

of the secular instruction of the day" be inserted between the words "hour" and "may," in the second line. He said: Taking into account that we have Sunday Schools and ministers of religion, it seems to me that half-an-hour at the morning, and half at the afternoon, will be quite enough to take out of the period for secular instruction. I should like to see every child well instructed in religious matters, although I have no particular like for dogmatical teaching.

THE COLONIAL SECRETARY (Hon. S. H. Parker): At this stage I propose to report progress. Before I do so, I may say that if this amendment is carried, it will do away with the benefits which are anticipated will be derived from the insertion of the provisions of this clause. The present law provides that the religious instruction may be given before or after school hours, and as I have already pointed out, at the present time the children do not come in the morning, and after the master has gone in the afternoon, there is no one to maintain discipline. The object of the present clause is to enable the instruction to be given when the master is present to keep order.

THE HON. G. RANDELL: I do not think the Colonial Secretary has understood the purport of the amendment. I do not intend that the teaching should begin before or after school hours, but that it shall be during school hours. I do, however, think it objectionable that a minister of religion should enter a school at any time, during school hours, and disturb the course of secular instruction. In some cases it might be distasteful to the teacher to be present during the teaching of the catechism, say, of another denomination to that to which he belongs. I may say that I intend to move that there shall be a right of appeal to the Minister as to the hours for teaching religious matters which may be fixed by district boards. I shall also move that the Government shall have the power of fixing the books to be used in the Assisted schools for secular education, and that in schools where the children do not receive special religious instruction the Bible and religious books of an undenominational character, to be fixed by the Governor-in-Council, must be read.

THE HON. J. W. HACKETT: In the New South Wales schools the teacher has

the power to deliver a lecture of an undenominational character on scriptural subjects, and I have been assured that these are the most popular lessons. I was present at the Fort Street School—the largest in Sydney—when one of these lessons was being held, and I never saw children display such deep interest in any subject as they did in that.

Question—That progress be reported—put and passed.

ADJOURNMENT.

The Council, at 5:20 o'clock p.m., adjourned until Wednesday, 4th October, at 4:30 o'clock p.m.

Legislative Assembly,

Tuesday, 3rd October, 1893.

National Park Reserves—Appropriation Bill: third reading—Constitution Act Amendment Bill: Legislative Council's Amendments: Proposed Conference—Stamp Act Amendment Bill: second reading: in committee—Eastern Railway Improvement Bill: in committee—Message from Legislative Council re Amendments in Wines, Beer, and Spirit Sale Act Amendment Bill—Public Institutions and Friendly Societies Lands Improvement Act Amendment Bill: second reading: in committee—Mineral Lands Act Amendment Bill: second reading: in committee—Message from Legislative Council, agreeing to proposed Conference with reference to the Constitution Act Amendment Bill—Public Health Act Further Amendment Bill: in committee—Loan Estimates, 1893-4: introduced—Adjournment.

The **SPEAKER** took the chair at 2:30 p.m.

PRAYERS.

NATIONAL PARK RESERVES.

MR. TRAYLEN, in accordance with notice, asked the Commissioner of Crown Lands whether it was the intention of the Government to reserve National Parks at all places likely to attract tourists, including the caves at the Margaret River?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) replied that the Government would take care to make large and suitable reserves at the most interesting places in the colony. The caves at Margaret River, which were said to be very beautiful, had already been included in a reserve gazetted 18th July, 1893.

APPROPRIATION BILL.

THIRD READING.

On the Order of the Day for the third reading of this Bill,

THE PREMIER (Hon. Sir J. Forrest) said he was aware that the passing of the Appropriation Bill was generally reserved until the end of the session, but, as they were approaching that now, and as it would take some little time for the other House to get through the Bill, he would ask members to agree to the third reading now. If, however, they wished to hold the Bill in hand a little longer, he should have no objection. It would make no difference, so far as the Government were concerned; but they would take no advantage of the Bill, if passed at this stage.

MR. R. F. SHOLL said that, so far as he was concerned, he was perfectly indifferent as regards any of the business remaining on the paper. He would be glad if the Government, as soon as they got their supplies, would prorogue the session.

Motion put and passed.

Bill read a third time, and transmitted to the Legislative Council.

CONSTITUTION ACT AMENDMENT BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS: PROPOSED CONFERENCE.

The House went into committee for the consideration of the amendments made by the Legislative Council in the Constitution Act Amendment Bill. (*Vide* p. 995, *ante*).

THE PREMIER (Hon. Sir J. Forrest): Members will notice that of the two amendments which this House urged the Council to reconsider and not to insist upon, the Council have been good enough to agree to the wishes of this House with regard to one of them, and that is, that members of the Upper House, under the

amended Act, shall retain their seats for six years, instead of nine. That must be satisfactory to members, and I think we may express our thanks to the Legislative Council for meeting the wishes of this House in that matter, for I am sure that we are all of opinion that a tenure of six years is quite long enough, under the elective system. With regard to the other matter, which we pressed upon them to reconsider and not to insist upon, namely, that there should be seven electoral divisions, instead of six, as proposed by them, and that the Upper House should consist of 21 members instead of 18, the Council, it appears, have not been able to fall in with our suggestion. They have replied that they still insist upon their amendment in that particular. It is now open to this House to do one of two things: either to accept this amendment of the Council and to have six electoral provinces, returning 18 members to the Upper House, instead of seven, returning 21 members; or to ask the Council to agree to a Conference between the two Houses to talk over the matter. The effect of our accepting the Council's amendment would be, as members are aware, that the towns of Fremantle and Perth would form one electorate, instead of each being a separate electorate. We have given some very good reasons, I think, already, to the Upper House why it is not desirable that these two towns should be joined in one electorate. The other course open to us, as I have said, is to ask the Council to appoint some of their number to confer with an equal number of the members of this House, and talk over the matter in dispute, and see whether some agreement can be come to which will be acceptable to both Houses. I may at once inform members of the intention of the Government with regard to this matter. We propose to ask this House, in the event of the Council still insisting upon their amendment, to assent to the Bill with the Council's amendment, and for this reason: it seems to me that the alteration proposed by the Council, although very important—I think it will really spoil the Bill, in a measure, and necessitate an alteration in it probably at the very next session—is not of such paramount importance as to justify the throwing out of the Bill this session. For that reason, the Government think

that it will be far better to accept the Bill as it stands, even with that amendment, than to lay the Bill aside; because, as a matter of fact, the towns of Perth and Fremantle constitute one division under the existing Constitution, so far as the Upper House is concerned, and they would be left exactly in the same position if this Bill passed, with the Council's amendment. Therefore, if the Council should still insist upon its amendment, the Government, rather than have the Bill thrown out, because of that amendment, will ask this House to accept the amendment, feeling sure that at the next session of Parliament an attempt will be made—and I should think it is likely to be a successful attempt—to alter the Act in this particular. The Government, however, entertain the hope that, upon a reconsideration of the matter, and a friendly discussion between delegates from the two Houses, the Council will be inclined to give in to the wishes of the members of this House in this matter; because I am of opinion that the objections raised by those who are opposed to the wishes of this House in this respect are not in reality raised against this particular provision of the Bill; their object is rather to defeat the Bill altogether. I do not complain in any way of their action. The truth of the matter is, they object to the main principles of the Bill. They object to the extension of the franchise, and probably to the abolition of the property qualification of members—the two main features of the Bill; and so long as they had devoted their energies and strength to openly oppose those two main principles, I would have had no reason to complain, because they have a perfect right to their opinions, if they really think the change would not be to the advantage of the colony, and they would be perfectly justified in using all the rules and forms of the House in defeating the passage of the Bill. But when we find their opposition confined to matters of minor importance—of great importance in some respects, but still of minor importance as compared with the main principles of the Bill—I cannot think it would be wise on the part of this House to run the risk of having the Bill defeated, rather than accept this amendment. So far as the Government are concerned, we are determined that the Bill shall not be

defeated. We prefer to accept the Bill as it stands, unless we can induce them not to insist upon their amendment. I only hope that some satisfactory arrangement may yet be arrived at, that will be acceptable to all parties; and, with that view, I now move, "That a conference with the Legislative Council be requested upon the subject of its Message No. 28 respecting the Constitution Act Amendment Bill, and that the managers for the Assembly at such conference consist of the five following members:—Mr. Pearce, Mr. Quinlan, Mr. Loton, Mr. DeHamel, and the mover.

AN HON. MEMBER: Mr. Pearce is absent.

THE PREMIER (Hon. Sir J. Forrest): Then I will mention Mr. Solomon.

MR. R. F. SHOLL: I almost think it is a waste of time to refer this matter to a conference. The members of the other House have considered the matter, and it has been returned to this House with a message that they insist upon their amendment. Therefore I really think it is only waste of time to have this conference, especially as the Government are anxious to get over the work of the session. I think this House should stand firm, and take no further action in the matter, but leave the responsibility of throwing out the Bill upon the other House. I question whether any compromise arrived at by this conference would give satisfaction to both Houses. I have no intention at this stage of dealing with the merits of the question at issue; but I must say that most unfair arguments have been used in the course of the discussion in another place, directed against the Northern parts of the colony—most unfair, unjust, and unwarrantable arguments.

THE PREMIER (Hon. Sir J. Forrest): Who used them?

MR. R. F. SHOLL: I do not know that I would be in order if I mentioned names, although I am game to do so. It has been stated that the whole of the North is virtually owned by people residing in Perth and Fremantle, that the estates in the North are so encumbered that they are virtually owned by the financial institutions and people residing in this part of the colony. I resent the statement, and deny that such is the case. I say again it was a most unfair assertion, a

most unjust assertion, a most unwarrantable assertion. I regret very much that anyone who is a director of one of these institutions and who is also the professional adviser of two of these institutions, and the professional adviser of one of our mortgage companies, should have used such an argument against giving the North its fair share of representation under this Bill. I say there is no ground for such an assertion. To say, because a man borrows some money on his estate, no matter how small the amount, that the property belongs to the mortgagee, is to draw a great deal upon the imagination, to say the least of it; and to make use of such an argument for political purposes is very unfair and very unjust for a Minister of the Crown to do.

THE PREMIER (Hon. Sir J. Forrest): Who did it? You have not told us who did it.

MR. R. F. SHOLL: You know who did it.

MR. DEHAMEL: I think the Premier, by his statement as to the intentions of the Government, in the event of nothing coming out of this Conference, has done much to ensure the withdrawal of this amendment by the other House, because when they find that the Bill will go through, whether they insist upon their amendment or not, I take it they will pause before they insist upon an amendment which after all is of very little importance to them; and, particularly, as they must know that it is sure to be rectified next session, and thus involve the country in the turmoil of another fresh election for that House. They will see that the ground is cut from under their feet; and, when they see that this House and the Government are willing to meet them in every spirit of moderation and conciliation, I hope that the result of this Conference will be that a *modus vivendi* will be arrived at.

MR. RICHARDSON: I have not much to say at this stage, except to move that the members of this Conference be elected by ballot.

A ballot having been taken, the following members, in addition to the mover of the original resolution (Sir John Forrest), were appointed to serve as managers for the Assembly: Mr. Loton, Mr. Solomon, Mr. DeHamel, and Mr. Quinlan.

Resolution reported, and the report adopted.

Ordered—That the foregoing resolution of the House be transmitted by message to the Legislative Council.

STAMP ACT, 1882, AMENDMENT BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): In rising to move the second reading of this Bill, I have but very few words to say in regard to it. It has been necessitated principally by the Post and Telegraph Act passed this session, which makes postage stamps and revenue stamps interchangeable, up to 1s. But, while we are dealing with that, we also take advantage of the opportunity of making a few other alterations, which I think members will agree with me are desirable. We propose, in the first place, to repeal the 21st section of the principal Act, which necessitates the approval of the Governor being obtained in every case where a license is granted to sell stamps. It is merely a routine matter, and it has been found troublesome to bring every appointment of a vendor of stamps before the Executive Council to obtain the Governor's approval; and, really, under the present Constitution, there is no necessity for it. Therefore we propose that in future the Colonial Treasurer may issue these licenses. Clause 4 of the Bill provides that all vendors of stamps shall notify the fact by putting up a sign or notice outside the place in which such stamps are sold. I think that is a very necessary provision, for this reason: there are many persons or firms who are vendors of stamps at present, who give the public no such notification, and consequently the public are unaware of their existence as stamp vendors, and they are of no service to the public at all. Besides that, although licensed to sell stamps, these persons do not care to do so; they simply obtain a license to suit their own convenience. I am alluding principally to banking institutions and legal firms, who deal largely in stamps in the course of their business, and who take out a license as vendors of stamps for the sake of the commission and for the sake of their own convenience. If you go into a bank, for instance, I question whether they would care to sell you a stamp; they merely use the privilege

for their own sakes, and they do not care to serve the public at all. The same with solicitors. We want all licensed stamp vendors to be stamp vendors to the public, and we want the public to know who are licensed stamp vendors, so we propose that in future every licensed vendor shall affix a notice to that effect outside his place of business. At present many vendors in towns are altogether unknown to the public, and they simply take out a license for the sake of earning the commission upon the stamps which they themselves use. The 5th Clause deals with a matter connected with the Transfer of Land Act, about which there is at present some doubt, as to the stamp duty chargeable. The 6th Clause provides that no duty shall be charged on any coupon issued with any security for the payment of interest, unless such interest amounts to £2 and over. At present a coupon or warrant for interest, no matter for how small a sum, has to bear a penny stamp, which is an unnecessary tax upon people, to compel them to pay a penny in respect of smaller amounts than £2, which is the lowest amount that requires a receipt stamp. Clause 7 gives the definition of the word "stamp," and provides that it shall be deemed to include any adhesive postage stamp. Clause 8 contains a rather important provision. The necessity for it has been brought under the notice of the Government by the insurance companies. Its object is to prevent a duty being charged a second time upon policies of re-insurance. The companies complain very much that it is a hardship upon them, after paying the duty upon the full amount assured, to be called upon to pay the duty again in the event of the insurance being shared by another company. The matter was brought under the attention of the Attorney General some time ago by the representatives of the various insurance companies doing business here, and the Attorney General promised to look into the matter, and it is now proposed that policies of re-insurance be exempt from a stamp duty, so long as the full duty has been paid on the original policy. I think the Bill, although a little one, will be found useful. It deals with several small matters which it has been found do not work satisfactorily at present, and I have much plea-

sure in recommending it to the House. I beg to move its second reading.

MR. MONGER: I have no intention of opposing the second reading of the Bill, because I am in favour of all its provisions except that clause which gives insurance companies certain concessions which, to my mind, they are not entitled to. At present it is the policy-holder who pays for the stamp, and not the insurance companies, and if this concession be granted it will not be policy-holders who will benefit, but the companies themselves. If an insurance company, after accepting a risk, wishes to share that risk with another company, it has to pay a stamp duty upon the re-insurance, which, so far as I know, is the only revenue this country derives from these companies. I therefore hope that, when we go into committee on the clause which exempts them from paying this duty, members will agree with me in striking out that clause. With that exception, I have no objection to the Bill.

MR. A. FORREST: I am rather astonished at the remarks of the hon. member for York because the hon. member is fully aware that these insurance companies have, for many years past, made little or no money in this colony, and for a long time it has been felt to be a hardship upon them that they should have to pay this duty twice over—pay it upon the full amount of the original policy, and pay it again upon a policy of re-insurance in another office. It is a hardship which the Government have been asked to remove, and I think it is only fair that they should do so. It is not done in any of the other colonies, and I fail to see why it should be done here. As to the other clause, compelling all stamp vendors to put up a sign in front of their premises, I do not see why this should be necessary in all cases. Many large business houses take out these licenses simply for their own convenience, and I do not think they would care to put up a sign, and be liable to be called upon to sell penny stamps all day long to the general public. I would not like it myself, although perhaps there is no very great reason to object to the clause, as ordinary vendors of stamps will benefit by it.

Motion put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 7 inclusive :

Put and passed.

Clause 8—"Policies of re-insurance to be exempt from stamp duty":

MR. MONGER moved that the clause be struck out. Granting, as the hon. member for West Kimberley had informed them, that a similar clause existed in the Acts of all the other colonies, he did not see any necessity for Western Australia to copy the legislation of the other colonies *in toto*. The only revenue which this colony derived from these insurance companies was this duty upon re-insurances, and he did not see where the hardship came in. It was the policy-holder and not the company who paid for the stamp upon the original policy; and, if a company wished to effect a re-insurance, for its own benefit, it was only right that it should pay the duty upon that re-insurance. They were told that these companies had made no money here. He was surprised to hear that. He had been mixed up in many business enterprises himself, and, if he found they did not pay, he cleared out; and he felt pretty well sure that these insurance companies would not remain here if their business did not pay. They did not remain in the colony from purely philanthropic motives. If this small contribution to the revenue which they were now called upon to pay was going to drive them out of the colony, it did not speak much of their stability. If this trifling saving which this clause was going to effect was to be the only inducement that was going to keep any of these companies in the colony, all he could say was the colony was better without such companies. He thought there would be plenty of flourishing companies left behind.

MR. LOTON said he could not support the amendment to strike out this clause. It appeared to him an imposition to tax the same policy twice over. Although the proponent paid for the stamp on the original policy, that was no reason why the company should have to pay the same amount again upon re-insurance.

MR. TRAYLEN said the argument of the hon. member for the Swan, applied to other transactions, amounted to this: if he sold ten acres of land to-day, and paid the transfer duty, that ought to cover all

future transfers; and, if a purchaser cut up that land, and sold it again, no further transfer duty ought to be charged. If he had a lot of goods and did not want to run the risk of their being burnt, and he went to an insurance company and paid a premium for their taking over the risk, and that company afterwards wished to shift the risk on to some other company, why should they not pay a stamp duty, in the same way as he had to pay upon the original policy? He looked upon this re-insurance as a separate transaction, done entirely in the interests of the insurance companies; and he thought that each party might fairly be asked to contribute to the revenue upon each separate transaction alike.

MR. A. FORREST said that insurance was a very risky business. These companies had half-a-million of money invested here, and they did not know when they might be called upon to draw upon their resources; and he thought it was only fair that we should ease them in this way. So long as the full duty was paid on the original policy, why should the company be called upon to pay again, simply because it distributed the risk with another company. It did not affect the policy-holder in any way.

MR. SOLOMON failed to see why the companies should be called upon to pay the same duty twice over. The State or the revenue got the benefit of the stamp duty on the original policy, and why should it receive the same benefit twice over, in respect of the same policy? The re-insurance was only a business arrangement between the company that had taken the risk, and some other company that was willing to share the risk, for which the policy-holder had paid.

MR. QUINLAN said that from his knowledge of the losses which the insurance companies had sustained in this colony lately, they must have had a very hard time of it, and certainly they were not on a bed of roses. He thought they might fairly ask to be placed on the same footing here as they were in all the other colonies.

MR. MONGER said he could see it was very little good for him to press his amendment, though he was still of opinion that no good ground had been made out for granting this concession to the insurance companies. As to these fire com-

panies having any large amount of capital invested in the colony, he did not believe that (with the exception of one company) they had more than £500 on fixed deposit in this colony; they remitted the money away as fast as they made it.

Motion, by leave, withdrawn.

Clause put and passed.

Clauses 9 and 10 :

Agreed to.

Preamble and title :

Agreed to.

Bill reported, and report adopted.

EASTERN RAILWAY IMPROVEMENT BILL.

SECOND READING.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn), in moving the second reading of this Bill, said it was purely a formal Bill, authorising the proposed deviations on the Eastern Railway, as shown on the chart laid on the table.

Motion put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1 :

Short title.

Put and passed.

Clause 2—"Authority, to construct railway, as described in the schedule" :

MR. A. FORREST asked whether the Government intended, after making these deviations, to keep the present line open, between the foot of Greenmount and Honey's saw mills, and also to continue the fencing; also, whether it was considered necessary to re-rail that portion of the line with 60lb. rails, seeing that it was the intention of the Government to make these deviations at an early date, and that nearly all the traffic would be diverted from the present line.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said, as to the question of fencing, the Government considered it was absolutely incumbent upon them to minimise the danger on this part of the line as much as possible, as it was uncertain when the deviations could be undertaken; and he thought that the few hundred pounds spent for the protection of the public in this way was money well spent, even although it should only be required for a few weeks, because one accident arising from stray cattle getting

on the line, at this dangerous part of the line, might involve the Government and the colony in an enormous loss. As to the re-railing of that portion of the line referred to by the hon. member, he was not aware that it was being re-railed at present. He did not exactly know what the intention of the Engineer-in-Chief was. Probably that portion of the line would fall into disuse in a few years, but he did not think the Government would close it immediately. He thought the vested interests concerned were sufficient to justify the Government in running an occasional train, though no doubt, eventually, the traffic would be entirely diverted to the new line. If the work of re-railing this portion of the present line was going on, they might depend upon it there was a very good reason for it, because the heavy engines about to be introduced to work these heavy grades could not work successfully on the present light rails; and it would probably be some time yet before the deviations would be completed.

THE PREMIER (Hon. Sir J. Forrest) did not think the cost of re-railing this short section would be very much; and as it certainly would be twelve months, or more probably eighteen months or two years, before the proposed deviations were completed and ready for use, it was necessary in the meantime that the present line should be made fit for working the heavy engines which the Government were introducing.

Clause agreed to.

Schedule :

Put and passed.

Preamble and title :

Agreed to.

Bill reported, and report adopted.

WINES, BEER, AND SPIRIT SALE ACT AMENDMENT BILL.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The following Message was received from the Legislative Council :—

" *Mr. Speaker,*

" With reference to Message No. 32 of "the Legislative Assembly, the Legislative Council informs the Legislative Assembly that it has agreed to its "amendments on the Council's amendments Nos. 5 and 13 in 'The Wines,

"Beer, and Spirit Sale Act, 1880, Amendment Bill."

"GEO. SHENTON,
President.

"Legislative Council Chamber, Perth,
"October 2nd, 1893."

**PUBLIC INSTITUTIONS AND FRIENDLY
SOCIETIES LANDS IMPROVEMENT
ACT AMENDMENT BILL.**

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): I beg to move the second reading of this Bill. Members will probably recollect that last session we passed an Act intituled "The Public Institutions and Friendly Societies Lands Improvement Act," the object of which was to enable certain associations or societies to raise money by mortgage upon lands belonging to them, for the purpose of improving them. The institutions referred to in that Act included public libraries, public museums, lodges of freemasons and oddfellows, working-men's and mechanics' institutes, agricultural societies, lodges of good templars, temperance societies, and friendly societies. The Act went further, and included within its provisions "any institution of a public character holding lands granted by the Crown for a public purpose." Members will notice that the Act is very wide in its scope, but still it is considered that it is not wide enough to include a cricket association. The West Australian Cricket Association have some fourteen acres of ground near the Causeway, which they have very much improved, and I believe they have raised about £1,000 upon it, for improving it. The association wishes to be placed in the same position as other societies under the existing Act, and this Bill extends the provisions of that Act so as to include "any association having as its object the encouragement, management, and control of cricket, football, or athletic sports." It merely places beyond doubt the provisions of Clause 2 of the Act of last session. I think that these associations, which are managed by trustees to encourage these manly games, should be encouraged as far as we can. They are managed by persons who take a great interest in these games, not with the view of making any pecuniary profit for themselves, but simply for the encouragement of athletic sports; and I

think this House will not be doing wrong if it assents to this small Bill, the second reading of which I have now much pleasure in moving.

Motion put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill passed through committee, without comment.

**MINERAL LANDS ACT AMENDMENT
BILL.**

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): In rising to move the second reading of this Bill, which has for its object the adding of a new clause to the Mineral Lands Act of 1892, I may point out the reason for introducing this additional clause. Some few days ago we passed a resolution in this House, which was also agreed to by the Legislative Council, giving a special lease, on special conditions, of a portion of our tinfields to Mr. J. S. Reid, and it was pointed out at the time that an Act would be necessary to empower the Government to enter into this agreement with Mr. Reid. Instead of bringing in an Act specially for this particular purpose, the Government propose to deal generally with the question of granting special mineral leases. That is the object of this Bill, which is really similar in its provisions to a clause which exists in our present Land Regulations—Clause 115, which deals with special concessions. That clause provides that, "In order to promote the construction of railways or other public works, or the introduction and establishment of new industries and commercial undertakings of public utility, or for otherwise promoting the settlement of the colony, the Governor-in-Council may grant special concessions of land in fee simple or otherwise, in any portion of the colony, and may grant special concessions to cut and remove timber from Crown lands for any period, and such concessions may include special privileges, and shall be subject to any subsidy, rent, fees, conditions, or reservations as the Governor-in-Council may prescribe. Provided that any concession under this clause shall be subject to the approval of the Legislative Council." We have already acted under that clause,

without resorting to an Act of Parliament, in the case of the concession granted for the construction of a railway to the Canning Hills, and, I believe, in other cases. But we propose to deal with these mineral concessions in a Bill, and, instead of having a separate Bill for every special concession or lease, we think it is better to have a general power vested in the Governor to grant such special leases, as provided in the second clause of this Bill. The clause provides that "the Governor may grant mineral leases of any Crown lands within a mining district, and such leases may comprise such areas and contain such special covenants and privileges, and shall be subject to such rent, fees, conditions, or reservations as the Governor approves or prescribes." But Clause 3 provides that "no lease shall be granted as aforesaid unless the conditions subject to which it is granted have been generally approved by Parliament." There is the *cruz* of the whole matter. Unless Parliament has approved generally of the conditions, no such lease can be granted. I do not think that members can take any exception to the Bill, seeing that it is surrounded with such restrictions. It would be inconvenient, of course, to ask Parliament to approve of every detail in a lease or agreement; therefore it is that we say that no lease shall be granted unless Parliament has "generally approved" of the conditions subject to which it is to be granted.

MR. SIMPSON: I presume this Bill practically means that the Government have agreed to the proposal submitted to this House a few days ago with reference to the application of Mr. J. S. Reid. The Premier has drawn attention to the fact that Parliament has only to give a "general approval" to the conditions of any special lease; it has nothing to do with the details of the concession. If that is so—and we may take it for granted that it is nothing more—then, I say, if this House passes this Bill, in its present form, it will part with all its rights to govern the administration of Crown lands. Clause 3 says: "No lease shall be granted as aforesaid unless the conditions subject to which it is granted have been generally approved by Parliament." What does "generally approved" mean?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): The main principles.

MR. SIMPSON: The main principles! It is by paying attention to details that mining enterprises turn out profitable. We know that. I think these words "generally approved" had better come out. We want to have something to say to details, as well as main principles. I know the present Government have no wrong intention. No one would think so for a moment. But I think that word "generally" is a dangerous one, so far as the rights of Parliament to approve of these special leases are concerned. Who is to determine what constitutes a general approval? Ministers? We know what pressure is likely to be brought upon Ministers in such cases. I do not say that it is likely to be brought to bear to the prejudice of the State; still, I think it would be a wise thing to omit this word "generally." The Premier told us, when the resolution in favour of Mr. Reid's proposal was agreed to, that it would be necessary to introduce an Act to legalise that agreement. Very well. But here is an Act under which the Government can actually control any goldfield, or tinfield, or coalfield in the colony, even as regards the labour conditions to be observed on any mine, so long as Parliament has generally approved of certain main principles. I think, if members agree to this clause as worded they will be parting with its rights and privileges. All that Parliament would have to do under this Bill is to express its general approval of the outlines of any special concession about to be granted, leaving all the details—the practical part of the agreement—to be filled in by Ministers. Take this proposal of Mr. Reid's, for instance. According to that agreement, so many men are to be employed "in connection" with this lease. Who is to decide what is meant by the words "in connection"? Those men might be engaged in carting machinery in South Australia, or in Victoria; and it might be said they were employed "in connection" with this lease. Or the £20,000 that is to be expended "in connection" with the lease may be expended upon some second-hand machinery at Broken Hill. It is a most vague expression; and this House having "generally

approved" of the proposal has nothing further to say in the matter. The whole thing is to be left to the discretion of Ministers. As regards this particular scheme, my own firm conviction is that the object of obtaining possession of this block of 1,000 acres is simply to freeze out the smaller lessees, and to enable the applicant to thoroughly test the field, to the exclusion of all others, before employing any labour upon his lease. I do not understand the extreme anxiety of the Government to pass this Bill. Nor do I understand why this House should be asked to part with its rights and privileges, and surrender them to any Ministry. I say that the terms of the proposed agreement, which is the cause of this Bill being introduced, is an absolute abrogation of the spirit of our Mineral Lands Act; and here we are asked to pass a clause giving the Minister, after obtaining a general sort of approval from Parliament, a right to settle all the details of the agreement. I think, if the House passes this Bill, it will be voluntarily forsaking all supervision over the control of the mineral lands of the colony.

THE PREMIER (Hon. Sir J. Forrest): The hon. member's observations really call for a serious answer. Anyone would suppose that we were not living under Constitutional Government, but under some autocratic form of government, under which a Ministry could do what it liked without being responsible to anyone. Surely the hon. member must be aware that, under our present form of government, every act of the Ministry is subject to the supervision of Parliament. The reason why I put in the words "generally approved" was more in the interest of the Government than in the interest of the lessee, so that the Government might not have its hands tied in making the best terms it could for the country. If the hon. member likes to strike out the word "generally," so as to give the Government no latitude whatever in making the best terms they can in the interests of the country, let him do so, and let him take the responsibility. I have no objection, unless that it may invalidate the lease. If the Government enter into an agreement or lease, the conditions of which are not exactly in accordance with the conditions approved by Parliament—no matter whether those conditions are

more advantageous to the colony—then I take it, that lease would be void if the hon. member's idea is carried out. So far as I am concerned, there will be no concessions made to any of these lessees in excess of the conditions approved by resolutions of the House, but it may be found necessary to introduce some other conditions, or to vary those conditions, in order to safeguard the interests of the country. Neither the Hordern contract nor the Midland Railway contract were approved by the House in detail; only the general principles which were to govern these important contracts were approved, and the contracts were afterwards drafted by the legal advisers of the Government. Of course, if the House has changed its opinion with regard to this particular concession since it passed the resolution a fortnight ago approving of it, let it say so. So far as the Government are concerned, we have no interest in the matter whatever. I have no anxiety to get the thing through, except in the interests of the country. I thought it was generally considered that it was a good thing to introduce capital here, and that it was desirable to change the present state of affairs on the Greenbushes tinfield. If the House now is of a different opinion, and is anxious to withdraw from the position it took up the other day, I have no objection to it, so far as I am concerned. We thought it would be in the interests of the country to have these tinfields developed, which was the only reason why we entertained this proposal at all. If anyone thinks that the Government, either myself or any of my colleagues, have any interest whatever in this matter, I can only say he is very much in error. As I have said, the word "generally" was put in entirely in the interest of the country, and not of the lessee in any way. My only object was to give the Government a little scope to enable us to introduce somewhat more stringent conditions into the lease, should we find it desirable to do so in the interests of the country, and not to grant the lessee any privileges that had not been approved by the House.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): I must confess I am extremely surprised at the action of the hon. member for Geraldton. The hon. member's actions in this House

are a continuous source of surprise. This agreement or proposal which was put forward by the Government in the most clear and straightforward manner, without any attempt whatever to disguise the peculiarities of the labour conditions, or anything else, was approved only a fortnight ago by the hon. member. But now, without any reason whatever, the hon. member comes forward and casts some very unpleasant and gratuitous imputations upon those who sit on these benches, going so far as to suggest that they are actuated in this matter by some personal interest.

MR. SIMPSON: Not a bit.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): If the hon. member did not intend to make these insinuations he should not have made such remarks as he did.

MR. SIMPSON: I meant all I said.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): All I can say is that the hon. member has made a base insinuation, which is in no way founded on fact; and the hon. member knows it, too. What desire could the Government have in granting this concession to Mr. Reid except to further the interests of the colony? It was considered desirable in the interests of the country that capital should be invested in developing these tinfields, and the gentleman in question offered what I considered fair proposals for developing and stimulating what was a languishing industry. I think it is very hard when a proposal has been accepted by this House without opposition, and also in another place without opposition, that at this stage, when a Bill is brought in to give the Government general powers to deal with concessions of this kind, that the hon. member should get up and make these reckless accusations. As to the expression "generally approved by Parliament," to which the hon. member takes such strong objection, the Government have no particular reason for using the word "generally" approved, except that we do not think it necessary or advisable that every little detail of an agreement should be approved by Parliament, and that the Government should not have the power to depart one iota from those details, no matter how advantageous it might be to the colony. It was not considered necessary to obtain more than the

general approval of the Legislature under the old form of Government; and surely it cannot be considered necessary under the present form of Government, when Ministers on these benches simply hold their positions only so long as they retain the confidence of this House. If members have any idea that anything has occurred within the last week or two to alter their opinions with regard to the proposed concession to Mr. Reid, they should say so. There is ample time for them to withdraw their consent to the proposed arrangement with Mr. Reid. It would be far more satisfactory to the Government if they did so, rather than to have insinuations cast upon them by a member of this House. We shall have no objection to the omission of the word "generally," if the House wishes it, only if it does harm hereafter, by restricting the action of the Government in endeavouring to make the best terms possible in the interests of the country, members must not blame the Government.

MR. LOTON: I cannot help thinking that if the Government want to have any margin in settling the details of this or any other agreement under this Bill, the word "generally," as it appears in the 3rd clause, is misplaced. I think the clause, instead of reading, "No lease shall be granted..... unless the conditions..... have been generally approved by Parliament," should read, "No lease shall be granted..... unless the general conditions..... have been approved by Parliament." It seems to me that the expression "generally approved by Parliament" is a very vague one. Parliament must either have approved or disapproved of the conditions, the general conditions, of the lease.

MR. DEHAMEL: I think the country is indebted to the hon. member for Geraldton for calling attention to the wording of this 3rd clause. The Bill was only brought in last night, and we have not had time to consider the effect of every word. But what has amazed me more than anything was the attack of the Minister of Lands upon that hon. member, for insinuations which I certainly never heard the hon. member make.

MR. SIMPSON: They make caps to fit themselves.

MR. DEHAMEL: I certainly heard nothing in the way of insinuation.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): There are none so deaf as those who won't hear.

MR. DEHAMEL: I think this is a question of looking at the matter with guileless hearts. But as to this word "generally," I agree with the hon. member for the Swan that it is in the wrong place. This Bill is really a Bill to authorise the granting of special leases, and I agree with the Government that it is desirable to give them power generally to deal with such leases, without the necessity of having a special Act in every case. I do not intend, myself, to go back from the resolution of the other day, in favour of granting a special lease to Mr. J. S. Reid, only that it has been stated that other applications for leases on these same tinfields were refused, and that instructions were given to the Warden to do so.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Nothing of the sort. The hon. member's remark will induce me to lay on the table of the House certain papers which will show that I did not issue such instructions.

MR. DEHAMEL: Then I shall move the adjournment of the debate, until those papers are produced.

MR. R. F. SHOLL: I do not see the good of adjourning this debate simply in order to find out whether certain instructions were issued to the Warden of these tinfields. With regard to the proposal which has called forth all this discussion, it was generally acknowledged when it was before the House the other day that it was a proposal that would prove advantageous to the colony; and, for my part, I must say I was astounded at the liberality of the proposal. I take it that the Government will see that the existing rights of the miners on this tinfield are protected. But this is a Bill which deals not only with this particular agreement, but with all other agreements that may receive the general approval of Parliament. I think the word "general" is rather vague, and gives rather a wide scope to the powers to be exercised by the Government in settling the conditions of these special leases. I agree with the hon. member for the Swan that it would be better if the clause were made to read that no lease shall be granted unless the general conditions of the lease have been approved by Parliament.

THE PREMIER (Hon. Sir J. Forrest): I will accept that at once.

MR. SIMPSON: Hear, hear.

MR. R. F. SHOLL: I say again, I cannot think that any member of the House will cavil at Mr. Reid's proposal, because everyone admits that, if carried out, it is likely to prove of great advantage to the tinfields, and to that part of the colony. I am therefore inclined to oppose the adjournment of the debate.

Motion for adjourning the debate put and negatived.

MR. COOKWORTHY: It is well known to members that when the Greenbushes tinfields were first discovered, a great number of companies were formed, and obtained leases; but I think they all came to grief. Then, if I recollect rightly, the working miners on the tinfields brought pressure to bear, or made representations to the Government that claims only should be worked, and worked by working miners. That, too, was tried, but I do not think it can be said to have been a success. It has been found that these fields cannot be properly developed without the aid of capital, and we know that capital cannot be found on the spot for that purpose. When this proposal of Mr. Reid was first made public, I, and others with whom I spoke on the subject, considered it would be a capital thing, and we were glad to think that there was some chance of these fields being developed at last. I have had no reason to alter that opinion; I still believe that if this proposal is carried out in its integrity it will prove of great advantage to the Southern districts.

MR. A. FORREST: I may say that I had the pleasure of visiting these fields not many weeks ago; and, from all quarters, on the road and on the fields, the general opinion of the residents was that this scheme was a good one, and could not in any way interfere with the rights of the present lessees. I explained to them that there was no intention on the part of Mr. Reid, nor the Government, to deprive anyone of the land comprised within his lease. I may add that there is not a soul on this block which Mr. Reid proposes to take up.

Motion put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—"Short title and incorporation":

Put and passed.

Clause 2—"Governor may grant special mineral leases":

MR. SIMPSON said this clause was a distinct departure from the principle that governed our present mining regulations. It empowered the Government to vary the conditions of any lease in any way they thought fit, even to the labour conditions. If it was necessary to do so in one case, it might be in others; and, they might depend upon it, applications for concessions would tumble in from all quarters. The applicants might not have £20,000 to spend "in connection" with providing machinery, and for that reason possibly their applications might not be entertained. Still, once we admitted the principle, there was no knowing where it would end. It would spread from tin mining to gold mining, and to every class of mining. As for the charge of making insinuations, or impugning the honour or integrity of the Ministry, who impugned it? He never did. But if they chose to make caps to fit themselves, he could not help it. He had simply expressed an opinion about one of the provisions of the Bill; and immediately they had two Ministers of the Crown jumping up to defend the honour of the Ministry. He said again this was a dangerous power to give any Ministry, especially at the close of a dying Parliament.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said one would think from the remarks of the hon. member who had just sat down that there was nothing in the present regulations which allowed a departure to be made from the ordinary labour conditions, whereas, in point of fact, the Government already possessed that power under the Mineral Land Regulations. The Registrar had a discretionary power to modify the labour conditions at any time. But this Bill proposed to give the Government power to deal with a special concession, and, while dealing with that special concession, they thought it would be well to have a general power to deal with all such concessions. The present Government would not always be in office, and this Bill would arm any future Government with the right to deal with lessees of

mineral lands, under special circumstances, in a special way, subject to the approval of Parliament being previously obtained.

MR. SOLOMON said he could not see that the Bill gave the Government any wider powers than they already possessed, seeing that under Clause 3 they could not exercise these powers without the previous approval of Parliament.

Clause agreed to.

Clause 3—"No lease shall be granted as aforesaid unless the conditions subject to which it is granted have been generally approved by Parliament":

THE PREMIER (Hon. Sir J. Forrest) moved, as a verbal amendment, that the word "general" be inserted before the word "conditions," and that the word "generally" be struck out. He said the word was evidently in the wrong place.

Amendment put and passed.

Clause, as amended, agreed to.

Bill reported, with a verbal amendment, and report adopted.

CONSTITUTION ACT AMENDMENT BILL.

MESSAGE FROM THE LEGISLATIVE COUNCIL *re* PROPOSED CONFERENCE.

The following Message was received from the Legislative Council:—

"Mr. Speaker,

"In reply to Message No. 34 of the Legislative Assembly, the Legislative Council informs the Legislative Assembly that it has this day passed a resolution that the request of the Legislative Assembly for a Conference with reference to the Constitution Act Amendment Bill be acceded to. The Legislative Council will be represented by five members at such Conference.

"The Legislative Council suggests that such Conference be held in the committee room of the Legislative Council, on Wednesday afternoon next, at 5 p.m.

"GEO. SHENTON,
President.

"Legislative Council Chamber,
Perth, October 3rd, 1893."

Ordered—That a Message be transmitted to the Legislative Council, informing them of the agreement of the Legislative Assembly to the time and place suggested by the Council for the holding of the Conference.

PUBLIC HEALTH ACT FURTHER
AMENDMENT BILL.

IN COMMITTEE.

Clauses 1, 2, and 3 inclusive :

Put and passed.

Clause 4—"No person shall remove
"nightsoil or any receptacle containing
"nightsoil from any closet or cesspool in
"any Local Board's district unless he
"shall have first obtained a license to do
"so from the Local Board."

MR. TRAYLEN, without comment,
moved that the following words be added
at the end of the clause: "and it shall be
in the discretion of the Board to grant
or refuse such license."

Question put and passed.

Clause, as amended, agreed to.

Clause 5—"Termination of license:"

Put and passed.

Clause 6—"Local Board may issue ex-
clusive licenses for the removal of night-
soil."

MR. TRAYLEN, without comment,
moved that the following words be added
at the end of the clause: "and any Local
Board may reserve to itself the exclu-
sive right to perform, by its servants,
"the removal of nightsoil, or any other
"sanitary service."

Question put and passed.

Clause, as amended, agreed to.

Clauses 7 to 10 inclusive :

Put and passed.

Preamble and title :

Agreed to.

Bill reported, with amendments, and
report adopted.

LOAN ESTIMATES, 1893-4.

IN COMMITTEE.

THE PREMIER (Hon. Sir J. Forrest),
in introducing the Loan Estimates for
the twelve months ending 30th June,
1894, said: I do not propose to say much
in introducing these Estimates this year,
because for the most part the works pro-
vided for are works which are already in
hand, and these Estimates are merely a
continuation of those voted last year by
this House. The main features of these
Loan Estimates, it seems to me, are those
set forth on page 4, dealing with the
salaries of the officials proposed to be
employed upon loan undertakings during
the year. As regards the other items, the
House has, to a large extent, to put its

trust in the Government of the day to ex-
pend the money efficiently and economic-
ally upon the works already sanctioned
by the House. I may point out, in this
connection, that it is very difficult to de-
termine beforehand what amounts will be
actually expended upon each particular
work during the year, because there are
many other things that may interfere.
For instance, on the 1st July last, there
were stores amounting in value to over
£200,000 on hand, and it is difficult to
say how much of these stores may be
transferred and charged against each par-
ticular vote, within a given time. There
may also be outstanding liabilities. It
will be seen from these Estimates that it
is proposed to expend no less than
£903,131 during the next twelve months;
but I have no doubt that when we get to
the end of that term that amount will not
have been all expended, and the difference
will be made up of stores in hand and of
outstanding liabilities. If it is not expended
of course the money will be there, but it is
just as well to be on the safe side in
making estimates of this character, in the
case of works already approved by Par-
liament, and to ask for authority to ex-
pend what will prove sufficient. On page
4 members will find the total number
of officers to be employed and charged
against Loan funds, and their salaries,
and I think, taking into consideration
the extent of the works proposed to be
undertaken, that the amount set down
for salaries is not an unduly large one.
Provision has been made on these Esti-
mates for commencing the deviations on
the Eastern Railway, and also the con-
struction of the Vasse Railway, and many
other important works, not only on the
Loan Act of 1891, but also the Loan Act
of 1893, which this House has just passed.
£20,435 is the sum set apart for salaries
in connection with all the public works
in hand or proposed to be undertaken,
including works in connection with our
goldfields, and I think it cannot be said
that the amount is excessive. For the six
months which ended the 30th June last
this House voted £648,776 out of loan
funds, and of that amount only £8,931
was actually expended in salaries. Of
course we are in a good position now
to carry on these works without so many
officers, because the plans are finished or
nearly so; and I anticipate that the

amount now asked for salaries will be quite sufficient to enable us to carry on for a year, even if we undertake all the works provided for on these Estimates. Members will notice that at the end of these Estimates, on page 16 and onwards, there is a statement showing the probable state of the various loan undertakings on the 30th June next, and also the progress anticipated to be made with each work during the year. I think members will gather a considerable amount of information from these statements, because they show not only the amount expended on the works from the beginning, but also the estimated outstanding liabilities, and the estimated balance that will remain to the credit of each item at the end of the financial year. All this information is just the information which members require, and it cannot fail to be of interest. At the end of the Estimates members will notice we have dealt with the Loan of 1893, passed this session; and there again we show exactly the proposed expenditure during the year upon each item, the estimated outstanding liabilities, the estimated balance at the end of the financial year, and the progress anticipated to be made with each work during the year. They will notice that, in addition to railway construction, we propose to undertake harbour improvements, jetty extensions, dredging, the construction of roads, the providing of a water supply for our goldfields, the erection of schools, and other works, which this House has sanctioned. I do not know that it is necessary for me to say anything more in introducing these Estimates, except that I am sure my friend the Director of Public Works will be prepared to furnish any information which members may require, as we go through the various items in committee.

On the motion of MR. R. F. SHOLL, progress was then reported, and leave given to sit again on the following day.

ADJOURNMENT.

The House adjourned at 23 minutes past 5 o'clock p.m.

Legislative Council,

Wednesday, 4th October, 1893.

Homesteads Bill: committee—Constitution Act Amendment Bill: conference with Legislative Assembly—Homesteads Bill: committee—Stamp Act Amendment Bill: first reading—Eastern Railway Improvement Bill: first reading—Mineral Lands Act Amendment Bill: first reading—Imported Labour Registry Act Amendment Bill: second reading: Bill laid aside—Chinese Immigration Act Amendment Bill: second reading—Immigration Act, 1883, Repeal Bill: second reading—Appropriation Bill: second reading—Adjournment.

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

PRAYERS.

HOMESTEADS BILL.

IN COMMITTEE.

Clause 18.—“Governor may set apart lands for homestead leases”:

THE HON. J. MORRISON: I have to move, as an amendment, that the words “if situated within forty miles of the railway,” in lines 3 and 4, be struck out. I make this motion because there will otherwise be a great deal of expense attached to the classification of the land, and with a view to a further subsequent amendment by which the method will be more simple, because then all lands beyond 40 miles from a railway will be third class, and all land within 40 miles second class.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The striking out of these words are intended to limit the power of the Governor; but they will really give greater power. It is hardly likely that any man will take up land further away than 40 miles from a railway. It is for the House to say whether they will give this extra power.

THE HON. J. W. HACKETT: Surely, as this Bill is an experiment, it will be better to proceed as cautiously as possible. I believe the smaller the limits the better.

THE HON. J. MORRISON: The lands near the railways are already improved lands; but we want people to take up lands further out and improve them. It is my intention to move that second-class lands be such as would be set apart in the South-Western Division, or in the Eastern or Eucla Division, if situated