. HACKETT moved the adjournment of the debate.

Question put and passed.

TARIFF BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): In rising to move the second reading of this Bill, I may remind hon. members that it is a Money Bill, and that it is our province, under the law as it stands at the present, to either pass it or reject it as a whole. We have no power to amend it. Under these circumstances, I shall be willing to agree to the postponement of the debate at this stage, because it is obvious that our functions cease after the second reading. The committee stage, on a Money Bill, in this House is a mere form, because we can move no amendment. I do not intend to go into the various items, or to explain the alterations that have been made in the tariff or to give the reasons for such, because I think that the question of the tariff is the particular province of the representatives of the people. At the present time this House is nominated, and does not represent the people. When we become elected, we shall in like manner become responsible, but under our present Constitution I do not think it falls within our province to interfere with such a measure as this. If we think it radically wrong, and should not be passed, we

should vote against it as a whole, but if not, it seems to me to be our duty to pass the Bill. To go into all the items will take a very considerable time, and I do not know that I am so much acquainted with the alterations, or reasons for them, as other hon. members. I shall, therefore, content myself with moving that the Bill be now read a second time.

THE HON. G. W. LEAKE: I think it would save the time of the House, especially as there is no violation of principle involved, if we pass this Bill through all its stages. We know as much about it as we are likely to know, and we are powerless to amend it.

Question—That the Bill be now read a second time—put and passed.

IN COMMITTEE.

Clause 1.—“Repeal”:

THE HON. J. A. WRIGHT: I can hardly share in the opinion of the Hon. Mr. Leake, for I think a good deal can be said upon this matter, although I am quite of opinion that we must either accept it or reject it *in globo*. I think a matter of such importance should hardly be taken at this late hour. I move that we report progress.

THE COLONIAL SECRETARY (Hon. S. H. Parker): On the second reading is the time to object to the Bill.

THE HON. J. A. WRIGHT: We can reject it at any stage.

THE COLONIAL SECRETARY (Hon. S. H. Parker): But the second reading is the proper stage. There is no advantage in postponing it now.

THE HON. J. A. WRIGHT: I was astonished to find the second reading passed as it was. However, as I do not agree with the Bill, I shall speak to it on the third reading. I withdraw my motion.

Motion, by leave, withdrawn.

Clause agreed to.

The remaining clauses were agreed to. Schedule:

THE HON. G. RANDELL: I have several suggestions to make, which, I think, will improve the Bill.

THE HON. J. A. WRIGHT: We cannot amend the schedule.

THE HON. G. RANDELL: We can make verbal alterations, I take it. There are anomalies, which press hardly on several industries, especially printing. I

may mention that plain cards for printing are charged 20 per cent., while bill-heads and illuminated cards come in at 15 per cent. If the tariff is intended to encourage local industry, it is doing it with a vengeance. Then there is a description in reference to timber, which seems to be a mistake. The schedule says “rough and hewn.” I take it that what is meant is blocks, sawn and hewn, in the rough. It is especially desirable, for the sake of the Collector of Customs, to have proper descriptions. I think the Tariff, as a whole, is very little improved, if any, on the old one, except that it defines a larger number of articles.

THE COLONIAL SECRETARY (Hon. S. H. Parker): When I moved the second reading, I pointed out that we could not amend the Bill, and that the committee stage was a mere formal matter. I will again point out that we can do nothing at this stage, and if hon. members wish to reject the Bill, they can do so on the third reading.

Schedule passed. Bill reported.

THE COLONIAL SECRETARY (Hon. S. H. Parker): As this is a question which ought to be settled at the earliest opportunity, inasmuch as an unsettled Tariff causes great inconvenience, I shall ask hon. members to suspend the Standing Orders, to enable the Bill to pass through its remaining stages.

THE HON. G. RANDELL seconded the motion.

Question—That the Standing Orders be suspended—put and passed.

THIRD READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Bill be now read a third time.

THE HON. J. A. WRIGHT: I have to express my regret that this Bill should have been sprung on the House at this late hour of the evening. The Bill will cause increased taxation to the extent of about £30,000 a year. It is a measure introduced in the Assembly to please the fads of some people. It was referred to a select committee, who brought in a report which was studiously avoided by the Government. It has been a question throughout of there being nothing like leather, and everyone who had a grievance or trade to be protected thought nothing of the good to the colony, but only how

he was going to protect his own pocket. Notwithstanding this, it has been rushed through this House, and we are asked to swallow it and get rid of it. For my part I must oppose it, although I know that my opposition cannot amount to much.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The Order of the Day for the second reading has been on the Notice Paper for some time, and the rule is that Bills relating to taxation are dealt with by the House at once.

Question—That the Bill be now read a third time—put and passed.

PUBLIC INSTITUTIONS AND FRIENDLY SOCIETIES LANDS IMPROVEMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Last year an Act was passed which gave power to certain institutions to borrow moneys to improve their lands, and this Bill is brought in to amend it, so as to give institutions or associations having for their object the encouragement of cricket and athletic sports the same privileges. The main object of this Bill is to enable the trustees of the Cricket Association, who have a lease for 999 years from the Crown, to borrow money to improve the property. The association has already spent some £1,500, and they wish to make further improvements. When the ground in question was handed over to the Cricket Association, it was nothing more than a swamp, and no one ever thought of going there; but now it is a pleasant place to go to, and the Association wish to further improve it. Until we have a suitable ground, it is hardly likely that we shall have the cricket teams from the neighbouring colonies visiting us; but if the Association obtains the power contained in this Bill, that time will be brought nearer at hand. I have great pleasure in moving the second reading of this Bill.

Question put and passed.

IN COMMITTEE.

Clause 1 passed.

Clause 2.—“Amended definition of institution”:

THE HON. G. RANDELL: Is there any risk of the Association losing the ground?

THE COLONIAL SECRETARY (Hon. S. H. Parker): They will be in the same position as other institutions.

THE HON. G. RANDELL: Is their position good enough?

THE COLONIAL SECRETARY (Hon. S. H. Parker): I do not think there is any probability that they will lose it. They have spent £1,500 on it now.

THE HON. J. G. H. AMHERST: The land cannot be mortgaged without the approval of the Governor-in-Council. I think the Association is perfectly safe.

Clause agreed to.

The remaining clause was agreed to, and the Bill reported.

ADJOURNMENT.

The Council, at 9.45 o'clock p.m., adjourned until Monday, October 2, at 8 o'clock p.m.

Legislative Assembly,

Thursday, 28th September, 1893.

Existence of Coal in the Jandakot Area—Murder of Police Constable Collins by East Kimberley Natives—Public Health Act Further Amendment Bill: first reading—Imperial Pensioners and the Mount Eliza Invalid Depot—Adjournment.

THE SPEAKER took the chair at 4.30 p.m.

PRAYERS.

EXISTENCE OF COAL IN THE JANDAKOT AREA.

MR. CANNING, in accordance with notice, asked the Commissioner of Crown Lands whether the attention of the Government had been called to the supposed existence of beds of coal in the Jandakot