

THE PREMIER: I am entirely in the hands of the House.

MR. HASTIE: We have a very large amount of business. The week before last we sat on only two days, and it is necessary for us to make up this work and not pass a motion that will be taken to mean and will really mean that we give ourselves a holiday. We are willing to adjourn over Thursday, but on the understanding that we get to work on Friday; therefore I propose that we meet on Friday.

THE SPEAKER: I have pointed out that no discussion can take place on a motion for adjournment. You can vote against it.

THE PREMIER: This motion is not for the adjournment of the House, but that the House at its rising do adjourn until Tuesday.

THE SPEAKER: That is a motion for adjournment.

THE PREMIER: Cannot the House alter the day, if they think fit, from Tuesday to Friday?

MR. F. CONNOR: Make it Monday.

THE PREMIER: Tuesday. If I might, I would suggest to the hon. member that in order to test the feeling of the House, he should oppose this motion, with the idea that, if Tuesday be not carried, he will propose another day.

THE SPEAKER: This is what I suggested, that he should vote against the present motion.

THE PREMIER: If the hon. member desires to substitute another day for Tuesday, he should vote "no."

Question—that the House at its rising do adjourn until Tuesday—put and passed.

The House adjourned at eight minutes to 11 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 24th September, 1901.

Papers presented—Mail Steamers, Tugs at Fremantle—Question: Menzies-Leonora Railway, Cost and Revenue of Section—Dams (public), Cost, etc.—Question: Tramway or Railway near Coolgardie—Question: Railway Revenue, Firewood—Question: Conciliation Bill, Copies distributed (how)—Question: Rifle Club Ammunition, Import Duty—Question: Cordon, Sentence and Release—Return: Expenditure under Form J—Motion: Railway Refreshment Rooms, to Provide—Sales of Land by Mortgages Amendment Bill, first reading—Motion: Gaol Regulations, to Amend—Motion: University, to Establish (Amendment passed) — Permanent Reserves Amendment Bill, second reading, in Committee, reported—Land Drainage Act Amendment Bill, second reading, in Committee, reported—Frawn Fishing Act Repeal Bill, second reading, in Committee, reported—Roads and Streets Closure Bill, second reading—Probate and Administration Amendment Bill, second reading—Dog Act Amendment Bill, withdrawal—Pawnbrokers Bill, second reading—Contractors and Workmen's Lien Bill, second reading, postponement — Presbyterian Church of Australia Bill, second reading (adjourned)—Remarks on Business—Adjournment.

The PRESIDENT took the Chair at 4:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS: 1, *Re proposed extension of Kurrawang Railway*; 2, *Reports of Royal Commission on Railways and Customs Departments*.

Ordered to lie on the table.

QUESTION—MAIL STEAMERS, TUGS AT FREMANTLE.

HON. R. S. HAYNES asked the Minister for Lands: 1, If the Government agreed to provide, free of charge, tugs for the Orient and P. and O. mail steamers at Fremantle? 2, If the term was not for the first twelve months only? 3, The term having expired, do the companies now pay for the tugs? If not, what reason exists for non-payment?

THE MINISTER FOR LANDS (Hon. C. Sommers) replied: 1, The Government ordered the Chief Harbour Master to provide tugs for the Orient and P. and O. mail steamers free of charge, temporarily. 2, No time was stipulated. 3, The Companies do not pay for the tugs.

QUESTION — MENZIES-LEONORA RAILWAY, COST AND REVENUE.

HON. J. T. GLOWREY asked the Minister for Lands: 1, The estimated

cost of construction of the first section (to the 18-Mile) of the Menzies and Leonora Railway. 2, The gross amount of revenue received by the Railway Department for fares and freight on this section.

THE MINISTER FOR LANDS replied: 1, £41,349 (including rails and fastenings). 2, The gross amount of revenue received during the time this section remained the terminus was £297 5s. 11d. This was for fares only, no goods traffic having been undertaken during that period.

QUESTION—DAMS (PUBLIC), COST, ETC.

HON. J. T. GLOWREY asked the Minister for Lands: 1, The cost of construction of each of the following dams:—Yellowdine, Karalee, Koorarawalyee, Boorabbin, Woolgangie, Bullabulling, Broad Arrow, Bardoc, Goongarrie, and Niagara? 2, What particular account the cost of construction was debited to? 3, Whether all or any of the dams mentioned have been taken over by the Railway Department? 4, If so, has the particular Department which bore the expenditure received any credit from the Railway Department? 5, If so, what amount?

THE MINISTER FOR LANDS replied: 1, Yellowdine (two tanks), £9,816; Karalee, £17,368; Koorarawalyee, £3,917; Boorabbin (two tanks), £15,480; Woolgangie (two tanks), £10,536; Bullabulling (two tanks), £9,869; Broad Arrow, £15,430; Bardoc, £14,424; Goongarrie, £10,459; Niagara, £61,577. 2 (a.), Yellowdine, Boorabbin, and Woolgangie tanks were charged to "Additions and Improvements to opened Lines" and "Development of Goldfields" conjointly; (b.), Karalee tank charged to "Southern Cross to Coolgardie Railway;" (c.), Bullabulling tanks charged to "Development of Goldfields" and "Southern Cross to Coolgardie Railway;" (d.), Koorarawalyee tank charged to "Additions and Improvements to opened Lines;" (e.), Bardoc, Broad Arrow, Goongarrie, and Niagara tanks charged to "Development of Goldfields." 3, With the exception of Niagara tank, all the tanks mentioned above have been taken over by the Working Railways Department. 4 and 5, No.

QUESTION—TRAMWAY OR RAILWAY NEAR COOLGARDIE.

HON. J. T. GLOWREY asked the Minister for Lands: 1, If any person or persons have made an application to construct about 10 miles of tramway or railway south of Coolgardie. 2, If so, who made the offer. 3, If the application has been granted.

THE MINISTER FOR LANDS replied: 1, Yes; application for a special lease of a strip of land on which to construct a tramway from Ubine Station to Gnarlbine has been received. 2, John Waters Sutherland. 3, The application has not yet been dealt with.

QUESTION—RAILWAY REVENUE, FIREWOOD.

HON. J. T. GLOWREY asked the Minister for Lands: The amount of revenue received by the Railway Department at Kalgoorlie and at Boulder for the carriage of firewood for the months of June, July, and August.

THE MINISTER FOR LANDS replied: The amount of freight received for the conveyance of firewood to stations on the Boulder line, Kalgoorlie to Lakeside inclusive, for the months of June, July, and August, 1901, was £10,791, made up as follows:—Kalgoorlie, £405 12s. 10d.; Golden Gate, £8,382 10s. 4d.; Boulder, £372 15s. 6d.; Kamballie, £1,584 3s. 4d.; Lakeside, £45 18s.

QUESTION—CONCILIATION BILL, HOW COPIES DISTRIBUTED.

HON. J. T. GLOWREY asked the Minister for Lands: 1, If a draft copy of the Conciliation and Arbitration Bill was given to any person or persons before members of Parliament could secure same? 2, If so, to whom were the draft copies given? 3, And for what purpose?

THE MINISTER FOR LANDS replied: 1, 2, and 3, No. The first to receive provisional draft copies of the Bill were members of the Assembly.

QUESTION—RIFLE CLUB AMMUNITION, IMPORT DUTY.

HON. T. F. O. BRIMAGE asked the Minister for Lands: If the Government charge duty for ammunition imported into the State for rifle clubs.

THE MINISTER FOR LANDS replied: The Commonwealth now collects all duties of Customs, inclusive of the duty on ammunition for State rifle clubs.

PAPERS—CONDON, SENTENCE AND RELEASE.

HON. J. T. GLOWREY moved:

That all papers in connection with the sentence, in March last, at Kalgoorlie, and the subsequent release of one Condon for indecent assault be laid on the table of the House.

In March last, Condon was sentenced to two years' imprisonment, and shortly afterwards released. The release had been the subject of much comment, particularly among the justices who tried the case. Doubtless there was a reason for the action of the Executive, but none had been publicly given; hence the motion.

Question put and passed.

RETURN—EXPENDITURE UNDER FORM J.

HON. J. T. GLOWREY moved:

That a return be laid on the table of the House, giving all the particulars in which Form J has been used since April 1st of the year.

As hon. members and the public were entitled to full particulars of the State expenditure, returns such as this should be laid on the table at regular intervals. Some little time ago we heard much about the abuses by the late Government—rightly or wrongly he was not prepared to say—of this particular form. He was not prepared to say it had been brought generally into use of recent date, but with a view of getting that information he moved that the return be laid on the table.

HON. J. M. SPEED (Metropolitan-Suburban) seconded the motion. He happened to be in another place when he heard that £1,500 had been offered by the Government to one of the servants of this State against whom serious charges were made after by the Government, and those charges had not yet been dealt with. It would be interesting to know where that £1,500 was to come from, and whether the Government were justified in offering it.

THE PRESIDENT called the hon. member to order. The question to which the hon. member was referring was not before the House.

THE MINISTER FOR LANDS (Hon. C. Sommers): The Government had not the slightest objection to produce the return.

Question put and passed.

MOTION—RAILWAY REFRESHMENT ROOMS, TO PROVIDE.

HON. J. T. GLOWREY (South) moved:

That, in the opinion of this House, it is desirable that the Railway Department should immediately provide suitable refreshment rooms at Northam, Southern Cross, and Boorabbin.

It was time reasonable accommodation was provided on the goldfields line, where the journeys were very long and tiresome. The arrangements at the present time were, to say the least, disgraceful. The matter had been brought forward in this House, and he believed on various occasions in another place, but so far with no effect. He believed that a short time ago a requisition was presented to the Minister in charge of this department, signed by about twenty members of Parliament, but he was not prepared to say even that had had very much effect. It was his duty to bring the question forward, and he would do so again unless something was done. There was a large traffic, and complaints were frequently made to himself, and doubtless to other members, with a view of obtaining reasonable accommodation. After people left Perth by the afternoon train it was impossible to get anything in the shape of a meal until they reached Kalgoorlie. In all the other States refreshment rooms were provided at convenient distances along the line, and, if the matter were taken up by the Railway Department, it would prove a great source of revenue. He did not know why the repeated applications made should be overruled.

HON. J. D. CONNOLLY (North-East): As one who had travelled repeatedly on this line, he knew the great inconvenience the public were subjected to through the want of refreshment rooms, and if in order he would suggest that Kalgoorlie should be added to the motion. Improvement was wanted at Kalgoorlie even more than at the other places, inasmuch as it was the centre of the goldfields line. People travelling to Menzies had about half an hour or three

quarters in Kalgoorlie. Those people were in the train from half-past seven in the evening, until half-past six the next evening, and they had no chance of getting any refreshment at all from the time they left Boorabbin (about nine o'clock in the morning) until they reached Menzies at half-past six. Refreshment rooms should be established at Kalgoorlie, and, if that were done, it would prove extremely good business from the railway point of view, because any amount of people would be willing to build that refreshment room, and not only build it out of their own pocket, but be willing to pay the Government an annual revenue for it. If the Government built a refreshment room, it would be a great boon to the travelling public, and they would get a return of from 30 per cent. to 50 per cent. on the capital outlay.

Question put and passed.

SALES OF LAND BY MORTGAGEES AMENDMENT BILL.

Introduced by HON. J. M. SPEED, and read a first time.

MOTION—GAOL REGULATIONS, TO AMEND.

HON. M. L. MOSS (West) moved :

That this House is of opinion that amended gaol regulations should be framed and brought into operation without farther delay.

He said: It may be within the memory of hon. members that during the last session of Parliament I put a question to the then Minister (Hon. G. Randell), and asked when we might expect amended gaol regulations to be framed in accordance with the recommendation of the Penal Commission that previously had reported to His Excellency the Governor. I received a reply from the hon. gentleman then that these regulations had been sent to the Law Department for approval. I think one naturally expected that before this session of Parliament commenced those regulations would have been brought into force; but I am sorry to say that, in speaking on the Address-in-reply this session, I had again occasion to remark on the great delay that had taken place with regard to this very important and pressing matter; and I regret now that although we are in September of 1901, we are as far forward

as when His Excellency in September of 1898 appointed a commission to consider the whole of the penal laws and the penal system of this State. Perhaps hon. members in this Chamber are not aware that the particular regulations under which we are working at the present time were brought into force in 1870, and although no doubt at that time they were well suited to the requirements of the colony, because there were then a large number of convicts in Western Australia, I have no hesitation in saying that for many years past they have been altogether unsuited to the requirements and demands of the people. Any person who will take the trouble to read those regulations will be astonished to find what a convict out on ticket-of-leave is obliged to do. If he complied with the requirements, it would no doubt ensure that he would get no position. He is bound to tell a person from whom he seeks employment that he is a convict; he is bound to demand from them a written engagement, and he is bound to conform with all sorts of absurd regulations which were well suited, as I say, to the times when they were made—for this State was then a penal settlement—but which are altogether out of date at the present time. This Penal Commission sent a first progress report to the Governor in December, 1898, and on these regulations they reported as follows:—

Your Commissioners strongly urge the complete abolition of the "ticket" system. Every prisoner when he leaves the gaol should be a free man. These regulations are altogether obsolete, dating back from April 26, 1870, and are no longer in many ways adapted to the requirements of the colony. The ticket-of-leave system, as practised, throws far too much power into the hands of the police, and your Commissioners have evidence that this power is frequently indiscreetly used by officials, so as to make it impossible for a ticket-of-leave man to obtain employment in open competition with free labour.

I will do no more in amplification than to refer the House to a case that was reported in the newspapers. It is a case of a Chinaman who had been liberated on ticket-of-leave, and got to Gingin. While there he behaved himself perfectly well; there was no cause of complaint against him. I do not think this Chinaman could have known what he had to do to conform with these regulations. At any rate he was found at Maylands in the

employ of another Chinaman, and he was brought before a police magistrate in Perth because he committed the terrible offence of being outside his district. The worst the police could say against him was that he was behaving himself very well, but he had left the district without a pass; and Mr. Roe, a gentleman for whom I have the greatest respect, said: "Well, you are out of your district: you must pay a fine of 20s." The thing seems to me an absurdity. You are making criminals when you have laws of this class. There are plenty of means for liberating men on some kind of probation. Means of liberating prisoners on terms of probation are in force in many other parts of the world, and I believe the authorities here have had prominently brought under their notice the question as to how they should deal with this matter to put it on a satisfactory footing. Under these regulations a man as soon as he left the prison—or it was the case, at any rate, when the Penal Commission reported—was sent out in a kind of uniform, in a suit well-known to the police; he wore a hat, uniform in shape and colour; and up to a certain time—I believe up to the time the Penal Commission reported—he had to wear a pair of boots with a broad arrow in nails, so that he could make an imprint on the sand, and be well traced. Members may laugh, but it was a fact. Those were the circumstances under which these prisoners were sent out on ticket-of-leave, and it is very little wonder that lots of them were back very soon. But members would hardly believe this: a man who was sent out on ticket-of-leave, and was sent back to gaol for any trivial offence, was liable to serve the whole of the unexpired portion of his sentence. The Penal Commission said:—

In our first Progress Report we advocated the entire abolition of the regulations now in force as being by common consent entirely obsolete. For these we would substitute, wherever it may be deemed desirable, in the case of prisoners released before the completion of their term of sentence, a system of police supervision on the lines of the English "Prevention of Crimes Act" of 1871 and the "Habitual Offenders Act" of 1869. Under these Acts the prisoner has to report himself to the police once a month. A central register of criminals is kept. This is printed and distributed to all police forces and prisons all over the kingdom. In addition, a "Distinctive Marks Register" is also printed and distributed to facilitate the identification of suspects.

Registration of Criminals.—A very desirable accompaniment to any system of dealing with criminals is a sound method for their registration and recognition. The system of M. Alphonse Bertillon is now being adopted by many countries—and the carrying out of this mode, although most effective, takes but little time, and requires no special training or intelligence.

Members will observe the words, "A very desirable accompaniment to this system of dealing with criminals is a sound method of their registration and recognition." The Commission there laid down exactly the kind of legislation required, and it seems to me strange that though we had, over a year ago, a statement from a Minister of the Crown that the new regulations had been framed, and that they had been approved by the Minister in charge of prisons, yet for some reason they are left in the Crown Law Office, and through the officials not doing what was requisite, they have not been brought into force. One would have thought that a reference to the matter last session by a member of Parliament, backed up by the fact that the Penal Commission had reported so strongly, and that the Minister had stated the regulations had actually been framed, would have sufficed, and that the regulations would have been brought into force within a reasonable time. Since that occurred 18 months have elapsed; and we are as far forward now as we were then. I contend this is a serious matter, and that there has been on somebody's part a very gross neglect of duty. I shall expect some statement from one of the Ministers in the House to-day; and I hope we shall have their assurance that before very long those old regulations will be revoked and new ones, more up to date and in accordance with the requirements of the State, brought into force without farther delay.

HON. A. JAMESON (Minister): In reply to the hon. member, I may say the draft of the regulations in question is now in the hands of the printer. There is ready an amending Bill which will come before this House, dealing fairly and comprehensively with the question of ticket-of-leave; and we shall thus be able to have the regulations properly drawn up. The regulations referred to by the

hon. member have, I know, been for some time in the hands of the Crown Law Department, and there have been great difficulties in having them completed. They have gone from one official to another; there have been differences of opinion as to how they should be constructed; and we are now in a somewhat difficult position, because it is so hard to reform the old rules; so we propose bringing in entirely fresh legislation, which will come before the Chamber within a few weeks, and then we shall have full opportunity of considering and dealing with this question.

HON. G. RANDELL (Metropolitan): What Mr. Moss has stated is, I believe, fairly correct. To these regulations I gave, when in office, considerable attention, though I may say here that I do not feel so strongly about them as does Mr. Moss.

HON. M. L. MOSS: Perhaps not.

HON. G. RANDELL: I believe there are two sides to the question. But at the same time, I did my best to put forward the new regulations, which had been carefully considered and recommended by the Superintendent of Prisons (Mr. George), and which went through the hands of the Under Secretary as quickly as possible, and were remitted to the Crown Law Department to be translated into proper legal phraseology. The only fault I had to find with the draft regulations was that the phraseology used would have been, I think, objectionable to a lawyer, and perhaps that their construction would not have been altogether intelligible in a court. In any case, they would have had to be remitted to the Crown Law Department; and personally I more than once interested myself in the matter with the Attorney General and the Secretary of that department, and to the best of my ability I urged that the regulations should be put forward. But I presume there were other matters which in their estimation were of greater importance, and therefore the publication of the regulations has from time to time been delayed. I think there was also some opposition, or at any rate some difference of opinion. Perhaps the Minister may have seen the papers; but if my memory is correct, there was some little difference of opinion between the late Commissioner of Police and other

officials as to some of the alterations to be made. I am not quite sure whether the present Commissioner of Police had any voice in the matter. I think not. But, on the whole, I think the officers concerned carried out the intentions and desires of the Penal Commission, and especially with reference to the question of a ticket-of-leave man reporting himself, which is, I am sure, a strong point with the police. And there is this to be said for it. It is hardly right that a man who has been in prison for some serious crime, such as robbery, should take service, we will say, in the country as a free man without a stain on his character. The police state it is very necessary, and I believe this is the case in England too, that a certain amount of surveillance should be exercised; and I believe the Commission were of that opinion too, though of that I am not certain. But certainly such surveillance was carried to an extreme; and if we may believe what is written in the newspapers—though I do not by any means believe it all—it was carried out in a most vexatious manner. That has been denied by the police; but still I believe their supervision was very stringent. When a man was discharged from gaol at Fremantle, he was hustled about by the police, each policeman being anxious to get rid of him from his district, especially if the man had been more than once in gaol. I think there is no excuse for the Crown Law Department not having the regulations brought into operation. Of course, we naturally expect Dr. Jameson to see these regulations brought into force as soon as possible, as they will to some extent ameliorate the condition of men discharged from gaol. I have none of those feelings current just now of sympathy with prisoners and with crime, which feelings, judging by the letters in the newspapers, are assuming proportions which I think will have disastrous results on the community at large.

Question put and passed.

MOTION—UNIVERSITY, TO ESTABLISH.

Debate resumed from 10th September, on the motion by Hon. R. S. Haynes, that "The time has arrived when a University should be established in Perth."

HON. J. W. HACKETT (South-West): The motion with which we have just been dealing had reference to crime after it had been committed. The question of education belongs to an earlier stage—to the prevention of crime. For I am one of those who believe that if a thoroughly efficient system of education were introduced, we should have to spend less on our police, on our magistrates, and on our courts, and that the virtue and morality of the people would be raised to a degree we have never yet realised in any age in the world's history. At one end of the educational scale stands the question of the University; and I think this House and the community in general owe a debt of gratitude to Mr. Haynes, who refuses to believe that times are unpropitious, or that the Treasurer is hard up, or that there are great difficulties in the way, but presses forward this great question of supplying a want which is one of the most crying that this State is at the present moment experiencing. But while I intend to support his motion generally, I should like it to be verbally amended. It seems to me hardly right for this House to thrust such a question upon the attention of the Treasurer, with a demand that funds shall immediately be found for establishing a University, as it would take some time to examine into the question, to get the data together on which such a University should be founded; and it would certainly require a considerable sum of money, both at its initial stage and for its endowment. Moreover, I am not quite certain that a full-grown University is the best at the start; and I therefore propose that my friend should amend his motion to read:

That this House is of opinion that the advisability of at once establishing a University or University Institute demands, in the best interests of the State, the immediate consideration of the Government.

It is for the Government to look into the matter.

HON. R. S. HAYNES: I am prepared to accept that amendment.

HON. J. W. HACKETT: It is for the Government to see what demand there is, and what is the best course to pursue in carrying out what I am sure is the general wish of the whole community. There is no one here who can deny that

until we have added the coping-stone of a University to our system of education, we have not done all that we ought to do to educate our people. Our educational system cannot be said to be placed on its final basis, or I will almost go so far as to say its most effective basis, until from the beginning to the end, from the first step to the last, from the primary or elementary or infant school, up to the University which grants degrees, we have every part of the system in thorough working order. The advantages of a University have been touched on by Mr. Haynes; and I suppose we all agree with him. The object of a University, as generally accepted in the old country, is one with which I am not altogether in accord, although I myself have experienced its advantages. A University education is looked upon as the proper completion of, as the finishing touch to, the education given in the grammar schools, as they are called in the old country; and it is undoubted that until we have a University the best and most promising boys and girls in our secondary schools must be placed at a serious disadvantage. These secondary schools receive in the old country various names, among which the expression, I think one of the most unsuitable that can be given, "college," is frequently adopted in Australia. The brightest and most promising pupils of these institutions find their education cut short, find the development of their minds and the increase of their knowledge suddenly, as it were, cut in two, by having no higher educational establishment in which to proceed with their studies. A University not only introduces the students to new subjects of study, but it improves the acquirements they have already attained, provides them with larger vistas, and, above all, develops the mind at the very point of their life when it is most open to development, when it is most receptive, and at the same time most fruitful. All these are to be gained by a University here, to lift up the standard of education to a state that can hardly be estimated except amongst those who have been in a University town and have seen Universities in full operation. I will now refer to the obstacles. I am not going to follow my hon. friend into the history of Universities, which is exceedingly interest-

ing, but which helps us very little when dealing with those obstacles which lie before us, and which must be viewed with a practical eye and treated with a practical hand. There are four needs for a University. We require a site, an endowment, teachers, and pupils; and three of these, I think, are not very difficult to obtain. The site lies around us; the endowment, as my hon. friend has very wisely pressed, need not be of an extravagant character. He pointed out that the University of Sydney, which is certainly not a failure, began with £5,000 a year. With regard to professors, they are also to be secured: it is simply a question of offering them advantageous terms and we shall have them by the score. But the main difficulty is, whom are we to give these professors to teach? Does the population of this country, which is 190,000, give us sufficient material to keep a University or a University Institute going? That is the matter to which I believe the Government will have to devote themselves chiefly, if they take up this question seriously and earnestly, and endeavour to bring it into a practical and successful shape. It seems to me that a University—and here I am afraid I shall venture to part company with a great many of my University friends—if it be of the right kind, and still more an institute, cannot fail to obtain the requisite amount of pupils, cannot possibly miss getting sufficient material to work upon to make it useful and of profit to the country. It will be useful and profitable if it be of the right description, if it follow the true lines, the modern lines, instead of the antiquated methods which will in a very short time be considered of secondary importance. Any member of this House who looks into the literature of the question and reads the magazines poured out in abundance will see that the one cry is that in University education, as it should be understood, the United Kingdom is being left far behind, and other countries, both the new and the old—Germany might be cited as a pre-eminent example of old Universities—have adapted Universities to the needs of the day, and are passing us not only in dead languages, modern languages, and scientific studies, but in the practical questions of life, upon which after all, we depend for our daily bread. Unfortunately, throughout

the British Empire the extension of the true University idea has suffered, and suffered severely, through the connection of many of us with, and through the admiration and affection of all for, the great Universities of that land from which many of us come; and to which all of us are proud to belong, and I believe that the influence of Oxford, Cambridge, and Dublin has been largely mischievous as far as the new countries of the empire are concerned. Those Universities devote themselves in a paramount measure to the study of the dead languages, or to the pursuit of what is called the higher mathematics, and I am not wrong in saying that those two classes of subjects hold a position in the estimation of those connected with those Universities to which everything else is not only of secondary importance, but in many cases of no importance whatever. I make an exception in the case of Universities of an eminently practical character such as that to which my hon. friend opposite (Hon. A. Jameson) belongs; but I challenge anyone to contradict me when I say with regard to those Universities of Oxford, Cambridge, and Dublin, that the consideration they obtain is largely based on the attention they pay either to the dead languages or to the higher standards of mathematical science. That is partly due to the conservatism of the country, and partly due to the fact that the credit of those Universities has been built up on these things. It is partly due to the fact that so many Universities press their studies in this direction, and partly through the scheme of English education whereby a man who devotes perhaps 10 or 12 years to learning Latin and Greek, which he spends the rest of his time in forgetting, is deemed a far more educated being, a far more worthy citizen, than a man who has worked his way up through difficulties with a fair knowledge of practical science. All I can say is that with these ideals not only is there very little hope, I believe, of a successful University in Perth or these States, but I think the whole of the empire itself will suffer to an extent predicted by a few Cassandra. The system of Germany and America is proving to be correct in its fundamentals; and I say that unless we can get a University (and here I follow entirely

my hon. friend, Mr. Randell) which has a thoroughly practical bearing, and which puts—to mention a word considered so gross in the Universities I have mentioned that I am almost afraid to use it—the utilitarian object as the first before it, it is of no use for us to create a University at all. Dr. Jameson will probably tell us that the number of medical students on the practical side of Edinburgh University outnumbers by many, many thousands, I suppose, all students in classics and mathematics put together; and to this method no doubt in a great measure the University of Edinburgh is indebted for the grand position it holds in the Empire. I was struck to find from a paper arriving by post to-day, and sent to me by the Senate of the University of Melbourne, to which I belong, and in connection with which I passed a number of both pleasant and I hope useful years, that there were a number of proposed amendments, and these amendments were curiously without exception of a practical kind. The authorities seemed to have forgotten that there was such a thing in the world as the differential calculus. They were dealing with the practical side of education, and I believe that if the practical side were taken away, the University would fall to the ground within six months. It seems to me that we are able to start a University of this character and that we have abundance of materials, of professors and lecturers, to work upon. The subject is a very large one, and I am not going to detain the House, but I would point out in the first instance that to please the conservatism of ourselves and our friends we must give a high place in the new University to the dead languages. We cannot help that. In other words, we must look for a large supply of students from the grammar schools, the secondary schools of the State. That a considerable number will come from these schools I am sure the House will agree, but that they will form the large or important part of the pupils I altogether disbelieve. I should like to see this University not only the coping stone of the grammar school system, but of a technical school system, of the School of Mines system, and the whole practical physical sciences. It is desirable for studies to be taken up, as is the case with

many in America, at the point where the pupils want to advance with them. Pupils can get a training which will carry them to a certain distance, but beyond that there is no means of providing a higher and better education in this State, and they have to go elsewhere to seek it. We have in a word to enunciate this doctrine, that the pursuit of practical questions, those questions upon which the material welfare of the world depends, is at least worthy of an equal position and equal credit to that of the dead languages and the higher mathematics, and what is generally called culture, which unfortunately so often unfits a man for any practical use in life. The old University never made this mistake. It was supposed—not according to its name, because in the name it simply meant a college, and not a universal school of study—to cover all the knowledge of the day, such as it was. The subjects might be counted on one's fingers, and they were mostly connected with philology and philosophy, which I need not remind hon. members in those early days could, it was believed, be reduced to the precision of a mathematical science, which would especially formulate and declare everything unknown and unknowable, as we believe now in theology. They would bring it down to the basis of what is called a strict science, the knowledge of which could be made absolute, and they devoted themselves to attempting to find out the basis of this knowledge. Of course they split rapidly on this same rock. One class of University, of which Bologna is the chief example, went into practical study; it went into the medical study and legal study. The other, the University of Paris, probably the greatest the world has ever seen, and one which has exercised the largest influence, so far put aside these questions of practical importance, and devoted itself to theology and philosophy. It killed itself, whereas the school of Bologna developed into a hundred different branches, and to it is due largely the pre-eminence of the practical science of Italy—I mean it and its daughter Universities. I think if we would get all these things together we should be astonished at the number of pupils our professors started with. Of course there are larger questions as to what

the curriculum should be, and the question of degrees. It is a very large question, but as to the subject of degrees, let it take its course. A certain number of gentlemen in the Eastern States are promoting a movement for an Australian University, but it has never been received with favour. I remember that our learned friend, a man of that high culture which in him shone so admirably—and it is for himself to say whether it was of any use to him or not in life—Sir Alexander Onslow, when speaking on the subject of education, urged strongly his desire of what a University should be. I do not think he would have taken degrees any more than he would have taken the pains to prove the truth of the story of a gentleman who, about 50 years ago, went to New York, and at the seat of one of the greatest Universities in the United States, the University of Columbia, finding himself afflicted with the desire to get a copy of Sophocles, sent a messenger out to discover if there was one. The messenger returned with a statement that there was no such thing known. That story is all very well for Australia or the United Kingdom, and no doubt it is believed everywhere, but I venture to say that the pupils of Columbia had hundreds of copies in their possession, and that there were many hundreds of copies in the shops. It just shows that, as Sir Alexander Onslow says, we ought to look into these things before we allow our feelings to run away with us. I remember also he declared that it seemed to be very soon to talk of a University when the difficulty at present appeared to be to establish primary schools. Evidently this is the old Oxford and Cambridge fetish bearing extreme sway; that unless we compel children to waste the best years of their lives in learning Latin and Greek, it is no use talking of a University at all. However, on this matter I shall not delay the House longer. The subject of Mr. Haynes's motion has my most thorough indorsement, though I believe he has agreed to amend it as I have suggested; and I believe that if we start on those lines, and if the Government will help us, before a couple of years are past or in a very little more time we shall be able to point out the path of a new form of University, and to show to all Australia the novel, the

inspiring, and I am convinced the successful spectacle of what has never yet been tried in our Australian community—a rational University. I have much pleasure in moving this amendment.

HON. H. BRIGGS: I second the amendment.

HON. W. MALEY (South-East): It appears to me the previous speakers have dealt with this question from its purely academic side. We must look at it practically. Taking the practical side of Mr. Haynes's motion, I find the Sydney University was established under very great difficulties, when New South Wales had not the population Western Australia has to-day; and as we are in a state of financial embarrassment, and the Government are doing their best to limit their expenditure, I think it behoves us to be very cautious as to any farther embarkation on this or similar projects. We are at present bound to do the best we can with the provision we have for education. We are told by those in charge of the Education Department that they have difficulty at present in finding schools for the children in outlying districts; and until those primary schools are properly established it would be almost indecent, certainly very unwise, to establish a University for the benefit of a few people who can very well afford to send away their children to other places. It is the rule for children who are sufficiently advanced, and more able to take care of themselves than younger children, to leave home in order to attend Universities. The younger children must be educated at home up to a certain standpoint, but youths of 17 or 18 and over can be sent away, and it is an education to them to be sent away to other places. By going to the Eastern States they learn more of Australia, and it is necessary that they should know something of the whole of the country in which they live. But at present we are not a colony: we are a State, we are a member of a federated Commonwealth; and if it is inconvenient for people living at Wagga Wagga or Deniliquin to send their children to the University of Sydney, it is no more inconvenient for us to do likewise. It is simply a question of absence and expense. If we are to pay for the education of certain people's children, would it not be

cheaper for the Government to send those children to Eastern Universities to have them educated? We find during the first five years after the establishment of the Sydney University there were only 40 pupils, and that there was required to begin with an endowment of £30,000—a sum which this State could ill afford at the present time. We find it cost £5,000 a year for five years for the education of 40 students; so that those students cost about £625 per man to educate. We do not know how successful they were in after-life; whether any one of those 40 turned out to be a brilliant man. But we have to be very cautious; and our first duty is to educate the children of this State up to the standard of a college. They can then go to a college. Technical schools are now being established here, and a University will follow, as it must follow. I am in favour of a University. As the father of a family, I can speak as one who has had to send his children away for years, and to be separated from them.

A MEMBER: That is an answer to all you have said.

HON. W. MALEY: Unfortunately, the educational career of some of them has been cut short, simply because there is no University in the State. I recognise that; but I cannot disguise the fact that although I and others have children to educate, our duty is to maintain the interests of the people of the State and to guard the coffers of the State; and until we can see a better prospect of founding a University than that set forth by Mr. Haynes, when he says that in New South Wales, to which he points us for a parallel case, the Sydney University dealt with only 40 men in five years, at a cost of £52,000, I think it is time for us to hesitate, and that we should wait till our finances are straight, and then we shall be able to proceed properly. No doubt we can get professors for a University; there are plenty of men even in Perth who are competent to take the different chairs; but we do not wish to establish a University for the purpose of finding positions for people in this city, nor for the benefit of a few students at a great loss to the country.

HON. R. S. HAYNES: A Katanning graduate!

HON. W. MALEY: The hon. member and his supporters have a losing case, and they know it. They know their duty is first to the State, and particularly to the people in the back blocks; but the hon. members are town people: they do not recognise what the country requires. I have pleasure in moving a farther amendment:—

That all the words after "House" be struck out, and the following inserted in lieu: "until the primary schools are properly established in the country districts of this State, it is unwise to endow a University."

HON. J. D. CONNOLLY (North-East): I have pleasure in seconding the amendment moved by the last speaker, and I do so, not because I am in any way against the establishment of a University, but because I agree with the hon. member's remark that the time is not yet ripe. If proof of this were wanting, it has been fully given by the hon. member when he quoted the case of Sydney University, which had an endowment to start with of £30,000, and was assisted to the extent of £5,000 a year for the first five years, during which time it had 40 pupils. Now I am quite alive to the benefits a University would confer on this State; nevertheless, it strikes me that at the present time this is legislation for a class. [HON. J. W. HACKETT: No, no.] It is against the masses; and I think it is our first duty to legislate for the masses before we legislate for any particular class. I maintain that if the Government were to start a University at the present time, they would be legislating for a class at the expense of the many. We know that the finances of this State are not at present in a flourishing condition, and there is not likely to be much money to spare for some time to come, for the simple reason that the present Government have been committed by their predecessors to a very large expenditure, and they are bound to carry out the works for which that expenditure is required. On the Eastern goldfields, in the province I represent, there are at present hundreds of children unable to go to school, for the simple reason that there is no school accommodation for them; and I think, while such a state of affairs exists in the country, it is nonsense to talk about establishing a University. There would be much more good done

by teaching hundreds or thousands of children merely to read and write, than by giving 30 or 40 youths a University education.

HON. R. S. HAYNES: Should I be in order in withdrawing my motion in favour of the amendment of Mr. Hackett?

THE PRESIDENT: It is for the House to deal with that.

Motion (Mr. Haynes's) by leave withdrawn.

HON. D. M. MCKAY (North): I shall oppose the amendment. I do not think the interests of the country can be better looked after than by giving the best education that can be afforded to the young.

HON. J. T. GLOWREY (South): I feel sorry indeed that I shall have to oppose the motion and support the amendment. I say I feel sorry because I think it is our duty to do all we can to develop education, science and art, on every occasion; but we have a number of people at the present time singing out for school accommodation in the country districts, and it would not look well for us to pass a motion of this kind until the wants of those people are somewhat satisfied. Upon a future occasion I should perhaps have a great deal of pleasure in supporting the motion, but at present I regret I shall have to vote against it.

HON. J. M. SPEED (Metropolitan-Suburban): It strikes me the hon. member, Mr. Maley, has not quite grasped the situation with regard to this, because the motion proposed is merely that the Government should consider the matter.

THE PRESIDENT: That is all that is before the House now. The original motion is withdrawn.

HON. J. M. SPEED: Mr. Maley seems to think that by the Government considering this matter they will be acting detrimentally to the primary schools. It must be the primary duty of the Government to attend to the primary schools first, and if in any portion of the country it can be shown that the children are not receiving the education they should receive, it seems to me the members for those districts should make urgent representations to the Government and see they obtain the instruction they are entitled to. There is no reason why that should not be done, and why the Government should not also consider the

right of this State to have a University as soon as possible. I think I can fairly assert that I represent the feelings of the workers in Western Australia, or in any other Australian State, when I say they want a good education for their children; the best education they can get. When we see the position West Australia is in, we recognise it is impossible here to get the highest education for our children, and the highest education which I hope to see free to the children in the State who are entitled to it. I heard it stated by one gentleman outside that the only result would be that the workers would like to see their children in the University without having to pay the fees. I say "yes."

HON. R. S. HAYNES: Why not?

HON. J. M. SPEED: I think the children who have the merit are those who will do us credit. In the old days referred to by Mr. R. S. Haynes, when only one community kept up learning in the world, there were no fees charged. Some of the great men of the age, I believe, were found there, men whose fathers and mothers were not known, and yet they ruled states and empires in the olden days. If that could be done then, surely it can be done now, when you can find one's father and mother. There is another advantage, too. One member informed us he had had the advantage of a University training. I was not aware of it before, but I feel we are all pleased to hear it, more especially when we know that a few weeks ago he was invulnerable, that he was armed from head to foot. We remember that in the old days Achilles, who did not have the advantage of a University training, was vulnerable in the heel; but this hon. member evidently has not that small defect. I think the education we require in a University is the education that member referred to. He refers to a practical education, a University which gives us science. Sound technical education, I believe, would be the best we could obtain. Many of us have spent a good many years at Latin and Greek and that sort of thing, but the finest English that ever was written—the English of Shakespeare—was written by a man who knew little Latin and less Greek, and yet I believe his works can be put on a level with any works that have ever been

written in any language, either Latin, Greek, or German.

HON. J. W. HACKETT: John Bright also.

HON. J. M. SPEED: For that reason I shall support the motion by Mr. Hackett, and I trust Mr. Maley will see fit to withdraw his amendment, because I cannot see that the amendment trenches or touches upon the motion; and I think it is the last idea of any member of this House to support a motion giving a University or the highest class of learning, while at the same time the primary schools are not being attended to.

HON. E. M. CLARKE (South-West): I am glad the original motion has been withdrawn, otherwise I should have found myself bound to oppose it; and for this reason, that, while I would not deny to any subject the highest branches of education, the advantages of a University, one cannot shut his eyes to the fact when going through country districts that there are things in those districts which are, I might almost say, a scandal to the community. During my election tour I went into a schoolroom where an attempt was being made to teach a few children. It was a bitterly cold day, and if ever I went into a miserable, stuffy hole it was when I went into that public school. Such things should not exist, and while I would not deny the privileges of the highest branches of education, at the same time I say it is the duty of the State to start with the foundation. We should start with the youngest. Those who have means can look after the others. I would not oppose the one thing, but I say unquestionably that before moving in the matter, we should see that the public schools are looked after, and the Government should spend more money upon the education of the younger persons to bring them up to a certain standard. It will always be found that children with talent will forge themselves ahead, and if you simply give them this one start you place them on the right road where they can shine in the State, and be a monument to the State. There are young fellows who have no means and who have to travel, and even at the present time if you go into some of these country schools you will find, to use a Yankee phrase, "an eye-opener." I am glad the hon. member

has put the motion in this way, because I feel that, if it be carried, it will in no wise jeopardise the teaching in the younger schools. If it would do so, I would oppose it, but as it is I have much pleasure in supporting the motion in the way in which it now stands.

HON. A. JAMESON (Minister): I may say that personally I have ever been in great sympathy with any motions that have been brought in this House in connection with the establishment of a University here. At the same time I see great difficulties in the way. I am glad the hon. member, Mr. Hackett, has brought forward his amendment that it should be a matter for consideration. I think the difficulty perhaps is not so great as may at first be anticipated, and that we can commence on a smaller scale, and deal with education of a practical nature. There is geology, which is so much required; also mineralogy, agriculture, and the practical necessities which in a large country like this, rapidly developing, are required by all the sons of the soil, so to speak. Everyone must feel the necessity for the highest knowledge with regard to the works which are carried on, such as mining and agriculture; therefore, I say, with regard to the practical details a great deal may be done at the present time. I am firmly in sympathy with Mr. Hackett in relation to the necessity of the education being of a practical character. We in Scotland have observed that very particularly. The Scotch nation are known to have taken a position throughout the world with regard to education, and it is owing to giving practical education. I may say that in the University of Edinburgh when I was a student, there were 2,000 medical students, and 1,000 of them were foreigners from all parts of the world, who came there because the education was of a practical nature. In the same way, if we have the practical education required by the people, we undoubtedly shall have a sufficient number of pupils; and I think that by a thorough system of giving scholarships, and inducing people who have means and who are getting on in years—and we are now much wealthier than ever before—to endow the institution, leaving a considerable sum of money for scholarships and endowments, much would be done that would certainly give

a great stimulus to education, if it were known that this subject was in the hands of the Government at the present time. I cannot agree with some members who have suggested that this is not an education for the masses, for the very fact of having a University in this State shows that it is for the masses. The wealthier members of the community can afford to go away, and there is no difficulty at all for them; but the University will be for the benefit of those who have to live in their own homes, who are poor men, and who cannot afford to get the education they so much desire. To those people this University would be very useful; not to the rich members of the community. I think that is a misconception, and I hope Mr. Maley may perhaps withdraw his amendment, because at the present time the Government are doing their utmost with regard to primary or elementary education, and undoubtedly it must be recognised throughout Australia that this State is one that may be held up as an example with regard to elementary instruction. I think there is no State so advanced in education as Western Australia at the present time. Certainly for the small population we have, it is quite marvellous what has been done. I myself come into contact with a good many persons coming and going about the State, and I was very much interested in seeing here the sons of one of my old emigrants. I came out with a number of emigrants years ago. The three sons went to the old country, and they were at one of the elementary schools there—in fact it was almost a secondary school—and surprise was expressed in London at the education they had received in our own State schools here. It is felt throughout the whole of Australia that we are by no means backward with our primary education. I am pleased indeed that this has been so fully discussed by various members of the House, and certainly as a member of the Ministry I shall do the very utmost I can to have the matter gone into and considered at the earliest possible date. I am sure all the members of the Government will be with me in this matter, and I personally thank the hon. member for having brought this motion forward.

HON. W. MALEY: I suppose no one is more in sympathy with the motion as

it stands than I am; but I felt it my duty to draw attention to the finances, and to the difficulties by which the project is invested; and I thought I could not do it better than by putting my view in the form of a farther amendment. I believe hon. members do not understand the difficulties confronting education in the country districts. I shall, by leave of the House, withdraw my amendment.

HON. J. W. HACKETT: On the motion to withdraw, I will say that for my part I entirely accept the assurance of Dr. Jameson. What we want is inquiry and consideration. There are just a couple of points I should like to make. One is with regard to the £30,000 which was required to start the Sydney University. As a fact, the Government in Sydney were determined to make what we may call a "big splash," and they put that money into buildings which we in this State should not require for many years. It seems to me £200 or £300 a year would give us most of the accommodation desired, and that in buildings already in existence. But the main point to which I wish to refer is the population side of the question. Excepting my friend Mr. Randell, I say without hesitation or bashfulness that there is no one in this House who has fought for primary or elementary education, and has devoted himself more strenuously to advancing or improving it during the 17 years I have been in this State, than myself. However, our idea is that the higher branches of education should be within the reach of the people just as much as reading, writing, and arithmetic, if they desire to obtain those higher branches; and to draw a bar across and say, "No, unless you have means"—and that is really what the amendment amounts to—"you shall go no farther than the primary schools," is fatal. That is the standard I raise; the higher education as well as the primary, for the sons of the people.

Amendment (Mr. Maley's), by leave, withdrawn.

Question, as amended, put and passed.

PERMANENT RESERVES AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. C. Sommers), in moving the second

reading, said: 'This is a very short Bill, providing for the amendment of Section 3 of the Permanent Reserves Act, which enables roads or streets to be surveyed through Class "A" reserves when necessary. At present these provisions apply to reserves classed "B" and "C" only; and the want of power to deal with Class "A" reserves in the same manner has, on more than one occasion, proved troublesome and inconvenient. The original Act is very short, containing only three sections; and Section 3 states:

Nothing in this Act shall prevent a survey and declaration by the Governor of any necessary roads or streets through or over any reserve classified or being of Class "C."

We desire that these words be struck out, and the Act will then relate to any reserve that may be declared. It has occurred that a road has been required, and the department have been blocked by this stipulation that nothing shall be done to reserves classed "A." This is a very simple amendment. Of course, it is one of those powers which will be jealously guarded by the department. Reserves classed "A" are permanent reserves, which it is not intended shall be interfered with except by Act of Parliament; and knowing that, this power will be dealt with very jealously. The Bill speaks for itself. I move the second reading.

HON. J. W. HACKETT (South-West): It is natural that I should speak on the subject of public reserves, in which my interest is so well known. The Bill introduced to this House some time ago, and dealing with the same matter, was practically my Bill. I may supplement what the Minister has said, by stating that the original Act was passed to create three classes of reserves—first, those which cannot be touched except by Act of Parliament, being dedicated to special uses, such as our parks, cemeteries and a number of reserves of that kind. Those come under Class "A." Class "B" reserves can be dealt with by the Governor-in-Council; but a report of the grounds for dealing with them and the way in which they are to be dealt with has to be laid on the table in both Houses of Parliament. As regards the third class, the Governor-in-Council will retain by this Bill the same power as he has at present. He can do as he likes. We were much afraid that if power were

given the department to deal with Class "A"—that is, the special dedications which only an Act of Parliament can overrule—mischievous might happen; but I have talked over this matter, and it seems to me the House should agree to the Bill. All that can be done is to declare a road or a street through a reserve. None of the land can be alienated except for that purpose; and unless such road or street were very much needed, the Governor-in-Council would not allow any interference with the land.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

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

LAND DRAINAGE ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. C. Sommers), in moving the second reading, said: Last year a Bill was brought in to provide for the drainage of land. It was an altogether new measure, to deal with certain swamp lands of the State, and was meant to apply to certain boards as well as to the handling of the State lands generally. That Bill was passed. It was then felt, and I took the opportunity of explaining to Sir John Forrest, that the Bill was to a great extent faulty; and he assured me that if we allowed the Bill to go through this House, any necessary amendments could be made in a subsequent session, while in the meantime any advantages it conferred on settlers could be enjoyed. The original Act of which I have spoken provides that the work shall be under the control of the Minister for Works. Most of the works contemplated by this Bill concern the Lands Department. The Minister for Lands has to decide where he would like these drains constructed, and after he has secured this information, he goes to the Minister for Works and asks him to build the drains. It often happens that the latter Minister has what he considers far more important works upon his list, which demand the attention of his officers; and the season during which these drainage operations can be carried on, namely the summer months, being

very short, it has happened that very necessary works in connection with drains have been lost sight of by the Minister for Works; and it is now proposed in this Bill that the Act may be so amended as to read "the Minister in charge of the Act," which will mean the Minister for Lands.

HON. J. W. HACKETT: Those were the very points raised in the debate on the original Bill.

THE MINISTER FOR LANDS: True. A dual title was created which is not at all advantageous; and I have talked over the matter with the Minister for Works, who has no objection whatever to this Bill, and desires that the administration of the Act should be under the control of the Lands Department. Hon. members will immediately see that the Lands Department have far more to gain by the Act than the Public Works Department; and in constructing drains of any magnitude, it is for the Lands Department to see not only what good can be done to those selectors who have taken up lands in moist districts, but to make provision for draining the adjacent Crown lands, so that these may be thrown open for selection, and may by their sale recoup the outlay on drains. The Minister for Works desires to be relieved of control, and it is proposed to amend the Act accordingly. It is supposed that if the various amendments are carried, the Lands Department will attach to their staff an engineer and surveyor, so that he will be properly qualified to carry out works of any magnitude, and when he finds he is not employed in those engineering works, he will be able to carry on work in the ordinary land survey department. Provision will be made to see that a properly qualified man is transferred from the Public Works Department to the Lands Department, and that the drains which are commenced and contemplated shall be carried out on a proper system. In the past they have been done in a rather haphazard way, without any fixed idea as to the scheme; but I can assure members that if this Act is placed under the Lands Department, with proper provision and a proper scheme devised, the work anticipated will be done. We have many moist spots, particularly in the South-Western district. Settlement has taken place

under a promise that these lands will be drained. The Government are to make the main drains, and this Bill provides that the settlers should themselves form a drainage board and make the smaller drains to connect with the main system. Amendments are necessary in order to clear up those points which are at present doubtful. The Act will be administered by one Minister instead of two as at present. Clause 1 has reference to the short title. Clause 2 deals with the definitions.

HON. J. W. HACKETT: Can you go through these?

THE MINISTER FOR LANDS: Clause 2 repeals, in Section 2, the definition of "Roads Act," "ratable property" and "ratable value." Under this clause "Roads Act" means the "Roads Act 1888" and all amendments thereof. It has been found necessary to make that slight amendment. This Bill provides that "ratable property" means all property within a drainage district which would be ratable if situated within a roads district.

HON. J. W. HACKETT: In the first line of Sub-clause (a), Clause 2, it should be "definitions," should it not?

THE MINISTER FOR LANDS: Yes; probably it can be amended in Committee. "Ratable value" means ratable value of all ratable property ascertained in the same manner as if the property were within a roads district. That provision is preferable to the one we have now. This makes it more comprehensive and brings it on all-fours with the Roads Act now before us. Sub-clause (b) states that the words in Section 4, "in any part of the colony declare any lands" are repealed, and the following words substituted therefor: "within any area proposed to be formed into a drainage district declare any lands within such area and not forming part of a municipality."

HON. J. W. HACKETT: You limit that, then?

THE MINISTER FOR LANDS: Yes: the words struck out of paragraph 2, Section 4, by Sub-section (c) appear to be superfluous. Therefore by striking them out we shall remove the doubt which at present exists as to whether we have power to include parts of a roads board district in a drainage area.

HON. J. W. HACKETT: What do you put in place of Section 4?

THE MINISTER FOR LANDS: We strike it out altogether as being superfluous. If the alteration be made the Act will read:

The Governor from time to time, by order in Council, may, on petition in that behalf from a majority of the ratepayers within any area proposed to be formed into a drainage district, declare any lands within such area and not forming part of a municipality to be a drainage district.

At the present time the Act reads:

The Governor from time to time, by order in Council, may, on petition in that behalf from a majority of the ratepayers in any part of the colony, declare any lands—(etc.)

By sub-clause (d) the words "drains within or without" are substituted for the words "main drains within," in line 3 of Section 16. This will meet the case where a large amount of Crown lands needs draining; and where it is thought desirable by the Lands Department to enhance the value of that land, it would be better for the Government to take it in hand, and have the surplus water and sell it to advantage. That is the object of this amendment. Sub-clause (e) reads:

In section sixteen, between the words "recommendation of" and the words "a board," in the fifth line, insert the words "the Minister or."

Section 16 in the original Act reads:

The Colonial Treasurer may, with the approval of the Governor, from time to time expend for the purposes of this Act in the construction of main drains within any drainage district—(etc.)

With the amendment it will read:

The Colonial Treasurer may, with the approval of the Governor, from time to time expend for the purposes of this Act in the construction of main drains within or without any drainage district.

I think that is a necessary power.

HON. J. W. HACKETT: You now take power to make them within or without any drainage district. What is the object?

THE MINISTER FOR LANDS: The present Act prevents the Government from making any drains other than within a drainage district, and if a drainage district was formed they had no power to go outside.

HON. J. W. HACKETT: Then why have "drainage district" at all?

THE MINISTER FOR LANDS: We say, "within or without." We have certain powers within a drainage district. "Within or without" of course takes in all classes of land. By Sub-clause (f) the words "the Director of Public Works at the request of the Minister shall" will be struck out, and "the Minister may" substituted, so that the amendment will read, that the Minister may construct any main drains. This is a slight amendment which I think I have pointed out is desired in order to do away with dual control, and to empower the Minister in charge to do these necessary works. By Sub-clause (g) it is proposed to strike out Sub-section 2 of Section 18. The words in the original Act are these:

May, without compensation, resume any rural land which has been granted by the Crown, whether under the Land Regulations or under the Land Act, 1898, but so that the total resumption does not exceed the extent allowed by the proviso reserving to the Crown the right to resume land for certain purposes.

It has been thought desirable to make it quite clear that the Minister has power to resume conditional purchase and leasehold land, and suburban lands, for drainage purposes. Section 18 limits the power to resume any rural land granted by the Crown under any land regulations or the Land Act of 1898. The amendment is to make it quite clear that the Minister has power to resume leasehold lands as well as suburban lands. I think that will commend itself to hon. members. Sub-clauses (h) to (l) are all slight amendments consequent on the preceding amendments. Clauses 3, 4, and 5 deal with the carrying out of drainage outside a drainage district by the Minister:—

In connection with such drains or drainage works the Minister may exercise all the powers and authorities which by the principal Act are conferred upon a board in connection with any drain or drainage work within its district.

These are new clauses which have been found necessary. They are simple clauses which explain themselves. The main idea is, as I told hon. members at the outset, to do away with dual control. The Act is a new one, but even in the short time it has been in operation these amendments have been found necessary. There are a number of drainage boards about to be formed, notice of which has

been given to the Minister in charge, and it is desired that these boards shall be formed as early as possible. They are waiting over until this Drainage Bill is passed. The Minister at present has no power, or not sufficient power, under the present Act to deal with the requirements of these boards. We have a large amount of very valuable swamp land, in the South-Western district particularly, which to my mind, when drained, will become what we might term the garden of Western Australia. It is approximately near to the city, and there is a magnificent rainfall. We have all these little streams running. Later on, by the economical expenditure of certain money, not only can these lands be made productive, but during the summer months they can be very easily used. There is a nice rainfall there; there is abundance of water which can be very easily stored; and I think the advantages to be gained by close settlement on this rich swamp land, so close to the city, will be very great. There is something like 87,000 acres, and although it is not all good, a great deal of it is so, and some of it has not yet been alienated from the Crown. Later on, when this money has been expended upon it the land can be sold at an amount which will more than reimburse the State for the money which it is proposed to spend on drainage. I think that nothing but good can result from the drainage of these lands, and without saying anything more about it I will move the second reading of the Bill.

HON. J. W. HACKETT: Will you settle the point about securing the money which must be advanced by the Treasury; having it secured upon land outside a drainage district?

THE MINISTER FOR LANDS: It is only proposed outside a drainage district. The money will be spent by the Government in reclaiming land which it is proposed to sell at a price exceeding the cost. The Act gives us power to sell land at not less than a certain amount, but it does not stipulate the highest price at which we may sell it. The price at which land has been sold in the past has been 10s. an acre; but after it has been treated by this drainage it may be worth £5 an acre. That which will apply to alienated land will apply to land which we still possess. At the same time

we shall drain a larger amount of Crown lands. It is in this way that the Minister in charge of the Act has power to subsidise the drainage boards which may be created.

At 6-30, the PRESIDENT left the Chair.

At 7-30, Chair resumed.

HON. J. W. HACKETT (South-West): I congratulate the Government on bringing in this Bill. I was one of those who welcomed the original Bill, at the same time expressing my belief that it was perfectly useless for the object it was intended to attain. But I was glad to see a start made, and was in hope that after a short time the defects of that Bill would be found out, an amending Bill brought in, and something practical done in the direction of land drainage. The present Government have seen some of the defects of the Act, but I venture to think that in the Bill now before the House other defects will surely be discovered which will necessitate an amending Bill next session, and, I believe, a reconsideration of the principles on which this scheme is constructed. As to the necessity of drainage in the South-West, there can be only one opinion. We suffer from very excessive moisture there, as my goldfields friends suffer from the lack of it, at all events in the rural parts of the auriferous districts. Much of the land in the South-West is not only of a stiff character, but is liable to be flooded; and it is a question whether, unless some system of deep subsoil drainage such as obtains in the greater part of England and Ireland be adopted, some of that land can be properly cultivated. But for the time being, we may content ourselves with the hope that if surface drainage be introduced, and the water that lies on the ground after a heavy fall of rain be carried off, the land will become sufficiently sweet by being worked, sufficiently productive, to make its cultivation profitable. Then there will be available for cultivation and for the keeping of stock hundreds of thousands of acres which now yield nothing but sour products. With regard to this Bill, I hope the Minister will give us a few days to consider it after his explanation. I am afraid some of the objections urged

against the original Bill are still applicable. It will be remembered that when the Bill of last session was passing through the House, much exception was taken to many points, notably to the dual control—the principle that one Minister should recommend to another Minister, who should deal with the recommendation before it got a stage farther to the Governor-in-Council, by whom it would be disposed of. But without delaying the House, I express my firm conviction that no adequate system of drainage can be introduced for the South-West that will be of any benefit or can give any real satisfaction unless we deal with these drains as we deal with the main roads of the State. In other words, as the main roads are made by grants from the Treasury of the whole State, so the main drains will have to be constructed out of the funds of the State. I need hardly labour that question; but it will be obvious that these main drains are intended to supply much more than a drainage district—probably several drainage districts; and they should be a charge on those who benefit by them, namely the whole community, and not the few individual selectors who will be assessed for the purpose of contributing to these main drains. If only those are to be assessed who derive direct benefit from the main drains, some selectors will have to be excepted, and some will have to pay a larger share. If, however, the main drain, like the main road, is to be constructed by the State and the drainage boards are then to occupy themselves with the task of sub-drains into the main drain, for which they will be assessed and held responsible, then I think we shall have a working scheme by which the drainage of the South-West can be safely attacked and probably successfully carried out; but I think the settlers of that part undoubtedly have a claim to have these main drains constructed solely by the Treasury. There are other matters which we shall deal with in Committee, but I fail to see how an efficient arrangement for assessing these districts is provided for either in this Bill or in the principal Act. I think it would be possible to point out many flaws and difficulties. There is that one which rests upon an interjection of mine to the Minister for Lands. There is

power given to construct drains, and to assess the ratepayers within the drainage district; but the drain itself may be constructed outside the drainage district as well as inside. The question then arises, who is to contribute to the cost of that drain, or to give security for the advances made by the Treasury? For it will be seen that no advance can be made by the Treasurer excepting in the terms of the Act, and it may be a drainage board will make itself responsible and pledge the property of the ratepayers, the agricultural residents of that district, to secure the advances, and in time to repay them with interest. These are one or two points which I have mentioned rather to show the difficulty of dealing with this question than to discourage any attempt to introduce an amending Act. In this subject I believe we are only feeling our way, and that we are hardly yet on the right path; and yet I am sincerely convinced that unless this question be tackled, and unless we can devise some means of draining this enormous area in the South-West which is now almost unproductive, we shall be in an unfortunate position with regard to that populous district. There, at the present time, attempts are made to grow something in it, but the unhappy cultivator finds his efforts result in failure. We shall lose one of the most valuable assets which this State possesses in that great tract of rich soil and magnificent rainfall. I trust the Bill will be pushed on, that we will discuss it and criticise it, and that it will be passed this session. Its defects will only be discovered by practical application, and they can then be dealt with in, I fear, several successive amending Bills. I support the second reading.

HON. E. McLARTY (South-West): I am entirely in accord with Mr. Hackett as to the desirability or necessity, I may say, of the Government constructing the main drains. From my experience of the present Act I can plainly see that it would prove an utter failure. The drainage system can never be carried out satisfactorily unless the Government come to the rescue and construct the main drains to allow the settlers to drain into. People object. It is a cause of complaint wherever you go. They do not look upon it as their right to be taxed for cutting main drains. As my

hon. friend has pointed out, not only those people who will be rated and perhaps taxed for the drains will benefit by them, but the drains might be very far-reaching, and might benefit people miles away. Those people will not come within the drainage district, and therefore it is obvious that it would be unfair to tax only people living in the locality when the drains will benefit people miles distant. I am entirely in accord with the new Bill proposing the drains should be constructed by the Government, and I think it will have a very good effect.

THE MINISTER FOR LANDS (in reply): I have been glad indeed to listen to the remarks which have fallen from gentlemen so well qualified to speak on the question of drainage as Mr. Hackett and Mr. McLarty. I can assure members that Mr. Throssell, my predecessor the Commissioner of Crown Lands, laid down the rule in the office, and left a memo. for my guidance, that he considered it the duty of the Government to construct main drains. I am afraid that some slight amendments may be needed in reference to the definition of main drains, but I think that when in Committee we shall be able to get over that difficulty by some slight proposals the Government will be inclined to make. It will be plainly seen from what Mr. Hackett has stated that it would be unfair to tax a particular locality for the construction of a main drain, which, as has been said, might benefit settlers miles away, those settlers not being taxed for the construction of it. In the areas mentioned there are not a great number of main drains to construct. The Harvey Area is the principal one. The river comes down to the higher portions, to the South-Western Railway, and then spreads out on the Harvey plains and flats. There is a distance of anything from 8 to 10 miles which will lead to the main channel or main drain, when that is made, and the brooks which come down are connected with the river—to all intents it will be a river when the main drain is made. These will be main drains that will affect those particular areas. In other places, where drainage areas have been created, main drains are not so extensive in their character; but I take it by the present Bill the Government may subsidise such drainage boards as they

think desirable, and to the extent they deem desirable for the purpose of making drains they consider main drains; and unless drains have been constructed for the benefit of the people, I take it we shall have power under this Bill to make these main drains. There is not the slightest doubt that settlers in many instances have been induced to take up land in these moist areas with a distinct promise that the Government would make these drains. A promise was made years ago that these drains would be made, and I think it only right the promise should be fulfilled. It must not be lost sight of that in constructing main drains to relieve these present unfortunate settlers we shall be making a very valuable asset for the State itself. If the work were in the hands of a private individual, that individual, having the capital, would construct these drains in order to make productive that land now lying useless. I see a great future indeed before the country with regard to the sale and handling of these Crown lands, which, as I have said before, are so close to the market, and so suitable for raising crops. I trust Mr. Hackett will not insist that this Bill stand over farther, for the drainage season, I am glad to say, is fast approaching, and there being many applications from people who are going to form drainage boards, it is very desirable that these main drains should be started. I am most anxious that this Bill shall be passed, so that the thing may be handed over to the responsible Minister in charge of the measure, and that we may not lose this season's work. It is the intention of the Government, as soon as the Bill passes, to get the services of qualified men, and the work will be put in hand. It is not expected that very much money will be spent this year, but there are certain works which are necessary. The late Administration, I think, started certain drains, but instead of beginning at the outlet they commenced at the other end, and I fear that unless we pass this measure we may be faced with very serious claims for damages. It is on this ground, and seeing that the Bill has been printed and circulated some time, I hope the House will see the advisability of going into Committee at once on the matter.

HON. J. W. HACKETT: You have some amendments yourself.

THE MINISTER FOR LANDS: No; only one. We are all willing to sit down and work it out, and perhaps we should do better to work with a full House. I am afraid that as the season advances we shall be flooded with Bills from the Assembly, and we may have our work passed as it stands. Near the end of the session there may be an accumulation of work. It is my desire to bring along what legislation I can, that we shall not sit idle, as we were in the early part of last session, and shall not have too much to do at the close.

THE PRESIDENT: If the second reading be taken to-morrow, it will give members time to place amendments on the Notice Paper, so that the House may be in possession of them.

THE MINISTER FOR LANDS: I am willing, but still I would much prefer going on. If the House wish farther delay to take place, I have no objection.

HON. J. W. HACKETT: The Minister will remember that he only explained the Bill this afternoon.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1.—agreed to.

On motion by the MINISTER FOR LANDS, progress reported and leave given to sit again.

PRAWN FISHING ACT REPEAL BILL. SECOND READING.

THE MINISTER FOR LANDS (Hon. C. Sommers), in moving the second reading, said: This is a Bill to repeal the Prawn Fisheries Act of 1876. The Fisheries Act of 1899 gives all the power to deal with crustaceans, as well as fish, and for that reason this Prawn Act of 1876 is now unnecessary. In the Prawn Act which it is proposed to repeal, the close period is stated as being between the months of May and November. During May and June and part of July experiments were made by the officials of the department, with the result that very large prawns were found in the river, and there was no evidence of spawn upon those prawns. I had personal evidence of that. It is thought that practically the close season which resulted from the

Prawn Act has not had the desired results, and seeing that we have all the powers under the Fisheries Act of 1899, it is proposed to repeal the Prawn Act. It is thought better that the Prawn Act should be repealed, to enable us to make fresh regulations under the Fisheries Act. Experiments will be continued to endeavour to find out as nearly as possible what should be the close season for prawns; and with that idea in mind it is now sought wholly to repeal the original Act. I know that Act is a special pet of Mr. Randell, and when I gave notice that this Bill would be introduced, he was particularly anxious lest some harm should be done; but I think the hon. member has since satisfied himself that what is now desired is in the proper interests of the country; in fact, knowing the Bill was coming on to-night, he left word that he was thoroughly satisfied with the repeal of the principal Act, of which Act I believe he is the father. There is very little to be said about it. The Minister for Lands is the Minister in charge of the fisheries, and I am just as anxious as the hon. member to see that these prawns are properly protected; but seeing that the Fisheries Act gives every necessary power to deal with the crustacea, the object is to repeal the Prawn Act, to find out what proper seasons should be declared, and then to make such regulations under the Fisheries Act as will meet the case. I move the second reading.

HON. R. S. HAYNES (Central): I do not approve of this Bill at all. I may say I have had some experience of fish and fishing, also of prawns and prawning. Although the Minister says he proposes to introduce hereafter some regulations as to fishing for prawns, I should like to point out that the House ought to have, before we pass the measure, more definite information as to what those regulations will be; and I hope the Minister will see fit to make the regulations and have them enforced before the original Act is repealed. For this reason. The prawns are in the river, according as the fresh water ceases flowing into the river, from the middle of October, in certain places, up to the beginning of November; and all through the month of November is the best time for prawning on the Caoning River, and on the banks. I do not know

whether hon. members are aware of that fact. If we repeal the Prawn Act, we leave the river open to be absolutely fished out by a number of Italians and Greeks who, to my mind, have denuded those places of fish and prawns, and practically spoilt the fishing industry. Until some measure is enforced to prevent any person going on to the banks at all and prawning, I will ask the Minister to consent to my suggestion. If the regulations be laid on the table, I have not the slightest objection to the Bill; but I may tell the Minister that I have seen spawn and prawns in this river. There are two classes of prawns in the river: what we call prawns—I doubt whether they are true prawns—and shrimps; and the shrimps are absolutely full of spawn in November, December, and January.

THE MINISTER FOR LANDS: Then your present Prawn Act is wrong.

HON. R. S. HAYNES: I do not think the Prawn Act applies to those at all. In speaking of the months to which I have referred—I am subject to correction—they are November, December, January, and perhaps February. With regard to the shrimps, these do not seem to be dealt with at all in this State: they are never dragged for. Their only use is to supply the fish with food. But there are large prawns which come down the river in March and April, at night-time. These prawns are not the prawns we see sold in the shops or delivered to the people: they are nearly double the size, and are almost as large as what we call in Sydney the "Cook's River prawn." Apparently those large prawns go out to sea. What becomes of the prawns that we see in February or March, I do not know. Whether they burrow in the sand does not appear. Perhaps they burrow very deeply, and they do not seem to rise at night time. What has always appealed to me is the profound and absolute ignorance of the whole of the department with reference to the fishing industry of this State generally. There is absolutely no person who knows anything whatever about it. From the Acclimatisation Society right down to the inspectors of fisheries, I think there is a total and absolute want of particular knowledge with reference to fishing. I do not think any man connected with the department could tell you the time of

spawning. I think they all disagree as to what rules there should be; and I hope the Minister will see his way to let some expert, some person well posted in the matter, come forward and investigate the whole industry. I remember the time when one could go out 5, 6, or 10 miles from Fremantle and catch half a ton of fish in an afternoon. I am not speaking of the schooling season down below; but I have been out on the 5-Fathom Bank and have seen the vessels strewn with fish. I have seen from one to one and a half tons of fish on the ship. To-day you may go over that place and cannot catch a fish. Eighteen miles up the coast it is the same to-day: they are all fished out. At the present time, vessels fishing for schnapper have to go 150 miles up. Presently they will have to go 200, and in the end up to the Abrolhos Islands, whence they will have to land their fish at Geraldton. Unless there be some sort of supervision provided, there is a very great danger facing us in the shape of a fish famine. There are seasons when mullet, salmon, and what are called sea-herring go along the coast; and I was told there are as many sea-herring come along the West Australian coast as come down the North Sea along the coast of Norway.

THE MINISTER FOR LANDS: Sometimes they sink the boats in those latitudes.

HON. R. S. HAYNES: I was told there are sometimes miles and miles of sea-herring outside the heads here. I was told that by one inspector of fisheries for Perth, Mr. Jonsen, who is a native of Sweden, and who spoke of something which he knew. They apparently come from the Southern Ocean; but no attempt is made to catch them. We know absolutely nothing of what is in our seas; and I would ask the Minister not to press this Bill through. I should like to hear the views of Mr. Randell upon the subject, which I know he has studied for years. Personally, I have the fullest faith in the administration of the Act by the Minister; but I should like to see what the regulations are with reference to prawning, before we abolish the existing Act. I think it would be in the last degree dangerous to abolish that measure, and open those places to a number of people who absolutely drag one after another all over the waters until there is

nothing left on the banks. At present, we have closed the Canning, and no person is allowed to fish along it; but directly you open this area, up will go the boats, and each fisherman will say, "Oh, I am fishing for prawns;" and you have one inspector to watch the whole of the Canning and the whole of the Perth River. Everyone will be poaching on the other side of the Canning, and the place will be dragged over in such a way that there will not be as many fish as there are in a London sewer.

THE MINISTER FOR LANDS (in reply): I think the hon. member (Hon. R. S. Haynes) has made out a very good case for the repeal of this Prawn Act. I take it that shrimps are only another kind of prawn. The hon. member has said that the spawning season for shrimps is November, December, January, and February. The close season for prawns, I might call it, is from May to November, consequently the season would be open on the 1st December, which the hon. member places as one of the months in which the shrimps are spawning.

HON. R. S. HAYNES: There is not a prawn in the river those months; not one.

THE MINISTER FOR LANDS: There is a great deal of uncertainty about the matter. I believe experiments have been tried by the Fisheries Department, and Mr. Gale is, I know, a gentleman who is very sincere in regard to the matter. The experiments he made in May, June, and part of July showed that very large prawns were in the river, and larger ones than I have ever seen exposed for sale. I have had the pleasure of eating some, and there was no sign of spawn on them. The advice that Mr. Gale has received from various experts is that the wrong season has been kept. It is only with the idea of protecting the prawns and increasing the number of them that an alteration of the law is proposed. I will promise the hon. member that farther regulations shall be made during the present week for the protection of this industry, and if necessary I will have the regulations placed on the table of the House.

HON. R. S. HAYNES: Before the Act is repealed?

THE MINISTER FOR LANDS: Before the Act is repealed. Having told Mr. Briggs of the Bill, I find that he had

no objection to raise to it. I promise that these special regulations shall be drafted this week and submitted, and I shall be only too pleased to have the advice of a gentleman who I know takes great interest in fishing—Mr. Haynes himself. I trust that the second reading will be carried.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

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

ROADS AND STREETS CLOSURE BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. C. Sommers), in moving the second reading, said: This is a Bill which I believe comes down annually. There are always certain roads and streets that are required to be got rid of, and this can only be done by Act of Parliament. The roads proposed to be closed include streets in the town of Albany, the municipality of East Fremantle, the town of Mount Malcolm, the Mount Baker suburban area, the town of Newcastle, the town of Niagara, the town of Norseman, and the town of Toodyay. In every case care has been taken to see that the closing of these particular streets has met with the approval of the local authorities.

HON. R. S. HAYNES: Have you consulted the Niagara Board?

THE MINISTER FOR LANDS: Yes; I presume that has been done.

HON. R. S. HAYNES: The hotels are all shut up.

THE MINISTER FOR LANDS: I can assure the hon. member they are not shut up, and where there are hotels there are, *prima facie*, a number of people in that locality or thereabouts. I simply move the second reading.

HON. J. W. HACKETT: To whom does this land go?

THE MINISTER FOR LANDS: The Crown.

HON. J. W. HACKETT: Always?

THE MINISTER FOR LANDS: Yes.

HON. J. W. HACKETT: And those streets in Newcastle.

THE MINISTER FOR LANDS: Yes.

HON. J. W. HACKETT: There is a great deal of it there. Will the Minister give us an assurance that all these lands which have been resumed will become public property?

THE MINISTER FOR LANDS: I cannot give that assurance, but I understand it is the practice. Before the third reading I will get the information.

HON. J. W. HACKETT: I hope the Minister will consent to this matter being postponed for a day. The information can be obtained from one of the clerks in his office in half an hour; and seeing the spirit abroad outside this House, I protest against land being resumed and handed over to persons who have not given one red cent. for it; land that belongs to the Crown and to the people. If these streets become public property, it is a different matter, but I believe that in some cases streets that have been closed have been quietly jumped by the adjoining owners and have become theirs.

THE MINISTER FOR LANDS: Clause 1, I think, deals with the subject. A schedule is given here of the roads about to be closed, and all that power is sought for is to vest these roads and streets in the Crown.

HON. J. W. HACKETT: It does not say that. I think you had better adjourn.

THE MINISTER FOR LANDS: The clause says:—

All rights-of-way on and over such roads and streets and portions of roads and streets as are described in the schedule hereto shall cease from the passing of this Act, and His Majesty may deal with such roads, streets, and portions as if they had never been public roads or streets, or subject to the said rights.

HON. R. S. HAYNES: The important words stipulating that the property should vest in the Crown are omitted.

HON. J. W. HACKETT: I think we ought not to take the Committee stage now.

THE MINISTER FOR LANDS: I have no objection.

Question put and passed.

Bill read a second time.

PROBATE AND ADMINISTRATION AMENDMENT BILL.

SECOND READING.

HON. A. JAMESON (Minister), in moving the second reading, said: This Bill deals with two matters, namely (a)

the granting of probate and administration by the Court, and (b) the powers of the Curator of Intestate Estates. The law on the first head is contained in four sections of the old Supreme Court Act 1861 (24 Victoria, 15). Both the law and the practice are in an unsatisfactory state, and the need of new legislation has been urged by all who administer or practise the law. The law on the second head is by no means so antiquated, being contained in an Act of 1893, but some amendments are necessary, and it was thought desirable to embody the Curator's powers and duties in this Act. The Curator only acts in connection with the protection and administration of estates of deceased persons, and an Administration Act is, it is conceived, the place to deal with the Curator. The Bill is based upon the Act of New South Wales—the Act I think of 1878—and is a close copy of it. The Bill has been approved by the Chief Justice, who has had it under his consideration for some time, and it has also met with the approval of the Master of the Supreme Court and the Curator. I do not propose to go into all the clauses of the Bill, but simply to touch upon the newer clauses, differing from those which now exist. The legal members of the House will deal with the matter and bring forward any fresh legislation with regard to it which they think necessary. Clause 8 is the first to which I shall draw attention. This clause is the law as laid down by the 57th Victoria, No. 9. It vests all property in the personal representative, and not as in England, where land vests in the heir, and personal estate in the personal representative. I believe that this is considered to be a reasonable departure. Sub-clause 2 of Clause 10 puts an end to the right of the executor to pay his own debts in preference to the debts due to others. This was thought to be desirable also. I believe the reason why an administrator should pay himself before anyone else is founded entirely on technical grounds. I may mention that Sub-clause 2 of Clause 10 will have to be amended by inserting after the word "executor" the words "or administrator." That will rectify an error I detected. This is a matter on which there is room for difference of opinion as to whether the administrator or executor should still be allowed

to recoup himself in the first instance; and it seems very unjust to those who are not familiar with the technical reasonings of the courts that the administrator or the executor should be allowed to recoup himself before the other creditors can do so. However, that is open for consideration.

HON. J. W. HACKETT: Why introduce it?

HON. A. JAMESON: I have introduced a clause providing that it should not be so. Clause 13 abolishes primogeniture, and provides that real and personal estate shall devolve in the same manner amongst the next of kin. That has been the law of Western Australia since the passing of 57 Vict., No. 9. Clause 14 is new to Western Australia: it gives the husband or the wife of the deceased a preference to the extent of £500. A similar provision exists in England, according to 53 and 54 Vict., Chap. 29. This has been the law in England for many years, and it is strange that it should not have been the law here, for, particularly in a State where the estates are not large, it is reasonable that a preference should be shown to the husband or wife in all sums under £500.

HON. J. W. HACKETT: After the debts have been paid or not?

HON. R. S. HAYNES: Would that be in addition to the life policy?

HON. A. JAMESON: I take it, the intention of the Bill is that the £500 shall come out of the real estate, after all creditors have been paid.

HON. R. S. HAYNES: It does not say "real estate."

HON. A. JAMESON: Real or personal estate. The net balance or net estate. That cannot be willed as regards this sum of £500.

HON. J. W. HACKETT: After the debts have been paid?

HON. A. JAMESON: After the debts have been paid. I think that is the meaning. Clause 15 of course acknowledges Section 30 of the Act, and Clause 16 is useful where the estate is small. It enables the court to use the funds to educate and maintain the infants. Clause 19 is a new clause, and worthy of consideration. I think the other clauses are all old until we come to 42: they are the sections existing in the Act of 1893.

Clause 42 allows the Court to grant commission to an administrator. No right to commission is granted to an executor. An executor being appointed by will, the will can provide for his receiving a commission, and if the will do not provide for commission, the inference is that the testator did not intend to grant it, and the executor need not act unless he so desires. In some States, the Court is allowed to grant an executor commission. This is a matter to which hon. members should particularly attend, for it lies entirely with the House.

HON. R. S. HAYNES: In New South Wales, executors have for 30 years past been entitled to a commission.

HON. A. JAMESON: The point arises whether that is right, because an executor being appointed by will, if the testator intended that a commission should be charged, he would have mentioned it in the will. Therefore, it has often been disputed whether an executor ought to be paid a commission.

HON. R. S. HAYNES: If in New South Wales the testator give the executor a bequest of, say, £200, the executor cannot get a commission: he may take either the legacy or the commission, but he cannot have both.

HON. A. JAMESON: I may say that in Scotland it is not so. If there is no commission mentioned in the will, the executor gets nothing. He gets nothing but what the testator chooses to give him. I know that to be the law of Scotland, for in the course of my studies as a medical man, I had to pass an examination upon probates and wills. That subject is included in our course of study, and that certainly is the law in Scotland. I understand that in England, and also in New South Wales, a commission is allowed to the executor. That is a matter which lies with this House, and it is a very important matter for the legal members to consider whether we should alter the law to that extent, and allow a commission to be granted to an executor.

HON. J. W. HACKETT: You will not object to the clause being amended?

HON. A. JAMESON: Not at all. Clause 42 permits the Court to allow a commission to an administrator. Clauses 53 to 57 provide new machinery in reference to the granting of probates or administrations in small estates. These

clauses have been carefully looked into by the Master of the Supreme Court, and have, I understand, met with his approval. Part II. is the law as at present. Part III. deals with the Curator of Intestate Estates, and represents the existing law with some small amendments which will be observed when we go into Committee. Then, coming towards the end of the Bill, Clause 88 is a new clause, and I believe has been found very necessary. By it, an absent executor may appoint an attorney. That is not provided for in the existing Act. By the schedule several Acts are by this Bill sought to be repealed. This is really a Bill to consolidate the law and bring it up to date, and to simplify it by doing away with so many Acts. By the first schedule, no less than seven Acts are dealt with. Six of them are wholly repealed, and of 24 Vict., No. 15, Sections 6, 7, 8, and 9 are repealed. The rules in the second schedule have been carefully revised by the Master, and have met with his approval. I may say this Bill has been before the Chief Justice of Western Australia for many months, and he thoroughly approves of the whole measure, which I hope will pass its second reading; and when it goes into Committee, perhaps legal members will bring forward whatever amendments they think necessary.

HON. J. W. HACKETT: By Clause 90, all the rules may be altered or annulled by any Judge of the Court. "Court" may mean Supreme Court or any Judge.

HON. A. JAMESON: By the Supreme Court; that is only right.

HON. J. W. HACKETT: "The Supreme Court or any Judge." A single Judge may do it; it should not be so.

HON. A. JAMESON: That is a matter of detail, which can be dealt with in Committee.

HON. R. S. HAYNES (Central): Through the courtesy of Dr. Jameson, I have had an opportunity of reading this Bill some little time ago, and I think the Government are to be congratulated on introducing it, for it will put matters upon what I may call a firm foundation. At the present time, one scarcely knows where one is in dealing with probate matters in this State. We did know at one time; but we have been depending upon rules and regulations passed in

England, and I have often doubted whether they applied to this State at all. I think we are somewhat in the dark as to our real position. At the same time, when a long Bill like this is introduced, one can on the second reading discuss only the general bearing of the Bill; and undoubtedly that has been received by those legal members of the House to whom I have spoken, I may say with pleasure. We were pleased to find the Bill introduced, and we approve of it strongly. There are some portions of it that will be discussed in Committee, but they are minor portions. The Bill, taken right through, has been very carefully drafted, except in particulars to which I will shortly refer. The House will do well in passing the Bill, and in those particulars I do not say the Bill is not perhaps better drafted than we expected. The only portion to which exception is taken is that from Clauses 53 to 57, inclusive, with reference to the appointment of district registrars. That looks very nice on the face of it. I do not know whence the principle has been taken, but I rather expect it is from England, where they have district registries.

HON. A. JAMESON: We have them in Scotland.

HON. R. S. HAYNES: And those district registries are presided over in England by solicitors or barristers, and in Scotland by solicitors or writers; but those are men of high attainments and undoubted repute. The position of registrar is most important; and no doubt the courts in England and Scotland appoint those district registrars, relying upon their rectitude and character. But if we are to appoint registrars in the outlying districts of this State, I do not know where we shall be. It takes all the time of the Court here to prevent frauds from being practised at present; and if we had in outlying places district registrars under this Bill, we should have a man dying, his will proved, his property sold and disposed of, and the people all gone within six months. I think that would be dangerous in the extreme. Probate should be granted in the Supreme Court. The Minister said the clauses had received the approval of the Master of the Court; but with the greatest respect for the Master, his judgment and

experience do not appeal to me very forcibly, because his practice has been very limited; and I do not think his opinion ought to be relied on as any ground for supporting the clauses. However, that seems to me the main objection to the measure. In New South Wales it was found in the Supreme Court of Sydney that they granted probate, and the man turned up alive shortly afterwards. Since that time they have always required an affidavit that the man has been absolutely seen dead by some person not interested. Clause 14, which the hon. member referred to, says:—

A husband or wife shall be entitled, on the death of the other, as to the property as to which he or she dies intestate, to the following shares only:—

- (a.) Where the net value of the property of the deceased does not exceed the sum of five hundred pounds, to the whole of such property.

I think provision will have to be made so that all property shall vest in the hands of the administrator, subject to the debts being charged to the estate of the deceased, with the exception only of certain conditions, such as a life policy. I am pleased to see these rules placed before us, so that we shall know exactly what we are working under. The rules are excellent. I think there is one portion of the rules, Rule 59, with reference to the costs, which will require some discussion, at all events. It is an excellent idea to tabulate costs according to the value of the estate, but it does not work out in practice, and I certainly shall oppose any attempt to introduce such a proposal as this to pay a person, irrespective of the work he does, according to the value of the estate, until you introduce the rules they have in England; that is, the principles of the Conveyancing Act, where a person is paid according to the value of the property which is dealt with. That has worked admirably in England for the benefit of the profession only. This provision is introduced to work as a sort of counterblast, as a detriment. Rule 59 says:—

When the net value of the estate does not exceed £300, 5 guineas.

Over £300 but not exceeding £500, 7 guineas.

Over £500 but not exceeding £1,000, 10 guineas.

Over £1,000 but not exceeding £2,000, 12 guineas.

Most of the estates in this State are under £300, and I regret to say that most of the estates under £300 come up with an imperfect will, and require more trouble and give more annoyance than perfect wills. In a case, we will say, of an estate worth £2,000 the sum would be under 15 guineas. Any attempt to fix the costs by scale where the work done is is not at all conditional upon the amount of money that passes through one's hands will always end in failure. If we adopted such a principle in the case of a man breaking his leg, charging by a sliding scale, I wonder how members of the medical profession would like it. Dr. Jameson would realise how impossible it is to fix a price unless you charge for the work which has been done. But I think we might do this, which would be very excellent—tax the costs in all cases of probate. In all cases where there is probate, costs ought to be taxed. Make the solicitor, before he sends in his bill, bring the bill down to an officer and have it taxed. As a rule, persons who have to pay costs are persons whom we look upon with a kindly eye. However, that is, after all, only a matter of detail, and I congratulate the Government on introducing a measure such as this, which meets a long-felt want. I hope the House will pass any amendment necessary. I take it the Minister will not proceed with the Committee stage to-night. If he will adjourn the Committee stage, I am sure members will assist him in making this measure as perfect as possible.

Hon. J. M. SPEED (Metropolitan-Suburban): I also congratulate the Government on having introduced this Bill. It is a Bill which we wanted. With regard to Clause 14, I understand in New Zealand there has been some recent legislation to the effect that in the event of a person dying, a certain portion of his property must go to his children and wife. It might be just as well for the Minister to look at the legislation of New Zealand to see if it is at all applicable to this State, and if he sees that it can be applied with advantage to Western Australia, have it inserted next year. I have not read the Act sufficiently to give an opinion on it farther, but I think

that taking it all through it would be exceedingly useful. With regard to district registrars, they may be good and they may not be good. They certainly would be good if experienced persons were engaged. If proper persons were appointed, I believe there would be a saving of expense to a number in the State; but the trouble is to get competent men to administer the Act, just the same as we find in regard to local police court and summary cases.

Question put and passed.

Bill read a second time.

DOG ACT AMENDMENT BILL.

WITHDRAWAL.

Order read, for second reading of the Bill.

HON. A. JAMESON (Minister): In regard to this Bill, I move that it be withdrawn for the purpose of submitting an amending Bill. I understand this has been done in several cases previously, and that such a course is quite in order when a Bill brought forward is found to require so much amendment that it becomes practically a new Bill. Therefore I move for leave to withdraw this Bill with a view of bringing in a new one.

THE PRESIDENT: The hon. member is quite in order in making this motion, because it is laid down in *May* that where a large number of amendments has been brought forward in a Bill, permission can be given by the House to withdraw the original Bill, so long as the general provisions of the measure are not interfered with, and to submit another in its place. That saves a great deal of time, and therefore permission may be given to withdraw the first Bill and substitute another.

Question (withdrawal) put and passed.
Bill withdrawn.

PAWNBROKERS BILL.

SECOND READING.

HON. A. JAMESON (Minister), in moving the second reading, said: The present Pawnbrokers Act is the Act of 1860, and I believe it is no longer applicable to this State. It is desirable that we should have a more reasonable Act, as things have advanced in this State very much since 1860. We want to have an Act dealing with the business

of pawnbrokers, which is a very important business for the poorer members of the community. Pawnbrokers are very much the bankers for the poor, and it seems necessary there should be some regulation in regard to the business carried on, just as is the case with so many other undertakings. I understand that some pawnbrokers charge interest from 150 per cent. to 200 per cent. That is altogether too high. In the new Bill we propose to reduce the interest, which is fixed at 60 per cent. per annum for sums under 10s. and 40 per cent. per annum for sums over that amount, and one would think that should be sufficient to satisfy most persons. Moreover, this Bill provides for the protection of articles against fire. Under the present law there is no redress, I understand, in regard to pledges in the case of fire. The Bill is in reality founded upon the English Act of 1872, with some liberal amendments which are contained in the South Australian Act of 1888. Perhaps it is hardly necessary for me to go into the different clauses of the Bill, for I think they will be gone into fully in Committee. The various loans are regulated by schedule, and, as I have said, on loans under 10s. interest is to be only at the rate of 1½d. per month on every 2s. 6d., and 1d. per month on every 2s. 6d. if the amount be over 10s. One provision is that perishable goods are redeemable in three months. It relates to such things as feathered goods and other goods that are apt to perish in hot climates. For other goods the term of redemption will be six months. There are a number of important clauses, but I think I need not go into the matter now if the subject will come on in Committee. The general principle of the measure is simply to regulate the trade of pawnbrokers, and it seems very reasonable. I think we should bring our Act up to the standard of the Eastern States. I understand there have been really some very harsh actions in the city on the part of some parties. There is a provision that pawnbrokers shall have some knowledge of jewels and jewellery, and I understand that this is necessary, for it prevents fraud. I understand it prevents fraud in this way. Supposing you pawn a ring containing a valuable stone; the stone may be taken out, and the ring sold at a low price and bought in again by the

pawnbroker. Thus the original stone, which might have a value of £100, may be replaced with one worth a few shillings; and the pawnbroker, in answer to the complaint of the injured party, simply says that instead of a ruby he thought it was a garnet; whereas, if it could be shown that he had a knowledge of stones, a fraud of that kind could not successfully be perpetrated. I hope the Bill will be allowed to pass, and when it gets to the Committee stage we can go into these various points more fully.

HON. R. S. HAYNES (Central): I am glad the Pawnbrokers Act is being brought up to date; but at the same time, in passing this Bill I should like to be careful that it does not interfere with the vested rights of those who already have licenses, and that provision be made so that we shall not have a close corporation or borough in the trade of pawnbroking. At the present time there is a ring in Perth; the business is conducted by its members and by no other persons; and they seem to fight shoulder to shoulder against any new man starting who would be willing to lower the rate of interest. In passing this measure, I think we ought to be careful to see that on the one hand the interests of the pawnbrokers are protected, and also that the licenses are not improperly or unduly continued. For that purpose, I see the license is to be granted by the resident magistrate alone. Personally, I have a decided objection to allowing any person to be a final court of appeal: I see no reason why licenses should not be granted by the licensing bench of the district. There are other questions with reference to the rights of persons pawning, and there is also the power of sale. I think it would be perhaps as well, instead of troubling the House with a long debate upon the various clauses, if the Minister in charge would consent to the Bill being referred to a select committee. I hope the hon. member will see his way to do that. The committee can sit, discuss the matter, bring up proposed amendments; and perhaps the time of the House will thus be saved.

HON. J. M. SPEED (Metropolitan-Suburban): Dr. Jameson told us very truly that the pawnbroker is really the poor man's banker. If that be so, I think the Minister might have inserted

some provision giving the Government power, as is the case on the Continent, to have their own pawnshops, the "*monts de piété*;" and I think it would be to the advantage of the community, especially on the goldfields, to have such establishments.

A MEMBER: They are not wanted on the goldfields.

HON. J. M. SPEED: In Hannans-street, Kalgoorlie, you will see pawnshops doing a very brisk business. I do not think there is any chance of loss; and I think such establishments would be of great benefit to the poorest people in the State.

HON. R. S. HAYNES: Circumstances in this country and in Paris are totally different.

HON. J. M. SPEED: I consider a poor man is a poor man wherever he is. The Government might take that into consideration. If a Bill is not introduced this session, it can be introduced later on; and the sooner these things are taken in hand, the less misery and trouble will there be to those people so unfortunate as to have to resort to this means of raising money. No doubt most extortionate interest is charged by private pawnbrokers everywhere; and it seems to me that is a matter the State may very well take into its own hands.

Question put and passed.

Bill read a second time.

On motion by Hon. R. S. HAYNES Bill referred to a select committee, consisting of Hon. A. Jameson, Hon. A. G. Jenkins, with the mover; to report on 1st October.

CONTRACTORS AND WORKMEN'S LIEN BILL.

SECOND READING—POSTPONEMENT.

Order read, for second reading of the Bill.

HON. J. M. SPEED (Metropolitan-Suburban): I move that the consideration of this order of the day be postponed for a week. I do so because the Bill is one I would like hon. members to be thoroughly conversant with. It is a long Bill, and even an explanation of the measure may not be satisfactory to many, though I may say that in New Zealand the measure was discussed most exhaustively and was passed in the Legislative Council. If members will look at volume 77, page 150—

HON. J. W. HACKETT: This is a motion for adjournment.

THE PRESIDENT: The hon. member cannot make a speech on a motion for adjournment. When he is delivering a second-reading speech, he can state all the provisions of the Bill and point out all the advantages it contains.

HON. J. M. SPEED: I am not speaking of the advantages or disadvantages. I am only speaking for the information of hon. members, telling them where they can get a full explanation of the Bill.

THE PRESIDENT: No debate is allowed on a motion for adjournment, and the only question is that consideration of the order of the day be postponed until this day week.

Motion put and passed, and the order postponed.

PRESBYTERIAN CHURCH OF AUSTRALIA BILL.

SECOND READING.

HON. A. JAMESON (Minister), in moving the second reading, said: This Bill is purely of a formal character, being a measure that enables the Presbyterian Churches to unite. The whole tendency at the present day is towards unity, and this Bill provides that the various Presbyterian Churches throughout the Australian States shall become one Church in Australia. The scheme of union is fully laid down in the schedule of the Bill, and I think I need not go into the various details. As I have said, it is a Bill desired by the Presbyterian Churches of this State. I have made some inquiries and find that the measure is considered desirable by all the branches of the Presbyterian Churches.

POINT OF ORDER—ADJOURNMENT.

HON. J. W. HACKETT: Is it a Government Bill or private Bill?

HON. A. JAMESON: It is a Government measure.

HON. J. W. HACKETT: There is no report from a committee.

THE PRESIDENT: It came from the Assembly: it is a Government Bill.

HON. J. W. HACKETT: Without any report on it from a committee.

HON. A. JAMESON: It is purely formal.

HON. J. W. HACKETT: Is the Presbyterian Church the Church of the State?

HON. A. JAMESON: There is no State Church.

HON. J. W. HACKETT: This is making it so, if the Government are to deal with this measure. The rule, I believe, is that churches are voluntary societies in all parts of Australia. I find the Government, however, taking up this Bill. My hon. friend, Mr. R. S. Haynes, brought forward a Bill for the purpose of appointing trustees for a branch of the Roman Catholic Church in Western Australia; but the Government are putting the Presbyterian Church on a different footing altogether, for they bring down a measure which practically amounts to a statement that in their view the Presbyterian Church is the State Church, and this is a Government measure.

HON. D. M. McKAY: That is only the way the hon. member is putting it.

HON. J. W. HACKETT: No; it is a point of law. I do not look at it in that way. I do not think it ought to be so. This Bill is on exactly the same footing as any other private Bill for the regulation of any corporation. I need an explanation why it is taken up as a Government measure. I believe in keeping the churches as voluntary bodies, arranging their own concerns as far as they can, and divorced from the State altogether. I repeat that I would like an explanation from my hon. friend as to why this has been introduced as a Government measure, and not as a private Bill, as it really is, dealing with a private church, the Presbyterian body.

HON. R. S. HAYNES: We should adjourn this debate until next Tuesday with the object of making inquiry. The Bill does seem to be a private one.

THE PRESIDENT: I see the difficulty which has been pointed out by Mr. Hackett. Another church matter has been dealt with by a private Bill.

HON. J. W. HACKETT: Adjourn the debate.

THE PRESIDENT: I think it would be well to adjourn the debate until this day week.

HON. J. M. SPEED: I think Standing Order 54 shows that the Minister is in order in introducing the measure in the way he is doing.

THE PRESIDENT: The question is that the debate be adjourned. We do

not argue points of order on a motion for adjournment.

Motion (Mr. Hackett's) for adjournment put and passed.

ADJOURNMENT.

REMARKS ON BUSINESS.

THE MINISTER FOR LANDS (Hon. C. Sommers): Before moving the adjournment of the House I would like to notify hon. members that I hope we shall have a full House to-morrow afternoon, for it is possible the Customs Bill will come in from the Assembly. The news has reached us that the Federal Government are submitting their Customs Bill, and it is desirable to protect the interests of this State. I trust that certain measures will be passed through all their stages to-morrow, and for that reason I trust we shall have a full House. I move that the House do now adjourn.

The House adjourned at 28 minutes past 9 o'clock, until the next day.

Legislative Assembly.

Tuesday, 24th September, 1901.

Papers presented—Question: Mail Steamers, Changing Port of Call—Question: Dam at Parker's Range, Particulars—Obituary: Mr. R. Speight—Fourth Judge Bill, first reading—Totalisator Act (1883) Repeal Bill, first reading—Trading Stamps Abolition and Discount Stamps Issue Bill, first reading—Excess Bill, first reading—Hampton Plains Railway Bill (private), Select Committee's Report, to adopt (negatived)—Chairman of Committees (Acting), Appointment—Municipal Institutions Amendment Bill, in Committee to new clauses, reported—Trade Unions Regulation Bill, Recommendation, reported—Criminal Code Bill, second reading—Brands Act Amendment Bill, second reading, referred to Select Committee—Industrial and Provident Societies Bill, second reading (moved)—Customs Duties (Reimposition) Bill, second reading, in Committee, reported—Death of Hon. H. Lukin; Adjournment.

The **SPEAKER** took the chair at 4.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the **PREMIER**: 1, Report of the Royal Commission on Railway and Customs Departments; 2, Papers (moved for by Hon. F. H. Piesse) *re* reduced rates on carriage of local timber; 3, Papers (moved for by Hon. F. H. Piesse) *re* carriage of Collie coal and fixing of rate for same; 4, Return (moved for by Mr. J. M. Hopkins) relating to police districts statistics; 5, Papers (moved for by Mr. G. Taylor) *re* registration of Albany Stevedoring and Coaling Association.

Ordered to lie on the table.

QUESTION—MAIL STEAMERS, CHANGING PORT OF CALL.

MR. J. J. HIGHAM, without notice, asked the Premier: Whether his attention had been drawn to a paragraph in the *Morning Herald*, containing a report of a decision come to by the Postmaster General of the Commonwealth, which report stated it was the intention of the Commonwealth Government to advocate the calling of mail steamers at Albany instead of Fremantle. If so, what are the Premier's intentions?

THE PREMIER replied: My attention was drawn to the paragraph, and I sent a telegram to the Commonwealth Prime Minister, asking whether there is any truth in the report.

QUESTION—DAM AT PARKER'S RANGE, PARTICULARS.

MR. W. OATS asked the Minister for Works: 1, Whether the water dam at Parker's Range was completed. 2, What was the entire cost of erection, excavation, and drains, etc. 3, What quantity of water it would hold. 4, Whether it had ever been filled. 5, If not, what was the reason. 6, What was the estimated cost of making it water-tight. 7, Whether the Government, in view of obtaining water to develop this important and large auriferous district, intended doing this necessary work. 8, If so, when.

THE MINISTER FOR WORKS replied: 1, May, 1897. 2, £4,975. 3, 4,415,600 gallons. 4, No. 5, Owing to insufficient rainfall. The catchment area is a fairly good one. 6, No estimate has been made. 7 and 8, Farther inquiries will be made, but at present the Govern-