

ticles may go free. In my experience, I have found that the law at present works a great hardship. There are a considerable number of persons lodging in houses in this city, and under the law any of these lodgers who takes any articles, except wearing apparel, into the room in which he sleeps, and the person from whom he has taken this lodging owes rent to his superior landlord, if that superior landlord puts in a distress, these articles belonging to the lodger may be seized and sold for that rent. In one case a great hardship came under my notice, before I had any idea of introducing this Bill. A gentleman took a room in a house, and paid for board and lodging, and furnished the room with his own furniture. The landlady who let him that lodging owed the superior landlord rent, and the superior landlord put in a distress, and, naturally, the bailiff seized the whole of the goods. The incident ended by the lodger having to pay more than two-thirds of the rent due before he could get his goods released, and he had only been a short while in the lodging-house. This Bill proposes to do away with that hardship, and where lodgers have goods of their own in particular rooms, these goods shall be exempt from distress. I really do not see why it should not be so. It was found necessary in England to alter the law twenty-eight years ago, but it has never been altered here.

HON. R. S. HAYNES: There have not been any lodgers here until lately.

HON. F. M. STONE: I think the Bill should commend itself to the House.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—Lodger, if distress levied, to make declaration that intermediate tenant has no property in goods distrained:

HON. R. S. HAYNES said he had no objection to the general tenour of the Bill but a proviso should be inserted in this clause. It was quite right that lodgers' goods should be protected, but it was also right that a landlord should be protected against fraud. At present a person might take an eight-roomed house and say nothing to the landlord about subletting, but might sublet seven of the

unfurnished rooms and keep one of the rooms himself, and the tenants might furnish the rooms. There was a case similar to this a little while ago—the case of O'Brien. O'Brien occupied one room, and he sublet six or seven other rooms unfurnished to persons who brought in their own furniture. The landlord allowed the rent to get into arrear, and when he desired to seize on the goods for rent the lodgers said, "This is mine, and that is mine," and so on. Was that fair? If a lodger wanted protection from the landlord he could give notice to the landlord that he was a sub-tenant. It protected the lodger and the landlord too. Notice should be given to the latter. He did not think his hon. friend would object to that.

On the motion of the HON. R. S. HAYNES, progress was reported, and leave given to sit again.

ADJOURNMENT.

On the motion of the COLONIAL SECRETARY, the House adjourned at 6.20 p.m. until the next day.

Legislative Assembly,

Tuesday, 12th July, 1898.

Papers presented—Question: Small-Pox (alleged) on steamer at Robb's Jetty—Question: Erection of New Supreme Court House—Question: Law Amendment, Trial of Election Petitions—Question: Voters in Electoral Districts—Crown Suits Bill, second reading—Interpretation Bill, second reading—Inebriates Bill, second reading—Divorce Amendment and Extension Bill, first reading—Gold Mines Bill, first reading—Land Bill, first reading—Health Bill, first reading—Return ordered, Timber Concessions—Return ordered (as amended), Expenditure on Ceremonial Functions—Return ordered, Agricultural Bureau Expenditure—Motion: Legislative Assembly Buildings, Temporary Accommodation—Motion: Tick in East Kimberley, Removal of Restrictions; Amendment moved (debate adjourned)—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: 1, Perth Municipal By-laws. 2, Commissioner of Police, Report for 1897-8. 3, Steamer Sultan at Geraldton, Correspondence as to Berthing while flying quarantine flag.

By the ATTORNEY GENERAL: Rioting at Kalgoorlie, Papers as to imprisonment of persons.

Ordered to lie on the table.

QUESTION: SMALL-POX (ALLEGED) ON STEAMER AT ROBB'S JETTY.

MR. SOLOMON, without notice and by leave, asked the Premier: Is it a fact, as stated in the *Morning Herald* of to-day, that the steamship Sultan, with small-pox on board, has been allowed to come alongside Robb's jetty (near Fremantle) to land cattle and sheep?

THE PREMIER: (Right Hon. Sir J. Forrest): I am not able to answer the question, but I know the principal Medical Officer has the matter in hand.

MR. SIMPSON: That officer will put small-pox all over the country, if you do not watch him.

QUESTION: ERECTION OF NEW SUPREME COURT HOUSE.

MR. LEAKE asked the Director of Public Works, Whether it was the intention of the Government to erect a new Supreme Court House; and, if so, when the work would be commenced.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piessé) replied that designs had been prepared and approved, and the Government would begin the work as soon as funds were legally available.

QUESTION: LAW AMENDMENT, TRIAL OF ELECTION PETITIONS.

MR. LEAKE asked the Attorney General, Whether the Government proposed to amend the law relating to the trial of election petitions.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather) replied that the Government had no intention at present to amend the law relating to the trial of election petitions.

MR. LEAKE: Is the Attorney General aware that the present law is unworkable?

THE ATTORNEY GENERAL: I am not at present aware.

MR. LEAKE: I wish the learned gentleman would look into it, as the law is absolutely unworkable.

QUESTION: VOTERS IN ELECTORAL DISTRICTS.

MR. KENNY asked the Premier,—1, The estimated number of males of 21 years old, and over, in the colony on June 30th last. 2, The number of voters on the rolls of the respective electoral districts on June 30th last. 3, The number of voters on the rolls of the respective electoral districts last election. 4, The number of electors that recorded their votes in the respective electoral districts last election. 5, What special instructions, if any, were given to the Inspector of Rolls in regard to the striking off of so many names from the various rolls of the colony, last revision. 6, What was the principal reason assigned by the Inspector of Rolls for the striking off of so many names, last revision.

THE PREMIER (Right Hon. Sir J. Forrest) replied:—1, Estimated 90,000. 2, 26,959. 3, 22,919. 4, 9,016. [In 18 electorates there were no contests.] 5, Instructions were given to see that Part II. of the Act was carried out. 6, The electors were expunged because disqualified through leaving the districts, by death, or parting with their qualifications under the Act.

CROWN SUITS BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather), in moving the second reading, said: This Bill, I am informed, is practically the same one that was submitted to the House 18 months ago, before I had the honour of being a member of this Chamber. It passed this Chamber, but, in consequence of the limitation of damages being fixed at £1,000, it did not receive assent in another place. The main object of the measure is to practically give the subject the same rights against the Crown, with certain modifications, as subject now has against subject. The Bill is divided into three parts. The first part deals with general provisions, which save the rights of the prerogative

of the Crown. That is a usual provision in Bills of this kind, and no action can be brought until the Governor's assent has been obtained thereto. The second part deals with the manner in which debts and property may be recovered by the Crown. That practically is a consolidation of the present law, and contains nothing new.

MR. LEAKE: Do you give power to take suits into a local court?

THE ATTORNEY GENERAL: In the third part of the Bill that power is given to the subject. Section 38 provides:

Whenever any person has any claim or demand within the jurisdiction of any inferior court, such person may apply to a law officer for his consent to the hearing and determination of such claim or demand in any such inferior court to be named in the application.

No officer would refuse such an application, because, otherwise, the action would be taken into the Supreme Court.

MR. LEAKE: But has the Crown the converse power?

THE ATTORNEY GENERAL: There is no provision giving the Crown the converse power.

MR. LEAKE: I should like to know the reason.

THE ATTORNEY GENERAL: The form in which the subject can sue the Crown is by way of petition, but that petition is practically a statement of claim, and the pleadings are the same as now exist between subject and subject. I should like to call attention to the provision for obtaining security for costs in certain cases. That provision is a little more extensive than the present provision between subject and subject. I take it to be right in principle that as the Crown represents the whole of the community it should have, under certain circumstances, a little more power than is given to the subject. One particular exception stands out in clause 31 in favour of the Crown, and this is a provision which does not exist in favour of the subject as against subject at the present time. This clause provides that should the petitioner against the Crown be proved on affidavit to be without visible means of paying the costs in case of his being unsuccessful, then the Judge may order him to give security. That is the single exception in the Bill in favour of the Crown. Having

regard to the fact that the Crown may be "shot at" rather too freely by impecunious suitors, this is a fair and reasonable provision to prevent money being frittered away in fruitless litigation. The next clause of any importance is clause 36, which provides practically that any subject may sue the Crown in respect of any breach of contract, or in respect of tort, whether the tort is one arising out of contract or a tort pure and simple. But I intend, in Committee, to make an alteration in this clause, and the reason will be apparent. In sub-clause 3 of clause 36 "public work"—and this governs the whole of the clause—is defined as meaning "any railway, tramway, road, bridge, building, electric telegraph, telephone, or other work of a like nature used by the Government or constructed by the Government." The clause goes on, and the following are the words I have referred to: "out of moneys voted and appropriated by the Legislative Assembly of Western Australia." This means that if a subject sue the Government for breach of contract, and it is found on the hearing that the money for the work had not been voted by the House, although the work had actually been done, the unfortunate suitor must be non-suited. That, I think, is not fair. It would be rather a startling proposition to make from this side of the House that where the Government had made a contract, and the work had been done, there would be no liability, because the money had not been voted by the House. In Committee I shall propose that the words "out of moneys voted and appropriated by the Legislative Assembly of Western Australia" be struck out. This amendment will give the subject the same right against the Crown, whether in breach of contract or tort, as against his fellow subject. Clause 37 is that which wrecked the Bill in the other place, the last time it was before Parliament. At that time the clause limited the damages which might be claimed to £1,000. On this occasion the Bill proposes to extend the limitation to £2,000.

MR. ILLINGWORTH: Why limit it at all?

THE ATTORNEY GENERAL: That was the argument used in another place on a former occasion. It means that if a man with an income of £100 a year

took a first-class railway ticket and met with an accident on his journey, and another traveller with an income of £5,000 a year met with a similar accident, the Government would be practically mulcted in £5,000 in the one case, and in the other case only £100, although each man had paid the same remuneration to the department. There is something wrong about that, and the clause to which I am referring only follows what has been provided in the other colonies. In the colony the limitation has been placed at £1,000; in another at £2,000; and, I believe, in another at £3,000.

MR. ILLINGWORTH: The Government are only common carriers.

THE ATTORNEY GENERAL: It is all very well to say that the Government are only common carriers.

MR. ILLINGWORTH: Why should the Government have the privilege proposed?

THE ATTORNEY GENERAL: Because the Government represent the whole of the community, and when an individual in the community brings an action against the whole of the community in regard to a contract or to negligence, to have no limitation would be to give assent to the principle that there shall be one law for the rich and another for the poor. It must be remembered that in the instance I have drawn, each man pays the same fare to be carried.

MR. ILLINGWORTH: So does a man to private companies.

THE ATTORNEY GENERAL: But in most other colonies and countries the stand has been taken that it is necessary to limit the liability of the Government where the Government are traders, so as not to allow them to be unmercifully sacrificed.

MR. ILLINGWORTH: This privilege will not extend to the Midland Railway Co.

THE ATTORNEY GENERAL: That railway does not belong to the Government, and this Bill deals only with Government railways.

THE PREMIER: The £2,000 limit was proposed from the Opposition last year.

MR. ILLINGWORTH: That does not make it any better.

THE PREMIER: What does the hon. member propose?

MR. ILLINGWORTH: I propose to have no limitation at all.

THE ATTORNEY GENERAL: The last two clauses deal with the notices that must be given of the filing of the petition, and provide that the petition must be filed in twelve months after one month's notice. That, I think, is a fair limitation. These are the main principles of the Bill, which I commend to the favourable consideration of the House.

MR. ILLINGWORTH (Central Murchison): The only objection I am disposed to raise, leaving all the legal phases of the Bill to the learned gentlemen of the law, is the attempt to establish the principle of freeing the Government from responsibility that a private company cannot possibly be freed from. The Government are simply carriers, and the Supreme Court is the best judge of questions of damages. It may seem from one standpoint that a man who earns £100 a year and is injured suffers the same kind of damage that befalls the other man who has £5,000 a year; but the family of the man receiving £100 a year would be made comparatively "rich beyond the dreams of avarice" by the £2,000 damages, while such an amount would be no consideration at all to the family of the other man who has £5,000 a year. But that is not the standpoint from which I am arguing. I argue that the Government of this colony are simply common carriers. If they are guilty of negligence or wrong, from which injury, loss of life, or destruction of goods result, they should be placed in the same position as any other common carriers, and the question of compensation should be left to the judge and jury of the Supreme Court. That is the position of the Midland Railway Company, and of companies in the United States where the railways are all private property. No Government would undertake to pass such a Bill as this in America, nor would this Government propose a Bill to indemnify or limit the damage which the Supreme Court could give in a case against the Midland Company. It would not be just to place the Midland Railway Company on a different footing from any other private individual or company. Possibly the members in another place did the country great service in formally rejecting the Bill. I

oppose this limitation clause as I opposed it then, and I hope the House will see its way to leave the question of damages in the hands of the Supreme Court, who are better able to settle the question than is this House by any enactment. A clause of this character is imperfect in principle and unjust. Speaking of the Bill generally, I am pleased to give it almost unqualified support. The principle underlying is that for which I am contending. Every other clause provides that the State shall be put in the same position in regard to such actions as are contemplated as one subject is placed in with regard to another. That is the very object and intent of the Bill, and why there should be a departure in this clause I really cannot see. I can not understand how a Bill framed for the express purpose of placing the Government on an equal basis with subjects of the Crown, so that the Crown shall have no special exemption other than that which subjects have, should yet contain a provision such as this. I am well satisfied with the main principle of the Bill; but I think the clause in question is a departure from the main principle, and for that reason I shall oppose the clause in Committee.

MR. LEAKE (Albany): It is my intention to support the second reading of the Bill, and at the same time to express the opinion that this is a necessary and useful measure. The necessity, I take it, arises from the fact that at the present time the Crown can, on the one hand, recover debts due to it only by a cumbrous process, that is by the issue of a writ of attachment or by information filed by the Attorney General in certain events; and when we realise the fact that the Government now really enter into competition in commercial affairs with private persons in the community and assume the same responsibilities as individual traders, it is well to extend the same facilities to the Crown for the recovery of debts due to the Crown.

MR. ILLINGWORTH: It becomes a monopoly, too.

MR. LEAKE: I hardly see that. Of course, this provision is new; but I would ask the Attorney General whether the Crown should not also take to itself the right or the procedure, as I may call it,

of suing in the Local Courts. Suppose, for instance, a Government contract is carried on in an outlying district, say at Roebourne, and that there is a question in dispute involving £10 or £20, or any sum clearly within the jurisdiction of the Local Court; then why should not the agent of the Government in that locality have the right to sue and recover without having to revert to the more expensive process of the Supreme Court? Seeing that the individual is given a remedy against the Crown both in the Supreme Court and in Local Courts, there is no reason why the Crown should not also take the same privilege. I throw that out as a suggestion for the consideration of the Attorney General; and, if he does not propose such an amendment in Committee, I will submit one to that effect. The principle of the Bill will not, I think, give rise to much discussion. There is one provision, in clause 15, which I am sure will be hailed by some members of this House with a degree of pleasure that is unusual, and it is that, in certain events, counsel or solicitors shall be assigned to a defendant—that is, when he defends *in formâ pauperis*. That is somewhat novel. I do not care to say at present what action I shall take on that provision, when we consider it in Committee. In clause 22 there is something novel, or rather it sounds as a novelty, though it is not so in reality. That clause extends the power of the Crown beyond that which the Crown already has; that is to say, when an action is commenced by the Crown, the proceeding shall operate as a lien on the personal estate of the individual who is sued by the Crown. As the law at present stands, the issue of process is to attach or seize the property of the individual; therefore, it attaches the property only pending the decision of the court. I ask hon. members not to be frightened at the provision in clause 22. I would ask the Attorney General to consider the enactment in sub-clause 3 of clause 22, which says the law officer shall grant a certificate. That ought to be made compulsory on the law officer, as it would appear at present to be optional for him to grant a certificate or not. On the production of the certificate, if it is given, then the registrar shall take certain action. That is hardly more than a

matter of drafting. Another important matter which the Attorney General referred to was the provision in clause 31, for the security of costs in certain cases when the Crown sues. There is a great deal to be said in favour of that suggestion, and I do not at present express dissent from it. One thing we wish to avoid is that the Crown should not be unnecessarily harassed by actions which may, or may not, be of a speculative nature, and if a person has a *bona fide* claim against the Crown, there is no doubt he will in most cases be able to provide security for costs when called upon to do so. Yet, even though that clause be struck out, its loss will not materially affect the main principle of the Bill. I will here mention an argument which may be used against that provision, and which is that, whereas in actions between individuals execution can be levied only on the goods or property of the judgment debtor, yet the Crown has an extra advantage in being able not only to seize the goods, but to seize the body of the debtor.

THE PREMIER: That is not of much use.

MR. LEAKE: Well, it operates as a squeeze, sometimes. The Crown has that privilege now, and this Bill provides that, whereas the ordinary writ of execution can be issued against the goods of a debtor, yet in addition to that a writ for sending the sheriff to seize the person of the debtor may issue at the same time. I will also point out that the provisions of clause 36 might fairly well be limited, and particularly do I refer to paragraph 2 of the clause. The Attorney General will notice that, in actions for torts, a wide scope is given; that, in fact, persons can sue in almost all kinds of torts. Considering that the Government employ a large number of servants in the civil service, and that the nature of the service is extended to the last possible limit, it is a question whether or not this right should be given to sue the Government for alleged wrongful dismissal. As the law stands at present, the Government cannot be sued for the dismissal of a servant, whether rightly or wrongly dismissed; the Crown not being held liable for the wrongful dismissal of a civil servant. I do not know whether it is the intention of the Government to extend that right; but if they do propose to extend it, the

Crown may fairly reckon on being pelted with writs, and I point out that contingency for the serious consideration of the Government. I am glad to find that the Attorney General proposes to limit the next sub-section. Another important enactment in this Bill is in clause 37, as to the limitation of damages which may be recovered from the Government; and, as the Attorney General has pointed out, it was that provision which wrecked the Bill when it was before Parliament on the last occasion. Here I find I am not altogether opposed to the Government as to the desirability of this provision; and, in fact, I am inclined to think it is an advantage, and I will explain my reason. Having heard the arguments advanced by my hon. friend, the member for Central Murchison (Mr. Illingworth), I will point out that this principle is not a new one, for it is already recognised in that section of the Railways Act which limits the liability of the Commissioner of Railways, in his corporate capacity and as a common carrier, in certain events. For instance, unless the value of the goods is declared, such as jewellery and valuable things of that kind, the sender of the goods by railway cannot recover for loss of the goods more than a certain amount; and there is a provision that a person cannot recover for the loss or injury of a horse to the extent of more than £20, unless there has been a special declaration as to value.

THE ATTORNEY GENERAL: And a special contract made.

MR. LEAKE: Yes. I understood the argument of the hon. member (Mr. Illingworth) was that this is a vicious principle introduced into the Bill; and I may say that I am criticising this Bill rather with a view to assisting the House than to raise objections or cause trouble. The limitation which is placed on the carriage of certain goods affirms the principle as it is intended to apply now to the liability of the Government in cases of personal injury to persons travelling on a Government railway; and it is a question for this House to consider whether or not in ordinary circumstances the sum of £2,000 would not be a sufficient compensation, having in view the advantages which are provided for the travelling public by the railway; whether

that sum is not a reasonable limit to place on the liability of the Crown in such an event as is contemplated. We must expect the travelling public to accept some of the risks of travelling by railway; and when we realise the fact that the Crown is always considered to be fair game to be shot at, in actions for damages, and that as a rule the Crown or the Government pays somewhat more than would be paid if a private individual were the defendant, I think it is in the interests of the State that this matter should be considered with a view to providing a reasonable limitation. If, for instance, a labouring man sues the Government for injury as a railway passenger, the chances are that he will not get more than £2,000 from a favourable jury. Indeed, I do not know that in all the actions which have been brought in the Supreme Court, to recover compensation for injury on the railway, any larger sum than £2,000 has been awarded to any person as damages. On the other hand, supposing a man in a high social position, a wealthy man in a good way of business, is injured on the railway, it is in such event that the compensation may be increased. And, mark you, it is not to the man who really needs the damages that protection is given; but it is to the man who ought in other ways, such as by insurance, to protect himself. Therefore, if you fix the limit at £2,000, there will be far more chance of justice being done to the ordinary impecunious individual. I do not like the word "impecunious," and I will say the poorer man.

THE COMMISSIONER OF RAILWAYS: The man of moderate means.

MR. LEAKE: The man of moderate means; the man who really needs this assistance. I ask hon. members to agree with me on that point. We do not want to make the Government a milch cow for those who ought to be able to protect themselves. The rich man can avail himself of the advantages of insurance, and all that sort of thing, and does avail himself of them to a much greater extent than the poorer man; therefore, you will find, on the whole, that the limit of £2,000 will operate fairly; that the effect of it upon the man of moderate means will be that he will be more likely to get nearer the

£2,000 limit fixed in the Bill than he would be likely to do at the present time. That is my chief reason for approving of the clause as drafted. I throw this out for the consideration of hon. members; and it is not an absolutely essential part of the Bill, which would be a good one even though this clause were thrown out. With these observations, I suggest to hon. members that they should assent to the second reading; and when we get into Committee we can, by suggesting different points, make the Bill a really useful and workable measure. Neither clause 37 nor clause 31 is essential to the life of the Bill; and, if hon. members think fit to throw these out, we shall still have a good and useful enactment. It will give to the subject of the Crown an advantage which he does not at present possess, that of ensuring the trial of an action which he may bring for any supposed wrong which he may have sustained at the hands of the Government. We know that, at the present moment, we have to lodge petitions of right; and we know that petitions of right are not always answered with that rapidity which we are entitled to expect. I think hon. gentlemen opposite know that they have some in hand now, which they have had for some six weeks or two months without answering. But there is no question of petitions of right under this Bill. The subject may go to the court and practically present his petition to the court; and, very fairly, that petition is to be heard and inquired into. So I shall support the second reading of the Bill.

MR. EWING (Swan): Taking the whole measure, it is really a good one. But clause 31, to which attention has been drawn, is one in which a new principle is adopted, and one which, I submit, the House should be slow to approve. Clause 31 provides that when a person is an uncertificated bankrupt, or has arranged with his creditors, or is a person without fixed domicile in this colony, he shall give security for costs. So far, that is good, and I think it is fair and reasonable; but, when the Bill goes on to say that if a man who is bringing an action against the Government happens to be a poor man, the Commissioner of Railways or the law officers of the Government can make an affidavit that the claimant has not sufficient means to pay

the costs if he loses—a privilege which is not extended to any private individual when defending a civil action—

THE COMMISSIONER OF RAILWAYS: It ought to be.

MR. EWING: Perhaps it ought to be; and if it were extended to everybody, perhaps it might receive approval; but why should a man, simply because he happens to be a poor man, be debarred of his right of suing the Government? I do not think the law officers of the Crown, where they can win a case, are always very scrupulous as to how they win it. They win it if they can, and they take every possible legal and technical advantage in order to do so. If this clause be adopted, the first thing that will be done when a man brings an action against the Commissioner of Railways or any other Minister will be to apply to have security for costs fixed. The amount of that security, in ordinary course, would be between £150 and £200, or thereabout. The man bringing the action would be required to pay the money into court, or to find bondsmen for the amount; and there are hundreds of cases, I submit, in which it would be impossible for such suitors to do this; the consequence being that poor suitors would be absolutely shut out from their remedy. It is really making one law for the rich and one for the poor, which should not be done. If I could make a person who brought an action against me give security for costs, I should say that what is good for me and other private individuals is good for the Government; but I do submit that there should be no distinction made between the Government and private persons, and that, if the Government ask for this privilege to be extended to them, they should at the same time extend that privilege to everybody. There is another clause which seems to me to be very unfair. I agree with the member for Albany (Mr. Leake) that clause 37 is, to a certain extent, reasonable; for I think that in the case of personal injury, such as might be received in a railway accident, the compensation should be limited, say to the amount suggested in the Bill. But the Bill goes further than that—and the member for Albany did not touch on this phase of the question

—it extends to breaches of contract to carry goods. I submit that if the Commissioner of Railways agrees to carry goods for so much per ton, and the value of those goods is over £2,000, and if the Commissioner loses the goods—

THE ATTORNEY GENERAL: The clause does not apply to such cases. It applies only to personal injuries.

MR. EWING (having read the clause): Yes, I think now, with the Attorney-General, that this clause would not extend as far as I first thought.

MR. MORAN: It means breach of contract to carry the person.

MR. EWING: I thought it was more comprehensive than that; but I think that this is quite reasonable.

MR. LEAKE: It says "or otherwise."

MR. EWING: Yes; those words "or otherwise" might be struck out, when in Committee. I do not think, in regard to the subject-matter of this clause, that the Crown should be given an advantage which a private individual does not enjoy.

THE PREMIER (Right Hon. Sir J. Forrest): I am glad this Bill meets with favour from hon. members. It is, I believe, more liberal than the law in England, because it gives a remedy against the Crown for "torts," whereas in England no such remedy lies. It has been said that the Crown should be in exactly the same position as private individuals. Well, in a matter of this sort, I do not think that the fact that one happens to be a Minister of the Crown should in any way influence one's opinion on this point, because other persons may be in the same position at any time; therefore the opinion I give is not in any way influenced, I hope, by the position which I temporarily occupy. I think that the Crown is not in the same position, and should not be in the same position, as a private individual in regard to these matters; because the Crown, though a very high-sounding title, means, after all, the people of the country. Actions brought against the Crown are actions brought against the people of this colony; and, if the Crown loses, the people of this colony have to pay. That being the case, I think it is but right and proper that the people of the colony should protect themselves, to a reasonable extent, against

being mulcted in heavy damages—in fact, damages which might be ruinous to an individual defendant. That is what might happen; and I only wonder that, in these free colonies of Australia, some of the Governments have not been half-ruined by processes in the law courts. I believe some of them have been very seriously injured, and that hundreds of thousands of pounds have been paid away in damages, whereas, if the defendant had been a private individual, not the one hundredth part of such sums would have been awarded. That being so, I think everyone will admit that the Crown, the Government of a country, upon going into court, has a worse chance than a private individual. It is the same when a public company is the defendant; and it is generally said, of both the Government and public companies, that they have neither a soul to save nor a body to be kicked. No one seems to care a bit about them; and there is no doubt that they, as a rule, come off much worse than private individuals do, in defending claims for compensation. Take the case of the Crown, the Government, the people of this colony, and look at the position they are in—a position, I venture to say, in which the Government of the United Kingdom are not placed—in regard to many matters. We run railways, telegraphs, and postal services; we lease lands, we lease gold mines, and we administer the Lands and the Mines Acts of the colony.

MR. ILLINGWORTH: You are the great monopolists.

THE PREMIER: All those things are not done in England—only a few of them. As for the mines and the lands there, I suppose there is an administration; but it is an administration on very certain and well-known lines—an administration of property that is well understood and fully known. But what is the case in this colony? Anyone can apply to the Mines Department for a gold-mining lease, for which he pays £24 if he gets 24 acres. A surveyor is sent out to mark out the land. Then, perhaps, a rush takes place; the ground may be pegged out all round for miles, the original applicant having his pegs there too. The survey takes place, and we do not know what happens, for we cannot tell what is done in these markings. The surveyor is a licensed sur-

veyor, and he marks out the land, and sends the plans in, and upon those plans the department acts. Then, for any little mistake that may be alleged to have occurred, the Government may be said to be liable; and we know of an instance in which there was a dispute over the survey boundaries of a lease, in which I think about £20 has been paid to the Government, where a claim for £30,000 was made. That sort of thing will occur again, and it may not be £30,000 but £300,000 that will be claimed as damages, and such a claim may possibly be allowed because it is against the Crown. That is not a fair position in which to place the people of this colony, as a whole, in the administration of the Mines Act and the Lands Act. In fact, it would be almost better for us to give up the whole administration of these departments than to leave the Government in a position to be "shot at" by means of exorbitant claims which have to be fought through our own courts, and, perhaps, right to the Privy Council, with the possible result of a verdict for damages of millions against us. Technical mistakes may occur in any department, the administration of which is scattered over an immense territory. I do not know that there have been any serious mistakes, but it is possible, and almost probable, that mistakes will occur. In any case, the Government are forced into court, where they have immense liability without any *quid pro quo*. It may be that the Government only receive £24 for a mining lease, and, in consequence of some technical mistake, may be mulcted in connection with that lease in £100,000 or half a million as damages. Some mines are valued at immense amounts when they are put on the market, so that it will be seen the liability is great. The Government have found that they are not safe in the administration of these departments; and speaking, not as a member of the Government, but as a resident in the colony, I do not look at the present state of affairs with great satisfaction.

MR. ILLINGWORTH: These claims against the Government are not limited in the Bill.

THE PREMIER: That is why we desire some other system than is at present in vogue. If a man had paid, say, £1,000

in respect of a mining lease, or of land, in an action, could recover ten times that amount, there might be some reason in the law; but as the law now stands the man who pays £24 for a mining lease may claim £30,000 damages on some ground or other from the Government, while there is no reason why he should not claim three millions. And such sums as these may be sued for and recovered on some mere technical error. That is a position the Government can not afford to be in.

MR. ILLINGWORTH: Why not limit such claims in the Bill?

THE PREMIER: That is not the point at present. I only want to tell members the position of the colony in this respect at the present time.

MR. EWING: In all your experience you cannot point to any such case as you have mentioned.

THE PREMIER: We have been very fortunate.

MR. EWING: In fact, such cases have not happened.

THE PREMIER: They have happened.

MR. EWING: Where big verdicts have been recovered?

THE PREMIER: The claimants did not go on with the trials.

MR. ILLINGWORTH: You can trust in the courts.

THE PREMIER: The case of McDonald cost many thousands for very little received. That was a case of £10,000 or £20,000 which, perhaps, the country might be able to pay. The people of the country as a whole stand in a most insecure position indeed in regard to claims which may be made against the Mines or Lands Department. I pointed the danger out to the Secretary of State when I was in London, and I think I startled him when I told him of the immense damages which might be claimed under the Mines Act. He sent for his legal adviser, and I was told that such things could not happen, and that no judge or jury would allow the Government to be mulcted in such damages. But I know the Government stand a poor chance when they get into court.

MR. ILLINGWORTH: Why not put a limitation in the Bill?

THE PREMIER: We will talk about that, and perhaps get it by-and-by. I

want to show that the people of the country as a whole may be mulcted in hundreds of thousands of pounds for damages, perhaps, owing to a warden or a surveyor not doing as he should do. I am glad a limitation is placed in the Bill on the damages which may be claimed by persons travelling on the Government railways. The Government in the other colonies, and English railway companies, have had to pay large sums as damages for injuries, which were no injuries at all, or of the slightest description. People's "nerves" are disturbed by an accident, and they immediately go to bed, send for a doctor, and the company or country is imposed on and swindled.

MR. ILLINGWORTH: That game is played out.

THE PREMIER: I hope it is, but our experience teaches us that it may occur again to-day. Some members are very fond of calling this a democratic country. If it be a democratic country, why should one man get so much more damages than another, although both pay the same fare on the railway? People who are well off, and are what I may, perhaps, call without offence the "better classes," usually take the precaution to insure their lives, knowing the danger of accident. Another man may be too poor, or have other reasons for not following that example; and the poor man, without limitation, would get very little, where the rich man who was able to insure himself would recover immense damages.

MR. EWING: This Bill is going to block the poor man from bringing any action at all, by calling upon him to give security for costs.

THE PREMIER: In my opinion £2,000 is too much to fix as the limit, and the former sum of £1,000 ought to be retained in regard to the railways, considering the railways are run by the State for the convenience of the people. Those who travel, and who are well off, ought to insure themselves, and there is no reason why the State should have a great burden placed upon it. It is a very serious matter, I know, to injure people, but if a man wants more security than is offered in the Bill he ought to insure himself, or adopt some other means of obtaining that end. As to actions between subject and subject, I do not pre-

tend to understand legal intricacies; but if a man be driven into a court of law by another man who has nothing, it is a one-sided affair. It is a case of "heads I win, tails you lose." Persons who bring actions should be able to pay costs in the event of their losing, otherwise it would be an unfair business altogether. There are always people ready to have a "shot" at any man who possesses anything, especially if the persons bringing the action know that nothing possibly can happen to themselves should they be unsuccessful. There are always impecunious lawyers to be found very willing to take up the case of a man who has nothing, as against the man who has something.

A MEMBER: Pettifogging lawyers.

THE PREMIER: I do not want to call them "pettifogging lawyers."

MR. VOSPER: Call them "Dodson and Fogg."

THE PREMIER: There are lawyers who are willing to charge nothing in case of defeat, and who stipulate for a big fee, or a division of the proceeds of the verdict, in the case of a win. I wonder that before now some plan has not been devised to get security for costs in such cases.

MR. A. FORREST: The lawyers are against that.

THE PREMIER: At any rate there should be some plan of preventing impecunious people from attacking those who have money to lose. These sort of suits have been going on for the last ten years, and no one who has any money is safe in the colony. A provision of the kind which I have indicated cannot be put into a Crown Suits Bill, and there may be objections to such a proposal, which I have not realised, but my instincts are all in favour of security being given for costs.

MR. ILLINGWORTH: A poor man would have no chance then.

THE PREMIER: A poor man has a good chance when he sues a man who has a lot, because the poor man, if he loses, cannot pay the costs.

MR. OLDHAM: He must have a good case or it would not be taken into court.

THE PREMIER: The impecunious litigant has a very poor case sometimes, and with that poor case he can put a person to a great deal of trouble and expense.

For years such cases have been brought against the Crown in this colony.

MR. VOSPER: What remedy do you propose?

THE PREMIER: I do not know. The poor man ought to get somebody to back him and find him security for costs. If he had a good case a lawyer would take it up for him. The other day the Crown was persecuted by a man about a non-sensical claim, to which this House had refused to listen, and which no one with any sense would consider.

MR. GEORGE: What was it?

THE PREMIER: It was over some land in the bush. The Government surveyor had tried to assist this man by diverting a road in order not to cut his property, and then the man brought an action against the Government for selling him land with a bush track through it. That litigation lasted for years, and in two or three days' time I hope to put before Parliament the documents relating to it, including letters from the Secretary of State. I tried to keep this man out of court, because his case was a most frivolous one; but he got into court, and, fortunately, a verdict was given for the Government. But what did the judge do? The judge would not give the Government costs, even after all the persecution to which they had been subjected. The Government do not want costs against a poor man, but it was strange that such an order should be made after years of trouble and nonsense over a frivolous case. It was a good case for those who undertook it on behalf of the poor man.

MR. EWING: The reason no costs were given to the Government was that the Government had behaved so badly in the matter of the petition of right. The judge said that distinctly.

THE PREMIER: Then I can say distinctly that I do not agree with the judge, because the man was treated with every consideration. His claim had been before this House, and members would not listen to it; so that, not only the Government, but the Assembly regarded his position as untenable. As I said before, the Government and the people of the country are in a dangerous position. There need only be one or two actions brought against the Government in order to show the people how great

that danger is in administering the Mines and Lands Departments, though the agricultural lands are not, of course, so valuable as those used for mining. I am very glad this Bill has been introduced. All who have disputes in connection with contracts with the Government should have an opportunity of testing the matter. At the same time, speaking as a resident of the colony, and not as a member of this House, I do not think we have sufficient security against actions by impecunious persons who demand immense sums as compensation.

Question put and passed.

Bill read a second time.

INTERPRETATION BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather): I move the second reading of this Bill, the object of which is to consolidate the present laws on the subject, and to insert certain provisions which are contained in the Imperial Act, passed in 1889. In this colony we have two Acts treating on the subject—the Ordinance 8, Vict. 11, s. 1, and 16, Vict. 11, s. 3. These two enactments are now consolidated in this measure with the additional provisions from the Imperial Act, and bring legislation up to date so far as the interpretation of statutes is concerned. In few words, the object of the Bill is to give statutory definition to certain words, so that in drafting future Acts of Parliament it will be unnecessary *in extenso* to give definitions over again. In the second part of the Bill there are general rules of construction which may be followed by persons who, perhaps, are not accustomed to construe Acts of Parliament as lawyers are. It will be noticed the words "financial year" receive a statutory definition as meaning that the financial year expires on the last day of June in each year. I commend the Bill to the consideration of the House.

Question put and passed.

Bill read a second time.

INEBRIATES BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather), in moving the second

reading, said: Last session, if I remember rightly, some members expressed a wish that a measure should be brought forward dealing with unfortunate people who cannot wean themselves away from the abuse of strong drink. I do not know whether this Bill will meet the requirements of those members. It is provided that the Bill shall come into operation on the last day of the present year. In the third clause it is provided that the Government may from time to time by proclamation declare any place a retreat where inebriates may be treated. Provision is made for the appointment of Government officers, as is common to all measures of the kind in other colonies. There is a "voluntary" clause which enables inebriates who have sufficient strength of mind to wish themselves incarcerated to be committed to a retreat. There is further a compulsory clause enabling friends of persons habitually addicted to drink to take steps for commitment by order of a magistrate, and on the certificate of two duly qualified medical practitioners. Penalties are imposed on persons who supply inebriates of a retreat with drink. Mode of payment for maintenance and treatment is provided for in clause 10, which gives the Master-in-Lunacy or a magistrate power to make such order on a higher or lower scale.

THE PREMIER: Is that paid by the Government?

THE ATTORNEY GENERAL: No; by the people themselves. The enforcement of payment is provided for.

MR. SIMPSON: Supposing a patient cannot pay?

THE ATTORNEY GENERAL: If he cannot pay, I suppose, he cannot stay. There is the usual provision for protecting persons who *bona fide* act under this Bill; and there is a general clause enabling the Governor to frame regulations with a view to supervision and inspection, and as to the fees payable. It is provided that an inebriate who misconducts himself may be punished. The last clause properly provides that officers shall not act in a magisterial capacity. I commend this Bill to members who desire to assist the Government in taking steps to deal with that peculiar class of people who cannot protect themselves.

MR. LEAKE (Albany): I do not rise to oppose the Bill, but rather to seek information from the Government on the question of ways and means. How is it proposed to administer the Bill? That is a point on which the Attorney General is silent. Power is given in clause 3 to declare retreats. Is it proposed that the Government shall build retreats, or is the Bill only introduced on the chance of encouraging private enterprise?

THE PREMIER: That is it.

MR. LEAKE: Then any philanthropic individual who thinks he has a building suitable for this purpose may approach the Governor with the idea of having the place proclaimed a retreat.

THE PREMIER: That is it. I believe the Women's Christian Temperance Union are moving in the matter.

MR. LEAKE: If the Government do not provide buildings or subsidise the association, I am afraid the law will be a dead letter.

THE PREMIER: The association seem to think they can make use of the measure.

MR. LEAKE: It can do no harm to pass the measure, and my only object was to ask whether the Government had any distinct ideas on the subject, or were relying on private enterprise.

MR. WOOD (West Perth): I am glad the Government have brought forward this Bill, although they do not seem very serious about the matter.

THE PREMIER: It is the second time the Government have brought such a Bill forward.

MR. WOOD: There seems to be no provision in the Bill for the supply of funds.

MR. LEAKE: Or for the supply of inebriates.

MR. WOOD: I move the adjournment of the debate.

THE SPEAKER: The hon. member ought to have done that before he addressed the House.

MR. WOOD: I was only speaking by way of explanation.

MR. MORAN (East Coolgardie): Pass the Bill, and look for ways and means afterwards. As an admirer of private enterprise, I am glad to see this measure brought forward. I do not know I should support a proposal to go to the expense of erecting large buildings for the pur-

poses of this measure. All that is wanted is machinery to enable people to find a channel for their charitable feelings. As soon as this Bill becomes law, no doubt proposals will be made to the Governor by certain societies asking that certain buildings may be declared retreats which are required. The man who can afford to go on a long extended "jamboree" may no doubt afford to pay for his maintenance in such a home. The people who have taken up this matter are very enthusiastic, and it would be a great mistake to check their energy and ardour.

MR. ILLINGWORTH (Central Murchison): This Bill is based particularly upon the South Australian Act, and the object of that Act was to establish certain places or buildings under the guidance of persons or societies who were well qualified to take care of inebriates, and who, perhaps, are better able to deal with subjects of this character than the Government can possibly be. When the matter was discussed a short time ago at a meeting held in Perth, presided over by Mr. Justice Stone, it was found indispensable to the necessary procedure that some enactment of this kind should be passed in this colony, and consequently the member for West Perth (Mr. Wood) proposed and carried in this House a resolution calling on the Government to bring in a Bill for the purpose of establishing a retreat for inebriates. I have to congratulate the Government upon having brought in such a Bill, in order that we may establish in this colony an institution which has become necessary, and for providing a way of establishing it if the required funds can be obtained. In thanking the Government for bringing in this Bill, I do so on behalf of the total abstinence societies in this colony, with all of which I am connected as a member—all, I may say, except the Women's Christian Temperance Union; so that I trust the House will pass the Bill, and I do not think it will require amendment in committee.

Question put and passed.

Bill read a second time.

DIVORCE AMENDMENT AND EXTENSION BILL.

Introduced by Mr. EWING, and read a first time.

GOLD MINES BILL.

Introduced by the MINISTER OF MINES, and read a first time.

LAND BILL.

Introduced by the PREMIER, for the Commissioner of Crown Lands.

FIRST READING.

THE PREMIER (Right Hon. Sir John Forrest): In moving the first reading of this Bill, it may be well to explain that the measure proposes to make an alteration in regard to the boundaries of the South-Western Division of the colony. The boundaries shown in this Bill the Government do not intend to adhere to, but we intend to adhere more closely to the boundaries as defined in the present Act and in the Regulations. I mention this because some difficulty might occur in the case of persons interested in lands affected by the boundaries shown in this Bill, and such persons might fear they would be treated hardly. We intend to adhere to the boundaries of the South-Western Division, or nearly so, as defined in the present Act, with some little addition to the south coast.

Question put and passed.

Bill read a first time.

HEALTH BILL.

Introduced by the ATTORNEY GENERAL, and read a first time.

RETURN: TIMBER CONCESSIONS.

On the motion of Mr. VOSPER, ordered that there be laid on the table of the House a return showing the number of timber concessions on which rents were unpaid up to the end of the last financial year, together with the amounts due and the names of the defaulting lessees.

RETURN: EXPENDITURE ON CEREMONIAL FUNCTIONS.

Mr. VOSPER moved that there be laid on the table of the House a return showing the full amounts spent by the various Governments departments, during the last two financial years, on hospitality and ceremonial functions, together with details of the same.

THE PREMIER: How much detail did the hon. member want?

Mr. VOSPER: Only a return in general terms of the expense incurred at public functions.

THE PREMIER: "Hospitality" was a pretty wide term, and would include every amount of expense incurred on anything. If it were understood that only public functions, such as the opening of railways, public buildings, and occasions of that sort, were contemplated by the motion, he would not object to such a return being made.

Mr. VOSPER: If the right hon. gentleman would move, as an amendment, to strike out the word "hospitality," he would accept that.

Mr. A. FORREST asked the hon. member to withdraw the motion, as being entirely unnecessary. There were many cases of hospitality of a public kind, in which the Government had to spend a few pounds, such as at the opening of railway lines and public buildings; and it was not right for the hon. member to ask that the particular expenditure in all such cases should be furnished in a return. There was nothing in it. He presumed the hon. member would not like a Ministerial party on a public occasion to travel to the goldfields, and make no provision for entertaining anybody.

THE PREMIER: The hon. member meant ceremonial occasions.

Mr. A. FORREST: But these were ceremonial occasions. When great works were opened for the first time, was it expected that the Government should not treat the people in the district hospitably? If the hon. member got a return showing the detailed cost of this hospitality, what good would it do? He might as well ask for a return showing everything that had been spent by the Government on every kind of object.

Mr. VOSPER (in reply) said he had already met the wish of the Premier by consenting to strike out the word "hospitality" from the motion, and that was as far as he desired to go. It was one of the functions of Parliament to put a check on the expenditure of public money, and all he wanted to ascertain was what sums had been expended on the purposes indicated in the motion, namely, on ceremonial functions. The Premier had consented practically to the terms of the motion, with the amendment suggested;

and he (Mr. Vosper) must refuse to meet the further request made by the member for West Kimberley.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) moved, as an amendment, that the words "hospitality and" be struck out of the motion.

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

RETURN: BUREAU OF AGRICULTURE, EXPENDITURE.

On the motion of Mr. VOSPER, ordered that there be laid upon the table of the House a return showing—1, The total gross receipts of the Bureau of Agriculture from its institution up to the time it was taken over by the Department of Lands. 2, The receipts derived from the inspection and fumigation or other treatment of fruits, vegetables, and plants of all descriptions at the various ports of the colony since the establishment of the Bureau. 3, The amounts derived from the advertisements published in the journal of the Bureau. 4, The amounts received during the same period for analyses performed for the public, together with, 5, An account of the receipts from all sources, and a detailed return of all the expenditure incurred.

MOTION: LEGISLATIVE ASSEMBLY BUILDINGS, ADDITIONS.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse) moved that a Select Committee be appointed to consider the question of providing additions to the present Legislative Assembly buildings, for temporary accommodation for the use of the Legislative Assembly. He said:—During the last session of this House, attention was drawn to the question of the erection of some temporary additions to the Assembly buildings, for the purpose of providing more accommodation for hon. members in the refreshment-room and other parts of the House, and also for the better housing of the library, the space for which seems to be quite insufficient. A suggestion was then thrown out, and it was almost made a request by this House, that some consideration should be given to the subject during the recess. I have, during the recess, had certain plans prepared, and they are laid on the table of the House, showing additions which can

be made in connection with the Assembly buildings; but I have been told, since those plans were laid on the table, that what is needed more particularly is some addition that should serve the purpose of extending the library, and providing for the accommodation of members, in a way which would be comparatively inexpensive, while also serving the present requirements, and obviating the necessity of spending large sums of money upon these buildings. To assist me in arriving at some conclusion, I would like the House to appoint a Select Committee, which could go into the question and have plans prepared, showing how the necessary accommodation may be provided without great expense. This accommodation may be provided, perhaps, by adding to the present rooms at the back of the Chamber, or by carrying out a portion of the new wing of the Public Offices, which can be extended at the back of the present premises, and thus provide ample space for the library and some additional rooms. The upper portion of the new wing could also be made use of for the purposes of the Government departments. If this plan were carried out, we could save unnecessary expenditure which would otherwise be incurred by carrying out one of the designs that has been placed on the table of the House. The cost of carrying out one of those designs would be about £3,500; whereas by extending a wing of the Public Offices, and taking down a small part of the present building at the back of this Chamber, we could carry out that design, and provide as long as may be necessary the additional accommodation which is desired in connection with this House. A design prepared on these lines, upon the recommendation of a Select Committee, would probably meet the wishes of hon. members, and serve all requirements for some time to come. I am anxious to have this Select Committee appointed, because I consider something should be done in the recess in the way I have indicated. I do not wish to interfere in any way with the project which we are all looking forward to, namely, the new Parliament Houses for this colony; but what I desire now is to make such an addition to the accommodation of this House as will meet the requirements in the meantime. The in-

quiry and the recommendations which a Select Committee can make will go far to provide that this extension shall be carried out economically, and so that the portion which is to be built will be part of the permanent building for the Public Offices of the future.

MR. A. FORREST (West Kimberley): Considering the condition of affairs, I think we should not go in for more expenditure on these buildings. It is understood that new Parliament Houses will be erected in the future, on the site at the top of St. George's Terrace. I do not agree that this Chamber, and the buildings connected with it, are seriously insufficient for the requirements of the present number of members. There are many more urgent works required in the country, on which money could be expended, rather than increase these buildings. If the number of members in this House were about to be increased, there would be a reasonable necessity for some further increase in the accommodation; but with the present number of members, we can get on well enough for some time longer, without spending more money on these buildings. It is also on the cards that the Government may purchase the adjoining Town Hall; and, if they do so, it will provide so much additional accommodation for any purpose that may be required. As to spending £3,500 in adding to this building, we may as well chuck the money into the river. I hope the Government are not going to consent to the appointment of a Select Committee; for I think we should be satisfied with this Chamber and its conveniences until we are in a position to build proper Parliament Houses on the top of St. George's Terrace.

MR. SIMPSON (Geraldton): I do not in the least agree with the hon. member who has just spoken. I cannot agree that the accommodation of this Chamber is sufficient: and although, personally, I may not feel some of the inconveniences which other members do, yet I know from the remarks made by members representing country districts, that the facilities of this Chamber are very inadequate for their requirements. I do not think the member for West Kimberley (Mr. A. Forrest) has much occasion to use this Chamber in the day time, as some country members have. With regard to the

library attached to this Chamber, I say it is an absolute stigma on the Legislative Assembly to have a library so inadequate, and so badly housed. Not that I imagine our library should largely consist of bricks and mortar; but, at the same time, better accommodation is required for housing the books which members use for the purpose of reference and information. With regard to the additional accommodation which has been suggested, I am not one to argue that we should spend money on buildings that are not likely to be permanent. The suggestion of the Director of Public Works, that the matter should be referred to a Select Committee, will be likely to secure an economical arrangement that will commend itself to members generally, by extending a wing of the Public Offices, and so providing temporarily in connection with this Chamber considerable extension of accommodation. The new wing of the Public Offices might well be used in that way until the projected new Houses of Parliament are built. I know we have many public works and crying wants upon which money could well be expended, and I shall oppose the expending of any large sum in the way of luxurious accommodation in connection with this Chamber: but I think some further accommodation can be provided in the way suggested, at a very small expense.

MR. KINGSMILL (Pilbarra): As one of the country members, possibly, who has been referred to, I must say that the present accommodation is inadequate, and especially in regard to the library. The member for West Kimberley (Mr. A. Forrest) bases his objection to an extension on the fact that we are likely to have new Parliament Houses erected before long at the top of St. George's Terrace; but, as far as I can see, the prospect of being able to use that new building is not immediate, nor very near. Indeed, the prospect of a federation of the Australian colonies is another consideration against the probability of new Parliament Houses being built in this colony. I, therefore, have much pleasure in supporting the motion.

MR. MORAN (East Coolgardie): I am inclined to disagree with the member for West Kimberley as to not appointing a Select Committee, for the reasons just

stated by the member for Pilbarra. There is a feeling amongst members who come a long distance that better accommodation ought to be found within the House. There is only one small room at the back for members; and even that is so situated that every police-candidate or person seeking a Government billet can immediately see through the window the member he wants. Such visitors immediately invade the sanctum—if it can be called a sanctum—and members who want to evade them cannot get out of their way. Members from the gold-fields, or from the North—like the member for Pilbarra (Mr. Kingsmill) and the member for Yalgoo (Mr. Wallace), who are quiet and retiring gentlemen, and who love to be in and around the scene of their work—are strongly of opinion that more comfort and convenience should be provided. I hope the Select Committee will consider the desirability of making this Chamber and its surroundings suitable for the next twenty years. I have from the first been opposed to the proposal for a new building. We have seen the results of such structures in the other colonies. There were days when the most comfortable Chamber of any of the Australias was to be found in Western Australia. The elaborate building in Adelaide, as a debating chamber, is altogether inferior to the present chamber in Western Australia. In the Adelaide House the acoustic properties are so bad that the members cannot hear one another.

MR. SIMPSON: That is an advantage at times.

MR. MORAN: It is an advantage, especially during debates on the Address-in-Reply. The chamber in Adelaide is so bad for hearing that it has to be draped all round. In Western Australia it is extravagant to talk about a new and elaborate House of Parliament. We have room here to accommodate more members than the colony will want for the next twenty years. I am not in favour of a large Parliament House or a large number of members; and I fail to see the utility of interfering with the present arrangements, further than to provide the accommodation necessary for those members who have to spend most of their spare time here. Some country members have no

business to follow in the town, where there are few amusements, and, consequently, are frequently at the House. At present, a man cannot write a letter without being disturbed with the stale politics of the talking members around him. In the writing room there are one chair, one table, and one pot of ink, so that a man very often has to use the Legislative Chamber itself for the purpose of writing his correspondence. There is plenty of room at the back, I believe, for the addition of another storey to the building. There is also room on the ground floor; and it might not prove a bad arrangement to have the refreshment room underground.

MR. CONOLLY (Dundas): I have pleasure in supporting the proposal for a Select Committee. The accommodation for the country members like myself should be more comfortable. Further additions are required to the members' room, and to the library, which is incapable of holding the many books of reference required. It is a good and economical idea that whatever alterations are carried out here should be with a view to a permanent House of Parliament at some future time in St. George's Terrace. That will obviate any chance of the altered buildings falling into disuse when a move may be made to some other place.

Question put and passed.

THE DIRECTOR OF PUBLIC WORKS further moved—That the Select committee consist of seven members instead of five, as provided by the Standing Orders.

Put and passed.

A ballot having been taken, the following members (in addition to the mover) were elected: Mr. George, Mr. Kingsmill, Mr. Leake, Mr. Simpson, Sir James G. Lee Steere, and Hon. H. W. Venn.

Ordered that the Committee report to the House on Tuesday, 26th July.

At 6.40 p.m. the SPEAKER left the chair.

At 7.40 p.m. the SPEAKER resumed the chair.

**MOTION: TICK IN EAST KIMBERLEY,
REMOVAL OF RESTRICTIONS.**

Mr. MONGER (York) moved:

That owing to the absence of any sickness or mortality in East Kimberley cattle, the restrictions now existing be removed, so that the consumers, as well as the producers, may benefit by the large number of fat stock available there.

He said: In submitting this motion to the House, I have to point out that the restrictions I am desirous of seeing removed from the cattle in East Kimberley district were imposed as a consequence of the amendment proposed in the last session of Parliament by the member for the Ashburton (Mr. Burt), upon a motion moved by the member for Albany (Mr. Leake), that motion having been intended as one of censure on the Government for their administration of the Stock Diseases Act. The amendment which this House passed on that occasion was one of the most drastic in its nature that could possibly be framed, for it totally prohibited the importing of cattle from the Northern Territory of Queensland, and prohibited the removal of cattle from the East Kimberley district to the southern markets of this colony. A further amendment was moved and carried by the member for the Gascoyne (Mr. Hubble), to the effect that the service of some reliable tick expert should be obtained by the Government, and that he should be sent to East Kimberley to inspect and report as to the existence of tick there. The result has been that the Government did secure the services of Mr. Hancock, an expert from Queensland; that he was sent to East Kimberley, and he has recently reported upon the cattle he saw there. To that report I will refer later, but I may remark now that the amendment (Mr. Burt's), which was adopted by this House last session, has had the effect that since December last the settlers in the East Kimberley district have been unable to send any cattle to the southern markets or the goldfields of this colony. I think all will admit that this is, to say the least, a very trying ordeal for any body of settlers to have to go through; and, if it is admitted that the East Kimberley district embraces by far the finest cattle-producing country in Western Australia,

I think all will agree that the action of the member for the Ashburton, in proposing that drastic amendment, has been more than hard in its results to those settlers, who have risked their lives and their money in trying to establish stations in that very remote district. I can speak personally about East Kimberley, having on one occasion travelled from Hall's Creek to Wyndham; and I think it is generally admitted that there are very few portions of Australia better adapted for cattle-producing and cattle-raising than is that locality. About 13 years ago the East Kimberley district was first stocked with about 1000 head of cattle, and to-day there are close on 100,000 head in that district. According to reports which have been placed before us, there are 6000 or 7000 head of cattle known to be fat in that district, and the owners of those cattle are prohibited from bringing them to the southern markets. During the years 1895, '96, and '97, something like 13,000 head of cattle were brought from the East Kimberley district, and a ready market was found for them at Fremantle and on the eastern goldfields. During 1897, the number sent from East Kimberley alone amounted to nearly 5500 head; or, according to the statistics supplied by the Government, very nearly one-fourth of the total number required to meet this colony's wants came from East Kimberley. At the present time, with the restriction which Parliament has imposed on East Kimberley, the settlers are unable to continue to compete against other portions of Western Australia; and for what reason? Simply because it is declared that, owing to the tick being known to exist in that district, no cattle are allowed to come from there. But it has been shown by all persons who have visited the district that tick was known to exist there as far back as 1886, and we know that during the years 1895, '96, and '97, cattle were being brought in large numbers from East Kimberley to Fremantle without any bad results occurring; nor have we any evidence before us now to show that, while allowing cattle to again come from East Kimberley, the result is likely to be any different from what it has been in the past. In talking to some of the

settlers in the southern and eastern districts of this colony, who are largely interested in the dairying and cattle industry, I have gathered that they in no way fear any ill result from this supposed dreadful scourge. They rely to a certain extent on the argument that nothing has happened in the past which could justify any fear on their part; and that owing to the natural surroundings about Fremantle, Perth, and the eastern districts, the settlers are convinced that tick will not live in these parts. In talking to one large breeder of stock, who was himself for many years a member of this House, Mr. Barnard Clarkson (Toodyay), I was assured by him that we have nothing to fear from tick, and have more to fear from local diseases, such as rickets and wobbles. If the large owners of cattle in the south-west portion of the colony do not fear anything from tick, why is it necessary to prohibit East Kimberley from sending its surplus cattle to supply the wants of this big market? It is well known that during the last few years a settler from the East Kimberley district brought from the Northern Territory of South Australia, and drove them overland as far as the Murchison, some 400 or 500 head of cattle, and disposed of them to one of the prominent breeders on the Murchison. These cattle were driven through settled country, and I do not think we have any information to show that any ill results have been occasioned. They travelled through the Northern Territory, which at the time was known to be badly tick-infested; they also passed through East Kimberley district, and continued overland to the Murchison; yet we hear of no complaint from the Murchison that tick exists there. Indeed, it is well known that this mob of cattle passed through the very worst tick-infested country in the whole Northern Territory, and also passed through this colony as far as the Murchison. Therefore, it is only natural to conclude that the tick fell off these animals, and whether it is owing to the peculiarities of the land, or what it may be, I am unable to say, but at all events no sign of tick has ever been seen on the Murchison. I will now refer briefly to Mr. Hancock's report. I am sorry this House is not in possession of

fuller information on the subject. The report, I believe, has been given by that gentleman with every conscientious desire to perform, as far as he can, the duty which brought him to Western Australia. But when we come to read his report, what do we find? We simply find an account of the death of 80 head of cattle, which were referred to in this House last year; and all that this expert can tell us is that they died two years ago, and that from evidence which was placed before him he is led to the conclusion that these cattle died from tick fever. I may say the evidence on this question, according to his report, is simply nothing better than hearsay, for he says he was informed that eighty head of cattle died, and that, judging from the reports of those who saw some of them die, he is led to the conclusion that these cattle died from tick fever or red-water. A reply which appeared in this morning's newspaper, with reference to that portion of the expert's report, will be fresh in the minds of honourable members. Mr. Durack has sent a telegram to a man who was not in charge, but was a drover of the cattle to which Mr. Hancock makes reference; and the reply to that telegram, which is sworn to before the Resident Magistrate at Wyndham, fairly proves that the hearsay evidence on which Mr. Hancock bases the whole of his report is not so accurate as one could wish. For the benefit of the House, I will read the telegram which was received only yesterday:—

We started from the place of delivery, Wave Hall, with a thousand head of cattle, through the bush, and the mileage of the daily stages to Red Hill was as follows:—Eight, seven, fourteen, twelve, seventeen, six, six, thirteen, ten, twelve, thirteen, eight, ten, five, eight. The longest distance without a drink of water was 23 miles. I saw cattle die about Red Hill Butts, and I thought the death was caused by overdriving. I saw Duff shoot one bullock, and examine the inside. The beast appeared to be quite healthy. Found no ticks. He afterwards examined two which had just died, and he told me that he saw no ticks and no symptoms of red-water; also, that he was at a loss to account for the death. I believe 50 would be the outside number that died at Red Butts. The losses were chiefly through rushes. At one rush alone we lost 20 odd, and I consider the cattle were shamefully overdriven. I have seen tailers lashed with stockwhips, and driven at a gallop over rough places: and on nearly all occasions the cattle were rushed too quickly through water

to allow them to get a good drink. The symptoms of sickness were a running from the nose, and a generally knocked-up appearance, finally giving way across the loins, then lying down for from 12 to 36 hours, and either dying or recovering within that time. Almost all were slightly sick and went off their feed, but recovered in a few days. The greater part of the route is badly watered, especially for a big mob of cattle, and is also very stoney; and across the desert for thirty miles there is barely any grass.—Signed by George Hill, before me at Wyndham, 11th July, 1898. (Signed) Frederick Pearce, R.M.

That is entirely opposed to the statement which was made by Mr. Hancock in his report; and I say if the expert who was sent on behalf of the Government to report on the particular subject goes so far wrong in one statement, it is only natural to conclude that the other statements contained in his report may reasonably be treated in the same way. Mr Hancock was also asked this question: "How can you account for ticks not reappearing near Fremantle since the January outbreak?" To that he replies:—

I can only attribute it to the agency of cattle placed in the infected paddock for short periods only, awaiting slaughter, acting as living traps for ticks which were destroyed by the salting of the hides.

I think that in itself is very conclusive evidence that, if the hides in the future are treated as hides have been treated in the past, there will be little probability of the tick pest invading this south-western portion of the colony.

MR. LEAKE: That is when they are salted.

MR. MONGER: I think it is necessary to salt all hides.

MR. LEAKE: Not till you take them off the beast, though.

MR. MONGER: There are many other matters in connection with the report which I think require further evidence and further remarks from that gentleman, before this House can agree entirely to what he says. There is no doubt his recommendation for inoculation is a remarkably good one, and one which before long will be carried out throughout the whole of Australia. In a copy of the *Australasian* newspaper—I think the last issue—there were remarks made on this question as follow:—

That inoculation will render cattle immune to the disease we may regard as proven by the experiments that have been carried out in

Queensland. As we have no country between us and Queensland in which the cold of winter is sufficiently severe to destroy the vitality of the tick eggs, we may fairly anticipate that it is merely a question of time when the pest will extend from the Gulf of Carpentaria to Bass's Strait. It is evident, then, that our hopes must rest upon inoculation, by means of which, if the insect pest cannot be stayed, there is every prospect that the accompanying fever will be avoided.

If that is the opinion of one of the greatest authorities in Australia on the subject of cattle, I mean the gentleman who writes under the *nom de plume* of "Bruni" in the *Australasian*, and if we are going to have tick in Australia from the Gulf of Carpentaria to Bass's Strait, it is evident that the time is not distant when the cattle imported from South Australia and from Victoria to this colony will be infected with tick; therefore, if we do not get tick from our own country at East Kimberley, we are bound, ultimately, according to this authority, to get tick from the other colonies. Surely when we have to face a question like this, it is in the interests of the people of this colony to take the disease, if it may be so called, from our own country in preference to importing it from one of the neighbouring colonies. Only the other day we saw in a telegram from Sydney that—

At the annual meeting of the delegates of the Stock Boards to-day, it was agreed, in view of the danger of tick spreading, to establish an experimental observation station in the colony. There was, it was contended, no need at present to further close the border against Queensland cattle. It was pointed out in support of this view that tick only thrived where moisture and heavily grassed country existed.

Well, though I am sorry to say it, if that statement is correct, I do not think there is much chance of tick spreading to any great extent in these parts, where we have not got heavily-grassed country in the south-western portion of our colony; and if tick can exist and increase only in richly-grassed country, there is one thing certain, that we in these parts are perfectly safe from tick. We have heard the cry from the goldfields and from Perth and Fremantle of the high cost of living in these localities, and I think that if one item of living more than another is felt seriously in these communities, that item is the cost of meat; and when it is known that we have at present

sufficient fat cattle in the East Kimberley district alone to meet the whole requirements of Western Australia for at least three months, surely it is in the interests of everyone that the settlers in East Kimberley shall be given an opportunity of supplying our local wants. The total quantity of cattle sent down from the two Kimberleys last year was something like nine thousand head, and the total quantity imported into the colony was about thirteen thousand, showing that the two Kimberleys are enabled to supply in ordinary circumstances nearly one-half the meat requirements of Western Australia. It has been argued in Mr. Hancock's report that one way out of the difficulty is by the erection of chilling works at Wyndham. That is all very well, but when he was asked how long it will take to erect these works, he said twelve months. Surely it is not desired by this House that the East Kimberley trade with the south-western portion of the colony is to be closed for twelve months, and that in the meantime the settlers there are to have no opportunity of supplying meat to these parts of the colony, as would be the case during the time these chilling works were being erected in the North. It has been clearly pointed out that unless there are a greater number of cattle in the East Kimberley district than there are at present, the erection of chilling works would be a big expenditure to those who would have to maintain them, for it would mean a heavy loss to all concerned, because, to carry on chilling works at anything like profit, as far as I can gather, where chilling works and freezing works are established—say, at Rockhampton, in Queensland—something like one hundred thousand head of cattle have to be supplied for keeping them going in one year. If we reckon that East Kimberley is only one-third stocked, and that there is a probability of increasing its capabilities to three times the present number, we would then not be able to supply anything like one hundred thousand head of cattle in twelve months to keep chilling works going in the North. Apart from that consideration, the natural surroundings of Wyndham practically prohibit the carrying on of that industry with anything like a profit to the producers. See-

ing that there is this difficulty in the way of erection of chilling works at Wyndham, I think it is absolutely necessary to devise some other means; and the only means on which up to the present we have any reliable data is the inoculation of the whole of the cattle in Western Australia. Suppose the Government started by ordering the inoculation of the cattle in the South-Western Province, it would not mean a matter of hardship to the settlers in those parts. There are very few large cattle proprietors in the South-Western Province, and I am informed by Mr. Hancock and others that the cost of inoculation is something like 2d. per head. If these figures are correct, and if inoculation is proved so reliable, surely it is in the interests of the Government to issue instructions that all cattle in the South-Western Province shall, as soon as possible, be inoculated. A gentleman from East Kimberley district has during the past week or two written several interesting letters on this subject. Possibly some members will say these letters are very interesting, especially from that gentleman's own point of view. I should say that from any point of view his letters are interesting, and have dealt fairly and most reasonably with the subject. In all his letters he simply asks that hon. members should give this question a perfectly unbiassed consideration; and he puts himself entirely in the hands of this House, recognising that this House alone has the power to deal with a matter of so much importance to himself and his particular district. The report by Mr. Hancock has been conveyed by telegraph to Queensland, and a very large cattle-owner in that colony has sent a telegram over to a gentleman who occupies a seat in this House. That reply telegram is to the following effect:—

Have been shown Hancock's report. Pound, who is the best authority in Australia, ridicules such predictions without scientific data.

MR. SIMPSON: Who is the sender of that message? I could name him at once.

MR. MONGER: At all events the telegram has been received, and Pound is stated to ridicule such predictions as those which Mr. Hancock says are likely to be verified during the next summer. Mr. Hancock, in the whole of his report, is

unable to state that he saw in the East Kimberley district cattle which had died from the disease, but he tells us that from his experience we may expect a large mortality during the next few months. It is a very strange thing, if we take into consideration that tick has been known to exist in that district for about 13 years, that, as yet, no mortality has occurred. The only instance recorded is that we all knew of months back. On the other hand, it is contended that Mr. Hancock's statement is entirely erroneous. That being the position, and if Mr. Pound declares it is impossible for a man to predict there is going to be mortality in the future, it seems to me it is unnecessary at the present time to place that amount of confidence in Mr. Hancock's report which, I believe, many people were inclined to place when they first read it. There is another point which Mr. Hancock has rather overlooked. When he was telegraphed to by the Premier, or by the Commissioner of Crown Lands, asking him to state the condition of the cattle infested with tick, he did not send any reply. I understand, however, that those supposed tick-infested cattle are in splendid condition. Surely if the cattle are fat and fit for market, the tick cannot be doing them much harm. There is another point which I almost overlooked. Mr. Hancock in his report on the mortality among the Wave Hill cattle simply states one or two of the symptoms which are supposed to have affected those cattle. I am informed on the very best authority that Mr. Pound states that when a beast is perfectly healthy the spleen weighs from 2lb. to 3lb., but when affected with red-water or Texas fever, or whatever the disease is termed, the spleen weighs from 7lb. to 9lb. I am further informed that those who saw these particular cattle after death absolutely declare that the spleen was the normal size. That, I think, goes to prove that these cattle did not die of tick, but must have died from being over-driven in the manner stated in the telegram I have read. I understand that some hon. member is going to ask for further time to be given, in order to get fresh evidence and to obtain further information from Mr. Hancock in connection with his report. Under these cir-

cumstances it is unnecessary for me to take up longer the time of the House; but I hope, when the question finally comes on for consideration, the motion I have brought forward to-night will be carried, at all events, by a big majority of the House.

MR. HARPER (Beverley): I think the speech in which the hon. member has submitted his motion emphasises the necessity for further information. I therefore beg to move that this subject matter of the motion be referred to a Select Committee.

MR. A. FORREST (West Kimberley): I have much pleasure in seconding the amendment that this matter be referred to a Select Committee.

MR. MORAN (East Coolgardie): May I ask your ruling, Mr. Speaker, as to whether a motion for the appointment of a Select Committee can be moved before the motion of the hon. member for York (Mr. Monger) is seconded.

THE SPEAKER: I thought I saw some hon. member nod his head as a seconder.

MR. MORAN: I second the motion, with your permission. It has not been seconded so far.

THE SPEAKER: Do you want to speak.

MR. MORAN: Yes.

MR. A. FORREST: There was a proposal that the question be referred to a Select Committee.

MR. MORAN: That cannot be done until the former motion is seconded.

THE SPEAKER: There seems to be some mistake as to whether the motion was seconded. The hon. member says it was not, and it ought to be seconded.

MR. MORAN (East Coolgardie): Before the motion for the appointment of a Select Committee is considered, it is just as well I should say a word or two on behalf of those who "pay the piper," namely, the consumers. I have no interest in any cattle station.

MR. SIMPSON: You belong to the cheap-meat party.

MR. MORAN: Yes; I belong to a cheap-meat party, but, unfortunately, that party is the party which has to pay very dearly for its meat. The result of the extraordinary debate last session on this subject was that the people of the colony, and the goldfields particularly,

were asked to pay an extra 2d. per lb. for their meat, besides the 30s. per head on the cattle imported from other colonies, in order that one of the best districts in Western Australia may be locked up. The effect of the motion was to raise the price of meat to 80,000 people in Perth, Fremantle, and the goldfields, for the special delectation of a few cattle growers, to twice the price the same meat is bought for in shops in London. In other words, it means that if the two Kimberleys are cut out of Western Australia, the rest of the colony cannot raise enough meat to feed the Fremantle prisoners, let alone the people of the colony.

MR. A. FORREST: That is not correct.

MR. MORAN: It is perfectly correct. If you take the train from Perth to Albany through the beautiful southwestern districts—and they are beautiful, for fruit-growing and cereals in some places—you will not find a dead hide, let alone a live one, except at 50 miles apart, and then it will be only some disconsolate poor old cow ruminating over the days that used to be before Responsible Government. Some 80,000 people are asked to put their hands in their pockets in order to support an industry in a small part of this colony.

MR. A. FORREST: The duty was there before the Kimberleys were founded.

MR. MORAN: I know the hon. member for West Kimberley is peculiarly disinterested, but I wish he would let me have my say first. For the sake of a few cattle growers in the Kimberley district, people have been paying 30s. on every beast imported from the other colonies. The people grumbled a bit at that, and what did the startling revelations of last session produce? Those neighbourly beings who were living and growing rich at the expense of the whole of Western Australia quarrelled amongst themselves. The representative of West Kimberley came into this House, and aided and abetted and achieved the locking up of the other Kimberley, which caused the rise in the price of meat to which I have alluded.

MR. SIMPSON: Is that the sort of thing which goes on upon the Government benches?

MR. MORAN: We know perfectly well that the Opposition members are the cheap-food people, who talk about the cost of living. But if I mistake not, the hon. member for Geraldton (Mr. Simpson), who is always fond of assisting the working man, and doing everything he can to cut down the cost of living, is one of those who said to the people of Perth, Fremantle, and the goldfields that they should pay an increased price of 2d. per lb., besides the 30s. duty, for the sake of keeping open one Kimberley and locking up the other. The ultimate result was that the market was depleted, and arrangements had not been made to import cattle to any large extent. It was decided by a majority on one or two occasions to keep on the duty of 30s. per head, thinking that in time the growth of cattle in Kimberley would supply sufficient for our own consumption. We are now told that the Kimberley districts can supply sufficient for own own wants; but what avails that to the people of Perth, Fremantle, and the goldfields, when they are called upon to pay 10d., 1s., and 1s. 2d. a lb. for meat in order that the West Kimberley cattle and no other cattle may come into this market?

MR. A. FORREST: That is not so.

MR. MORAN: I have made the assertion before, and I make it now, and the people may judge from the pages of *Hansard*. East Kimberley was locked up with the pretension of protecting the large cattle growers of Bunbury and Perth, which large cattle growers own about three cows each. These are the only places where a few cattle are grown in the southern districts.

MR. A. FORREST: You know nothing about it.

MR. MORAN: I am sure there is no want of ignorance on the Treasury benches in a great many things, and "those who live in glass houses should not throw stones." The only district outside Kimberley which can produce a few cattle and does produce them, lies around Northam, Newcastle, and York. We have it on the authority of the hon. member for York (Mr. Monger), who is perhaps one of the most experienced and one of the oldest settlers at York, and who knows the country well, and from Mr. Clarkson, one of the largest landholders in that district,

that they have no dread of the tick in these arid plains during the dry seasons. But, apart from that altogether, I am here on behalf of the consumer. So far as my constituents are concerned, and so far as I am personally concerned as a consumer, I am not prepared to protect those milch cows in and around Perth and the south-western districts at the expense of 2d., 3d., and 4d. per lb. on every lb. of meat eaten. Are consumers so anxious that this part of the colony, which cannot grow cattle, should be protected, as to be prepared to look up the part of the colony which can produce cattle? It would appear that consumers were content not only to pay the duty of 30s. per head, but to pay another 30s. or £2 a head in order to look up one of the most fertile of our cattle districts. Every man, woman, and child on the goldfields, according to the Press in those districts, are paying an extra 2d. per lb.—and the retail butchers say this, too—because there is an absurd regulation prohibiting cattle from a supposed tick-infested district. It has not been proved that the cattle suffer there, or, at any rate, that there is any mortality from the disease except amongst the 80 head of cattle which died two years ago. I believe the way in which the cause of the death of those cattle was discovered was that an inspector found a stockwhip in use that had been made from the hide of one of the beasts, and on that whip he found traces of the tick fever of two years before. At any rate, no other part of the animal would be in existence when the whip was seen, except the green hide from which the whip could be made; and perhaps if that whip could be chemically analysed it might be proved that tick had existed two years before. We are asked to continue this absurd regulation—to continue locking up this district. If it was in New South Wales there might be some sense in it. It is now recognised that inoculation is the most effective means for preventing, if not the spread, at any rate the evil effects of tick. The official estimate of the cost of inoculation here is 2d. per head, so that it would cost a man with only three cows 6d. for the inoculation of his stock. The Government, therefore, might insist on inoculation. Is it fair that the consumers should suffer from

the enormous price at which meat is now retailed in this colony, just to save the producers from having to pay 2d. a head for the inoculation of their cattle? How long is this state of things to be allowed to last? Is there any other part of the world where it would be allowed at all? In London you can obtain meat at about 5d. or 6d. per lb., while here we pay 10d. and 1s. a lb. for it. There is plenty of poverty around Perth, Fremantle, Kancowna, and Kalgoorlie; and although the Premier is not aware of the hard times that exist, there are hard times, and some people are not able to afford meat because of the heavy duties. We are a long-suffering people on this meat question. The agricultural members of this House know that I have not gone against their interest in the past; but it is absurd for them to expect that the consumers can continue for ever paying this enormous price to shelter the producers. It is our duty, not only to do away with this restriction, but also to do away with the 30s. a head duty on the live stock of the other colonies. If any legislative means can be brought into force to help the East Kimberley district, I will give my assistance in that direction. The Government might, perhaps, subsidise a local line of steamers. They have done all they could by giving jetties, wharves, public buildings, and police protection to the north-west part of the colony. Indeed, this House has been most generous to residents in that part of the colony. We ask you now to let us have meat at a living price. A poor man cannot feed his family on fresh meat, and yet we are coolly asked to continue this absurd restriction to protect an industry which has no existence. Is it a fair thing to ask the consumers to go to this enormous expense for the up-keep of a few head of cattle? Let us form a syndicate and buy up the few head of cattle around this district.

THE PREMIER: You could not do it.

MR. MORAN: I do not believe we could, because the difficulty would be to find them, and not even the most expert blacktracker would be able to do that. I suggest, however, that we should form this syndicate and buy up all the cattle in the district. As a matter of fact, the duty we pay would buy them all up. Let

us buy them first and eat them afterwards, and then start importing "on our own." I protest against the policy of restriction in the name of the people of my constituency, who are 25,000 strong—working people who have made Western Australia what she is. The gold industry of this colony has given a market to the fruit grower and to every other grower. At present we are starving for the fruit which we are preventing from coming in. I believe it is proposed to fumigate and inoculate every apple at Albany.

MR. VOSPER: That is on account of the codlin moth.

MR. MORAN: On the goldfields they say, "Let us have an apple, with or without the codlin moth." I maintain that the people I represent are being unfairly mulcted for the benefit of an industry which has no existence—a problematical industry which is no industry.

A MEMBER: What about Bunbury?

MR. MORAN: I have been all about Bunbury, and I have never got anything there but tinned milk.

THE PREMIER: There are 10,000 cattle in the district.

MR. MORAN: They must be all stores I have been all over the south-west district, and I was at Bunbury during the show time, and the Premier knows that I told the people they had proved that they could do without shows. They did not exhibit anything of their own. There was no local butter or cheese, nothing but imported fish, although there is plenty of fish to be caught there. If these 10,000 head of cattle exist, we have never heard of them. Even at Bridgetown you will get nothing but tinned fruits and tinned milk, and Bridgetown is perhaps the garden of the south-west district. At Bunbury you will also get tinned fruits and tinned milk. The local industry has no existence, although I believe there are a few sly-grog stills there. I would ask the members for Perth and Fremantle and the members for the goldfields to do their utmost to remove this restriction, so that we may get meat on the goldfields at a reasonable price. I would be prepared to sacrifice every other item on the tariff to get meat on the goldfields at 4d. or 5d. per lb.

MR. VOSPER: What is the price of Queensland meat?

MR. MORAN: It is not more than 2d. or 3d. per lb., and you could do more work on a lb. of beef from there than on a whole bullock of the lean and stringy kind we have here. I have placed this matter before the House from a consumer's standpoint, and I will ask the House to deal fairly with it. Let us not alarm ourselves about those few ancient cattle at Bunbury. I know well that no decent respectable Queensland tick would come within a mile of them. It is almost impossible not to be struck by the humorous aspects of the question. But in all seriousness I would observe that on the one hand we have the producers making a heap of money out of the consumers; on the other hand we see the consumers put to enormous expense for meat. This high price of meat prohibits people from bringing their families here—the cost of living is too dear. On the other hand we have the cattle growers at Kimberley, who cannot agree among themselves. A few come here and endeavour to make use of us as catspaws. I cannot say that the resolution which was passed six months ago was brought forward in a disinterested way. There may be men in this Assembly to-day—I do not say there are—who have benefited in a monetary way from the passing of that resolution. It is not honourable for members of this House to vote for the purpose of increasing their own returns. I do not think that the good of the colony was at the bottom of that resolution, nor do I think if this restriction is continued that the good of Australia will be at the bottom of the vote given on this occasion. When a person thinks thus, it is just as well that he should say so. When the resolution was moved in the House six months ago, I did my utmost to oppose it. The restriction on the importation of meat from the East Kimberley district was made in order that the meat ring of Western Australia might be benefited thereby. This is the first time I have made this assertion, but I make it now. We know of its existence. Butchers in Kalgoorlie tell me that they have to buy meat from particular persons, and that they have to pay down £50, and if these butchers attempt to lower the price of

meat they are not served with cattle. I have been told that. A butcher is asked to put down a certain sum of money, and is asked to enter into an agreement, and if he endeavours to reduce the price of meat he forfeits the money which he has deposited. I have been trespassing too much on the good nature of the House; but I say this was one of the jobs perpetrated in this House. I said it before, and I say so still. The very danger which I mentioned was non-existent, has not come about. No ticks have been found about Perth or Fremantle. It was an absurd boundary line to place between East and West Kimberley; there is no natural boundary between those two places. There is an open highway between East and West Kimberley; there is no coast track; there is no habitable country there.

THE PREMIER: There is no good coach track, did you say?

MR. MORAN: Let us say then a tick track. It is not a fair thing to lock up East Kimberley and leave West Kimberley open. At the same time there is no natural barrier between those two places. West Kimberley is tick-infested just as much as East Kimberley is, and was tick-infested last year. The tick was there, and is there to-day, and cattle from West Kimberley have been coming down here. Did I not try to prevent this injustice being done last session? Did I not bring forward a substantive motion to have the cattle in West Kimberley examined as well as those in East Kimberley?

MR. VOSPER: Who resisted it?

MR. MORAN: The cattle owners of West Kimberley. I objected last session because it was an unfair thing to lock up one part of the country and not another. When I asked "Why not examine West Kimberley for tick," I was met with the reply, "You want to find tick, and we do not want to find them; we do not want to find the tick in our own cattle, but in other men's cattle." If we are going to keep up the quarantine regulations, we must quarantine the whole lot of tick-infested cattle or wipe away the regulations altogether. I hope this session of Parliament will see the whole question of the meat supply gone into, and the one object kept before the House, that of a cheaper meat supply. We have suffered

long enough; let us wipe these absurd regulations away altogether. I have spoken rather at length on this question; I did not intend to speak so long. I have pursued a persistent course ever since I have been in this House, and have always pursued what I thought to be an honourable course, and if I can help the cattle breeders I will do so; but it is not right to ask people to go on paying the high price they are now paying for meat. I shall go on pursuing this same course, no matter what end it leads me to. I have much pleasure in seconding the motion brought before the House by the hon. member for York (Mr. Monger).

MR. HARPER (Beverley): I move that this matter be referred to a Select Committee.

MR. A. FORREST (West Kimberley): I will second that amendment. I do not intend to speak at any length on this matter, but it appears to me that the hon. member for East Coolgardie (Mr. Moran) has a brief for one part of the country against another part.

MR. MORAN: Is the hon. member in order in saying that I hold a brief?

MR. A. FORREST: I surely have a right to say, when an hon. member makes such remarks as the hon. member for East Coolgardie has, that he holds a brief in the case. He has never consulted any member in reference to this question. I have not yet considered which way I shall vote; I have not made up my mind, and I shall not make it up until I have seen the report of this Select Committee. This is a most important question, and one of the most important ever brought before Parliament. After the report made by the gentleman who was sent up to East Kimberley at the Government expense, I think we should thoroughly consider the question. It is very important to the colony as a whole, to Perth, to Fremantle, and to the districts in the south-west. The hon. member for East Coolgardie said that, except in Kimberley, there was no stock in the colony. At the first blush one would have thought the hon. member was dreaming, because, if I recollect aright, there are two and a half millions of sheep to the north of Geraldton. Last

year 200,000 fat sheep came from that part of the colony to the Perth market.

MR. MORAN : I am not talking of sheep, but of cattle.

MR. A. FORREST : The hon. member who poses as an authority in the House appears to me to run altogether off the track. Instead of discussing the question brought forward by the hon. member for York, he commences a tirade against rings and the price of meat. I may inform the hon. member for East Coolgardie that when the question of duty on imported live stock comes up, I shall be glad to help him, and then, no doubt, he will see that the price of meat is reduced by 2d. per pound.

THE PREMIER : Twopence per pound cheaper?

MR. A. FORREST : I am simply quoting the argument of the hon. member for East Coolgardie, who says that the price has been raised by 2d. a pound.

THE PREMIER : Do you agree with it?

MR. A. FORREST : I do not. The hon. member for East Coolgardie says that the price of meat has been increased 2d. per pound. I shall be very glad to sell the hon. member beef at 2d. per pound in the district he represents. I will sell him 1,000 head of cattle to-morrow at 2d. per pound.

MR. MORAN : What weight?

MR. A. FORREST : 800lbs. There are many reasons why the price of meat is high down here.

MR. MORAN : Tell us a few of them.

MR. A. FORREST : The wholesale price of meat has not been increased 5 per cent. during the last 15 years, and last session I gave the House, year by year, the wholesale prices of beef during those years. The hon. member for East Coolgardie says that if the duty is taken off meat, and cattle are brought from East Kimberley, the price of meat will be reduced. I hope the cattle will be allowed to come from East Kimberley : we have no wish to keep them out. It is not right for the hon. member to say that people in one part of the colony are against the people in another part. We all belong to Western Australia, and we all require the cattle to come in. I say that, in the face of the report of the gentleman who was sent up to East Kimberley to report as to the existence of

tick, every care should be taken before cattle are admitted. I only intended formally to second the amendment, and I should only have done so had it not been for the remarks of the hon. member for East Coolgardie. I will ask the members of the Select Committee—I do not wish to go on that Committee, and I do not think anyone here who is interested should go on that Committee—but I will ask those gentlemen who are appointed on that Committee to consider several questions. First, that the steamers that are allowed to bring the cattle from Kimberley to Fremantle should not be allowed to call at any port between Wyndham and Fremantle, and that on the return voyage these vessels should not be allowed to call at any port between Fremantle and Wyndham. If they are allowed to call, we might get the disease into the ports of West Kimberley, and into the ports on the North-West coast. These two matters should come before the Select Committee. The steamers should go direct, and not call at any port going or coming. There is another important factor in connection with this question. Last year this colony supplied half the meat consumed in the colony, and the other half was imported from the eastern colonies. We must be sure that the steamers that bring these cattle from the other colonies, and which are engaged in this particular trade between this colony and the inter-colonial ports, should not be allowed to bring cattle from tick-infested ports. These are important matters that will have to be dealt with when this subject comes before the Select Committee, and I hope those members who are appointed on the Committee will take note of what I have said. The hon. member for York (Mr. Monger), in dealing with this important subject, I think was a little unfair. The gentleman who was sent to East Kimberley, who was recommended by the Government of Queensland and appointed by this Government, had no axe to grind, or any interest in any cattle in this country ; he hardly knew anybody ; he went to the East Kimberley district, and made his report to the best of his ability. It is a fairly worded report, but I feel sorry that it should have been found necessary to make such a re-

port. The hon. member for York was unfair in quoting from the report of this inspector in the way he did. The whole of this tick question arises from the fact that cattle were allowed to come from the Northern Territory of South Australia, and I say that certain people are to blame in this matter. I do not think there was any tick in Western Australia before those cattle were allowed to come in. I do not wish to say a word against cattle being allowed to come in, but I would like to help to bring them in all I can. I do not want to do anything to hurt any portion of the colony without first giving the matter grave consideration. We must remember that all the stations between Derby and Geraldton are interested in this matter. The owners are making a living out of the stock, and we do not want the tick to come further south than can be helped. There is no tick there, because cattle are coming down continually, and they are inspected in Fremantle, and they are clean. If they were not clean when they arrived in Fremantle, you may be sure they would soon be placed in quarantine. There is quite a number of people on the look-out to see if they can find tick. The hon. member for East Coolgardie (Mr. Moran) quotes from his last session speeches very largely, with regard to the action he then took. Well, I say that the action the hon. member took last year was not the action of a patriot with the good of his country at heart. Because tick was found at one place he said: "You must have the whole of the colony inspected, to see if we cannot find tick somewhere else."

MR. MORAN: You would not allow it.

MR. A. FORREST: Certainly not. I say we have no wish to find the tick; but, if it is found, we will have to take the consequences of it; and, as for contending that the whole of the country is to be subjected to quarantine because tick is found in one particular place, the idea is irrational, and the hon. member who proposes it is anything but a friend to his country. The member talks about these duties. We know that the hon. member will talk by the hour, and that he will make people believe almost anything. He runs in a most extraordinary fashion from one subject to

another—from Wyndham to Bunbury. He says you cannot find any clean stock in any part of the colony; that everything is bad; that there is nothing in the country; there is no butter; there is no milk; there are no potatoes; the whole of the colony is a wilderness, and that we are all living on Kalgoorlie. That is the conclusion of the whole matter, in the hon. member's opinion.

MR. MORAN: We are living on "tinned dog," most of us.

MR. A. FORREST: Now I do not think the hon. member is quite fair. He knows better himself. There is no man in the House more intelligent than the hon. member for East Coolgardie. But he runs away at a tangent, and gets on a subject which I am certain he knows nothing about. He told us, in respect of the two Kimberleys, that you would have to travel 150 miles to find one head of stock. Well, I do not know. And he winds up by saying he is not the owner of a station. It is only a pity that the hon. member does not own one or two of our stations. If he only had some experience of pastoral pursuits he would be crying, not only in this House, but out of it, for some help to enable him to live in those districts.

MR. MORAN: That is what I say.

MR. A. FORREST: And, if it had not been for the colony's growth here, there would not be one single station-holder alive in the North-West; and the little bit those poor people have the hon. member wants to take away from them. The hon. member talks about the farmers and the duty on flour; but why should the people of the northern division have to pay a duty on flour? Flour is the only thing the farmers produce: he wants to take the little tax away. Well, I am going to help him to take away the tax, so that he will be satisfied; he will have no more axes to grind in this Parliament. He says he has only got one—the price of meat. That is the only one. And I will tell him a secret: that the increased price of meat has nothing whatever to do with any "ring," nor has it anything to do with the wholesale people, or with the growers.

MR. HUBBLE: The motion brought forward by the hon. member for York

(Mr. Monger) in reference to the doing away with these restrictions in the East Kimberley district is one which demands the serious consideration of every hon. member of this House. It is a very important matter indeed, not only affecting that portion of the colony, but also affecting this market here. I happen to be the member who asked this House last session to get an expert from Queensland to visit East Kimberley and report on this very important question. The Government have seen fit to carry out the wish of the House, and a gentleman named Hancock has been sent up to report. His report has been sent in, and published in the daily papers; and I am very sorry indeed that it has turned out to be of such a nature as we find it to be. Speaking in this House a few days ago, I said I was in hopes that Mr. Hancock's report would be one that would lead the House to repeal the regulation made last session with regard to East Kimberley, and which is still in force. The member for York read a telegram a few minutes ago, in which Mr. Pound's name is mentioned in connection with remarks made in Mr. Hancock's report. I should imagine that, when this Government asked the Queensland Government for an expert, Mr. Pound was one of the first to be consulted on that matter. Therefore, not knowing whom the telegram came from, I place very little reliance on the report. Mr. Hancock, in his report, said that mortality is likely to result in the near future. Now, sir, I should like to ask the Government at this moment, if they have had any later reports from East Kimberley since Mr. Hancock left Wyndham. It is now some three weeks since. I should like to ask the Government if they have had any report from Wyndham; whether there has been any more mortality in any of the cattle. Three weeks have now elapsed, and there has perhaps been time for some other reports to come down.

MR. SIMPSON: Do you know something, when you suggest a question?

MR. HUBBLE: I know nothing at all.

MR. LEAKE: He says he does not expect mortality quite so soon.

MR. HUBBLE: There is no doubt that great caution will have to be taken in

introducing cattle into this part of the country. I was very sorry indeed to hear the remarks which fell from the member for East Coolgardie (Mr. Moran) when talking about the small amount of stock at this end of the country. The hon. member seemed to forget all about the number of stations on the Murchison, the Gascoyne, the Ashburton, and the Roebourne districts, and the north-western parts of this colony. There are thousands of head of cattle ready for shipment; and I think it is very wrong for a member to get up in this House and try to make this end of the colony look so small as he has done. I quite agree with the member for York that inoculation ought to be practised in this colony. I think that is one of the recommendations Mr. Hancock has made in his report; and I feel certain that is the way to cope with this dreadful disease. I hope that the people in this part of the colony, as well as in the Kimberley districts, will take proper precautions, and carry out this particular scheme of inoculation. The hon. member for East Coolgardie (Mr. Moran) has made a great fuss about the price of meat; and the member for West Kimberley (Mr. A. Forrest) has informed us that he is going to vote for the stock-tax being taken off. Well, I suppose all hon. members know what amount per pound 30s. per head means. We have had it over and over again. It is a matter of some $\frac{3}{4}$ of a penny per pound; and I can assure you that the consumer will not get the benefit of it, if it is taken off. Other people will import cattle into this colony, and the profits will go into their pockets, and not to the consumers. A great fuss has always been made about this 30s.; but the goldfields members, for the benefit of whose constituents this tax is to be taken off, do not seem to understand this question, or the difference it is going to make in the price of meat. I have very much pleasure in supporting the amendment for the appointment of a Select Committee to inquire into this very important question.

MR. LEAKE: It is my intention to oppose the amendment for the appointment of a Select Committee, and for this reason, that I think it will be in-

finitely better that this very important subject should be well threshed out in the House, as it well may be, instead of *in camera*, as it were.

MR. A. FORREST: We want more evidence.

MR. LEAKE: We do not want more evidence. One hon. member who has spoken referred to glass houses and the folly of throwing stones, and then proceeded with great facility to indulge himself with a perfect volley of missiles. I do not propose to adopt that course; nor shall I make any serious personal statements to the effect that any member of this House is actuated by any intention to put money into his own pocket; nor, indeed, do I desire to say anything that will run down the country. The motion before the House is prompted, no doubt, by the result of the debate last session, when, in the interests of the Government, a proposal was made that no cattle should be removed from East Kimberley until that district should be declared by the Chief Inspector of Stock to be free from tick, or till Parliament was again consulted. That was a little rod that was put in pickle by a Government supporter; and now of course we find that it is used, as I thought it would be, to flog the Government with. However, the motion which we have now to consider asks the House to affirm this proposition: that, owing to the absence of any sickness or mortality in East Kimberley of late, the restrictions which were placed upon the district last session should now be removed. I ask the House to consider whether the hon. gentleman who moved the motion has satisfied the House that there was an absence of sickness or mortality amongst the East Kimberley cattle?

MR. CONNOR: You cannot bring any evidence to prove there is any.

MR. LEAKE: Well, I am arguing from the text which the Government put before us.

MR. MORAN: That does not state there is any.

MR. LEAKE: I can only argue from the facts that are before us; and we must not shut out eyes to this, that it was considered of sufficient importance to the Administration to import an expert from Queensland, who was specially se-

lected, apparently by people who understood the subject, in the other colony. That gentleman was sent here; not a word has been said or suggested either against his ability or his integrity; and, in the discharge of his duty, and with a due sense of the responsibility which rested upon him, he went to the Kimberley districts, made what was apparently a thorough and searching examination, and has now submitted to the Administration his report. And what is that report? Can it be said for a moment that it affirms the absence of sickness or mortality amongst those cattle?

MR. MONGER: It does do that.

MR. LEAKE: Then I must have carried in my mind quite a false impression from what I read in the newspapers a few days ago. I have not the report before me, but what I saw particularly was that the East Kimberley district was "hopelessly ticked up."

MR. MONGER: Yes, Mr. Hancock did use that expression.

MR. LEAKE: And he said there was evidence of the presence of disease in the form of tick fever, which fever is supposed to be of a devastating character. What the expert tells us is that the disease only requires developing during the next few months of anticipated warm weather.

MR. MONGER: What about the warm weather of last year?

MR. HOOLEY: There were only five last year.

MR. LEAKE: Mr. Hancock said the cases he mentioned had only occurred recently.

MR. MORAN: He said that cattle had died from it two years ago.

MR. LEAKE: What he said was that the most virulent cases only appeared to have come in lately.

MR. MORAN: He said that cattle died two years ago.

MR. LEAKE: I am not arguing from personal knowledge, but merely from what I am told by the person who is supposed to understand his business, and of whom I have not heard anything adverse said. That is his report. We know that diseases of this kind in a variety of instances require time to develop, and such pests as these are not acclimatized in a few weeks or months. They may take years to develop; but we have the positive

statement of the expert that the East Kimberley district is "hopelessly ticked up"—that there is the undoubted presence of this dread disease.

MR. MORAN: He does not prove it; he says it.

MR. LEAKE: The hon. member really wants an experiment to be made in the southern districts. He wants tick-infested cattle to be brought down here with the object of ascertaining whether or not there is any harm in the tick fever or tick disease. We have been told time after time, and I have never heard it disputed, that tick is dangerous to all herds, and yet we are asked to encourage its presence in the southern parts of the colony. The report is most emphatic, and is moreover fair. Mr. Hancock suggests remedies, and takes a practical view of the situation. There is no necessity, he says, to maintain the prohibition which exists against the introduction of stock from Queensland and the Northern Territory into East Kimberley, because one district is now as bad as the other.

MR. MORAN: That is a lot of good to us down here!

MR. LEAKE: But there is a practical way of meeting the position, and he suggests that the herds should be inoculated, and thus rendered immune. He (Mr. Hancock) says that on no account should tick-infested cattle be brought to the southern districts. The hon. member for York (Mr. Monger) criticises the expert's report as simply an account of 80 head of cattle dying two years ago. The hon. member passed the report by in that airy manner, and said that the statement was based on hearsay evidence. But so far as these particular cattle are concerned, the only possible evidence the expert could have was hearsay evidence. The death of the cattle happened two years ago, which was long before Mr. Hancock came to the country, and he could only base his judgment on the result of inquiries he made.

MR. MORAN: But he does not record his authorities at all.

MR. LEAKE: I know he does not record his authorities. But there is another authority which has not been quoted, and that is the sender of a particular telegram read to the House to-night. I do not know, but possibly that

telegram was from a party who is interested in the East Kimberley or the Northern Territory herds.

MR. MORAN: The sender quotes the Chief Inspector of Stock.

MR. LEAKE: But we have before us—

MR. MORAN: The better way would be for you to ask him for the authority, if you want to find out.

THE SPEAKER: Order! Order!

MR. LEAKE: We have before us the report of a gentleman who speaks from personal observation, and I have not yet heard it disputed that there is tick in the East Kimberley district. The disease is there, and how can this House affirm that there is an absence of any sickness or mortality amongst the East Kimberley herds? I have recognised and realise the delicacy of this subject as well as its importance; but in dealing with it we must regard the interests of the State as paramount, and not the interests of the individual.

MR. MORAN: Who are the State?

MR. LEAKE: I do not propose to answer elementary propositions.

MR. MORAN: I suppose the State is the cockatoo farmers and not the 80,000 consumers?

MR. LEAKE: It may be a hardship on individuals at the present moment, but by doing what is proposed we shall extend the disadvantages and risks to other individuals. So far as I understand, East Kimberley is not the only cattle-growing district in the colony.

MR. MORAN: Where are the other cattle districts?

MR. LEAKE: I will mention one or two, or perhaps three.

MR. MORAN: Let us have them.

MR. LEAKE: I may mention West Kimberley.

MR. MORAN: That is full of tick.

MR. A. FORREST: That is not true.

MR. LEAKE: Then I may mention the DeGrey, the Murchison, and, though in this perhaps I shall not be supported by the member for East Coolgardie, the southern districts of the colony.

MR. MORAN: There are some ancient cows there, but I suppose they must be kept up at all costs.

MR. LEAKE: If the tick gets into West Kimberley it will undoubtedly do

a great deal of harm. To allow the disease to spread further south would be easier, perhaps, than to allow it to spread from East to West Kimberley. Considering all circumstances, the proper thing is to do the minimum amount of harm possible. We must not forget that the result of the introduction or spread of the tick in East Kimberley was the disregard of the existing law three or four years ago. Had the quarantine regulations been strictly observed and cattle prohibited from the Northern Territory, and I believe Wave Hill, the chances are that we should not have had the present trouble. If I understand the expert's report, the maintenance of existing regulations does not spell ruin to anybody. A practical suggestion made is that the owners of Kimberley stock should inoculate against the disease, and further that freezing works might well be established.

MR. CONNOR: How many years would it take to establish freezing works?

MR. LEAKE: Members were told by the hon. member for York that freezing works were not warranted, because the supply of cattle was insufficient. I have always understood that the supply of cattle in that district was absolutely or practically unlimited, and I cannot see how the argument can be used in favour of the motion.

MR. MORAN: The present consumption would not warrant freezing works.

MR. LEAKE: That argument will cut both ways, because if the fact be as stated, the damage done cannot be so serious, or the trade so great, as to warrant a reckless disregard of consequences.

MR. MORAN: Reckless disregard of the people.

MR. LEAKE: It is suggested that inoculation should be applied to the southern herds in order to meet the inroad of the pest. It would naturally be thought that the remedy should be applied first of all on the spot where the disease is rampant, and that it is in East Kimberley the herds should be inoculated. There would then perhaps be a double remedy: but it is idle talking about throwing the responsibility on the southern farmers, when the offenders in the north are let off scot free.

MR. MORAN: What has that to do with the price of meat?

MR. LEAKE: I do not propose to deal with the question of the price of meat. I should have been much struck with the value of the arguments of the member for East Coolgardie if he had been advocating the abolition of the meat duties, because so far as those arguments apply to that phase of the matter I am entirely in accord with him.

MR. MORAN: This matter affects the price of meat too.

MR. LEAKE: But the hon. member sought to apply his arguments in respect to the motion before the House.

MR. MORAN: Quite true.

MR. LEAKE: And it seems to me he failed in his object.

MR. MORAN: The price of meat is again up 2d. per pound.

THE PREMIER: Not in Perth.

MR. MORAN: Read the goldfields newspapers.

THE PREMIER: There has been no increase in the price of meat in Perth since last year.

MR. LEAKE: We could meet the difficulty of the high price best by striking off the food duties, but I am afraid the member for East Coolgardie and I will not be found on the same side of the House when we come to discuss that question later on. What is the use of taking an expert's advice, if we do not follow it in the absence of proof to the contrary? I have listened very attentively to the debate this evening, and I have not been impressed by any arguments against that report. The gentleman's ability was not attacked, nor was his integrity, nor were his recommendations, nor the result of his investigations.

MR. MORAN: Oh, yes.

MR. LEAKE: You attacked the fringe of them, but you carefully avoided that portion of his report which established the presence of sickness and mortality.

MR. MORAN: The expert spoke of mortality in 80 head of cattle two years ago, but no sickness is mentioned in his report.

MR. LEAKE: He said there was red-water, and that is, I believe, tick fever. He examined certain beasts, with the result that he detected the presence of those micro-organisms in the animals'

blood which led him from his prior experience to believe that, under ordinary existing circumstances, the disease would undoubtedly develop in the herds of East Kimberley. To my mind, and I say it after consideration and without any feeling at all in this matter, no justification has been advanced for the removal of these restrictions; and I for one will not flout the opinions of an expert, particularly when such opinions are expressed so methodically, so concisely, and so clearly as in this report, unless there is abundant evidence and reasonable proof that that expert is wrong. We are bound to support the Government in the action which they have taken with regard to the inquiries they have made, and unless some other expert's advice is given which is equal to or better than that we now have, there is nothing to justify us in supporting the motion, or in referring the matter to a Select Committee. What end shall we gain by doing so? It is admitted on all hands that we have no properly qualified expert in the colony except the gentleman whose report we have. It is true we have an expression of opinion from a gentleman of high agricultural standing, Mr. Barnard Clarkson; but when we come to consider that he represents one of the southern districts (Toodyny), and that he is one of the supporters of this motion, I do not think his opinion can honestly and fairly be set up against the opinion of Mr. Hancock.

MR. MORAN: Do you want to keep the tick out?

MR. LEAKE: I am only using your arguments to show how utterly fallacious and empty they are; not really in support of my contention, but rather to break down—

MR. MORAN: What is your contention, anyhow?

MR. LEAKE: That we should prevent the introduction of a devastating disease into a clean district. I am not going to be led away from my subject by idle interjections. We may not have as many cattle in the southern districts as there are in the Kimberley district, but there is a sufficiently established vested interest in the herds in the southern districts to prevent our allowing them to be injured.

MR. MORAN: What rot!

MR. LEAKE: Your expressions and interjections are so unparliamentary that I cannot take any notice of them.

MR. MORAN: They are very effective, all the same.

MR. LEAKE: A suggestion was made that if we were to remove the present restrictions and admit stock into Fremantle, for instance, it must be brought by steamships, and if these steamships went to the other colonies they would be quarantined, and probably if they brought stock back or attempted to do so from the other colonies, we should have the same difficulties as to quarantine obtaining here. We cannot disregard the interests either of our own citizens or of our neighbours, and we are not doing that which is wrong if we follow the example which has been set by our neighbours. They have recognised the difficulty. They have recognised the danger. We are only following in their footsteps, and it is idle for any inexperienced person, either in or outside the House, to say that there is no danger to be anticipated from the possible spread of this disease. Circumstances and facts refute that. The presence of the disease is clearly proved in Kimberley, and it is our bounden duty in the interests of the State, and in the interests of the majority of our people, to see that the disease is not introduced into the southern districts. I oppose the motion to refer this to a Select Committee, and members will very likely assume that I will vote against the original motion. That is my intention, as at present advised; but I admit I approach this subject with an open mind, ready, at any rate, to receive impressions, and I shall be only too glad if members can convince me that I am wrong. Before they can do that they must be able to shatter absolutely and hopelessly that report which will be laid on the table from the expert.

MR. HOOLEY (DeGrey): I confess it was with considerable surprise that I found that this motion before the House was moved by the member for York (Mr. Monger), a gentleman who, whatever his ability, has had no experience of live stock. Therefore, I contend that any arguments he uses are simply second-hand, and not worthy of credence.

MR. MONGER: Thank you.

MR. HOOLEY: He is not speaking from his experience of cattle. The member for East Coolgardie (Mr. Moran) made various statements on this subject. I may inform the House that there are sixteen owners between Kimberley and Gingin possessing 33,000 head of cattle. If you take the number of cattle mentioned by the Premier as being in the Bunbury district, that will make a total of 43,000 cattle. I have not reckoned any cattle under 500 head, but there are thousands of cattle under 500 head. 43,000 is more than half the cattle in the East Kimberley district. This matter was threshed out at considerable length in this House last session, and the House, in its wisdom, said that we should import an expert from Queensland. That has been done, and the Queensland Government, at the request of the Premier, sent Mr. Hancock, a man of very high credentials. He spent several months in the East Kimberley district, and we have seen his report. I ask you as reasonable men: Can you advocate that the quarantine there should be broken? Mr. Hancock suggests that the cattle should be inoculated. Why not adopt his suggestion? I am also opposed to referring this matter to a Committee, because I think it would be better to thresh it out in the House.

MR. LOCKE (Sussex): I do not propose to speak on the question of the cattle tick. I propose to speak to the amendment. I think if the House were to appoint a Select Committee we might get a lot of information. I believe Mr. Hancock might give us a lot more information than he has done in his report. I come from a district which is considerably interested in this question. Before I make up my mind one way or the other I would like more information on the subject. I certainly have my own opinion about the matter at the present time, but I think it will be more satisfactory for many of us if we have a Select Committee, and take outside evidence. I think there are other experts in the colony who could give us information besides Mr. Hancock. There is not very much information in his report, except that some cattle died two years ago. He has not said that any have died since.

He did not find that any cattle died last summer.

MR. LEAKE: But he says that tick fever is present.

MR. LOCKE: It was present in the early stages. Mr. Hancock did not find any bad cases except two that died, and there was a difference of opinion as to what they died from. It was evident he did not know. It is desirable that this House should take all the steps possible to discover whether some means or other can be adopted for bringing meat to this market. My opinion is that the safest and surest way to gain that end is to appoint a Select Committee so as to obtain all the information we can, and after that information is obtained to bring it before the House and let the question be threshed out then. We shall be sitting here for some little time yet, therefore there need be no hurry. There is nothing to lose by waiting for a few days or a few weeks, so that this matter may be investigated.

MR. SIMPSON: Do you know of any Select Committee which has done good?

THE PREMIER: We do not want to burke discussion.

MR. SIMPSON: You want to smother it.

MR. LOCKE: There are a number of cattle in the district which the hon. member for Geraldton represents, and there are a number of cattle in the district which I represent; therefore we both ought to try and get all the information we can before voting on this matter one way or another. It seems to me the only way to get this information is to have a Select Committee appointed, and see what evidence can be found, both for and against. The report can then be brought before the House, and we shall be able to decide on that report whether any means can be adopted for getting this meat to market. I beg to support the amendment.

MR. HOLMES (East Fremantle): I desire to say that I am altogether opposed to the amendment, that this matter be referred to a Select Committee. I desire also to say that there is no member of this House more concerned in this industry than myself. The hon. member for Sussex gave as his reason for supporting the amendment—that the matter be referred to a Select Committee—that the

House required more information. As far as I am concerned, I think we have too much information, from the report which has been given to us by the expert appointed by this Government.

MR. LOCKE: Is that information correct?

MR. HOLMES: If this report is not correct, I do not see where we can go to get correct information. Here we have a gentleman whose ability and whose object were never disputed. He was brought to this colony and sent to East Kimberley to say whether tick existed or not, and now we are asked by interested persons to say that the information is not correct.

MR. MORAN: We sometimes get information from other interested persons.

MR. HOLMES: I do not see that we want more information than we have before us now. If it can be shown that if the prohibition were removed the cattle would be brought into the southern districts without infesting the cattle in the whole colony with tick, I would support the motion. I recognise that it is impossible, on the face of the report of the tick expert, to remove the cattle from where they are without contaminating the whole of the colony. The object of the hon. member for York—and I believe of every member of this House—is to cheapen the meat supply to the consumer; and the hon. member for York, having that object in view, is convinced that the introduction of these cattle from Kimberley would bring about that object. I hope to show that if these tick-infested cattle are introduced into the southern parts of the colony, it would have the reverse effect. I would like also to state—and I think it will be apparent that when I am talking about meat I know what I am talking about—that cheap meat is what we all hope for, but I am afraid it will be a long time before we shall obtain it. We have the supply at one end of the colony and the demand at the other. That is the cause of the high rate at which meat is retailed at the present time. Hon. members must know that when a merchant buys, say, 100 tons of flour at £8 per ton he receives that flour, or he receives the value of it from the insurance company

if the flour is covered by an insurance policy. When a butcher buys 100 bullocks at £8 a head, immediately he removes those bullocks from the district where they were depasturing they begin to deteriorate. The fact is that when stock are bought in the northern parts of the colony and are taken off good pasture and herded together on the boats and brought to Fremantle and left to depasture on the sandhills there, and then are taken to the goldfields and treated likewise, all this goes to increase the price. During the time of transit, and while bullocks are waiting for slaughter, the meat is depreciating. A bullock weighing 800lb. in Kimberley, by the time it has arrived here and is killed and ready for delivery, weighs only about 600lb.; 200lb. of the best of that bullock has gone. That is the principal item which has done so much and will do so much to increase the price of meat to the consumer. The hon. member for East Coolgardie argued that if the duty were removed the price of the meat would be reduced 2d. per lb.

MR. MORAN: I said that if the restriction were taken off, that would reduce the price by 2d. per lb., and if the import duty were taken off, that would be another 2d. per lb., a reduction of 4d. per lb., all told.

MR. HOLMES: When it was first sought to introduce these tick-infested cattle from the Northern Territory—I was not a member of the House at the time—I said that it would not have the effect of reducing the price of meat, but that it would spread the disease and ultimately increase the price of meat to the consumer. I made this statement last year when it was said that there was not a shadow of foundation in it. But we find that the statement has been borne out by facts and by the report of the expert. I stated that if it was sought to introduce these cattle, assuming that these cattle came from the Northern Territory to Kimberley, and assuming that they had tick, it would have the effect of increasing the price of meat ultimately. I told the Acting Premier this, and he gave me credit for making the best point at the deputation which waited on him. I said that the introduction would not have the slightest

effect on the price of meat, but it would have the effect of introducing tick into East Kimberley; and if this motion is carried it will have the effect of introducing tick into the whole of Western Australia. There seems to be one way, and only one way of cheapening meat, and that seems to be by the establishment of chilling works in the interior. The chilling works could be erected where the meat is grown, and the cattle could be slaughtered, and the meat brought to market, and then the persons interested in the sale of this meat would get what they bought.

MR. CONNOR: Who would erect the chilling works?

MR. HOLMES: That would be a matter for after-consideration. The Government might subsidise the erection of these works. It will never do for it to go forth that Western Australia is a tick-infested country from one end to the other. The position we shall find ourselves in, if this motion is carried and the prohibition is removed, is that the whole market of Western Australia will be dependent on East and West Kimberley for its meat supply. That will be the result, because the eastern market at the present time controls the supplies from Kimberley. The settlers in East Kimberley—and we cannot blame them for it—get the best price they can for their cattle. The only way to check them is to keep up the steamer trade with the eastern colonies. If tick-infested cattle are taken to Fremantle, then Fremantle will at once become a tick-infested port, and the whole meat supply from the eastern colonies will be cut off, and the population of this colony will have to depend for its meat supply on East and West Kimberley. We are told that there are 7,000 bullocks fit for market in the East Kimberley district. Within the last eighteen months I have made two purchases of bullocks in New South Wales from one firm, and those purchases represented 4,000 bullocks. The 7,000 bullocks in East Kimberley mean about two months' supply for this market. If we allow the 7,000 bullocks to be introduced from East Kimberley, they may or may not reduce the price; but immediately these bullocks are allowed to come to Perth and Fremantle, the supplies from the eastern colonies will be cut off.

We shall then have two months' supply, but the owners of those 7,000 bullocks will have a monopoly, and nobody else will be allowed to come in. The position is this: the supplies from the eastern colonies having been shut off, the colony will be dependent on East and West Kimberley for its meat supply. When the 7,000 bullocks are gone, what shall we do for a further supply? That is the question to be solved before we take any action. The hon. member for East Kimberley knows as well as I do that during the last twelve months any boat which has touched at South Africa, where the rinderpest exists, has been prevented from loading stock in the other colonies. Any boat which has called at South Africa has not been allowed to ship stock to this country.

MR. CONNOR: One carries stock now.

MR. HOLMES: Yes, but when that steamer went to Sydney to load in the first instance, after returning from the Cape, the time for quarantine had not expired, and the authorities at Sydney would not allow her to load stock. If that steamer has loaded stock since, it has not brought the cattle to this colony. If any steamer carrying stock touches at Fremantle, after tick-infested stock are introduced here, and if that steamer goes back to Sydney or any eastern port in Australia, she will not be allowed to load stock again during the period of quarantine. There are only certain boats adapted for the cattle trade, and what are those boats to do during the three months of quarantine? They must come to Fremantle. One boat which took timber to South Africa, and afterwards returned to the eastern colonies of Australia, was not allowed to load stock there because the time of quarantine had not expired. If that steamer has been allowed to load stock since, it is because the period of quarantine has since expired. No one is more anxious than I am to obtain a cheap supply of meat for the population. Apart from that, the position I take now is that I am virtually standing in my own light, because when meat is cheap we in the trade have an opportunity of making a fair margin of profit; but at the wholesale rate we pay for meat at the present time, we cannot get more than expenses out of the trade.

Those of you who are acquainted with the trade know that the men engaged in the butchering business have worked as hard, and have attended to their business as carefully as any men in the country ; and has any one of these men in the business made any money ?

MR. SIMPSON : They do not like the game, but they stick at it.

MR. HOLMES : They are situated like some members of this House, for their surroundings practically compel them to stick at it. My object is to secure a cheap supply of meat for this market, and if hon. members came in contact with the meat-consuming public of Perth and Fremantle, as I do every day, they would ask themselves, what can be done to bring about a better state of things ? I contend that the working man earning seven or eight shillings a day cannot conveniently pay the price of meat which is charged at the present time ; and it is a wonder to me how some of them manage to pay for the meat they are compelled to buy. Hon. members may say, why not reduce the price to the consumer ? I contend that under existing circumstances meat cannot be sold at a less figure than that which is now charged. If tick-infested cattle are introduced here, the effect will be to give a monopoly of the meat trade to the eastern colonies, and shutting off all the supplies from the northern parts of our own colony. I hope I make myself clear on that point.

MR. MORAN : As clear as mud.

MR. HOLMES : We all know that the law of supply and demand regulates the price, and unless the port of Fremantle is open to all parts of the eastern colonies, I do not see that the introduction of cattle from a tick-infested district in the north of this colony will benefit the people here. The only class benefited in that case will be those particularly interested in the far north. Therefore, to do them this good, as is suggested by running the risk of contaminating the whole of Western Australia with this dreaded disease, you run a further risk of cutting off the whole of the meat supplies from other parts of Australia, and making this market dependent entirely on the Kimberley district, which cannot, at its best, produce more than two

months' supply. I cannot see any ground for opening this question again by referring it to a Select Committee.

MR. OLDHAM (North Perth) : I have heard it said that "when thieves fall out, honest men come by their own." Now, the squatters of the East and West Kimberley districts have proved the entire falsity of that. We have one hon. gentleman in this House who states that he is going to support the abolition of the duty on stock, and it was promptly suggested by another hon. member who is in an opposite line of business, that the reason for doing so was that he is interested in the importation of cattle from the eastern colonies.

MR. A. FORREST : Don't be personal.

MR. OLDHAM : I heard both statements made by hon. gentlemen sitting on that (the Government) side of the House, and interested in this kind of business.

MR. A. FORREST : Speak about something you know.

MR. OLDHAM : I am speaking about something I have to pay for, and I understand it to that extent. I do not pretend to know anything about the scientific treatment of cattle which are infested with tick, but it appears also from the statements of the member for East Coolgardie (Mr. Moran), that if this restriction were removed it would not reduce the price of meat.

MR. MORAN : How do you know ?

MR. OLDHAM : Since this tick came down here.

MR. MORAN : It has raised the price of meat nevertheless.

MR. OLDHAM : So far as I am aware, it has not done so. So far as the tick will affect cattle in the southern districts, the member for East Fremantle (Mr. Holmes) made a point by saying that if we allow the importation of these cattle from the tick-infested districts in the north, we shall shut out our meat supply from the eastern colonies, because they will quarantine us ; but it struck me as very peculiar that the hon. member who represents the West Kimberley district—

MR. A. FORREST : There is no tick in West Kimberley.

MR. OLDHAM : I am told upon good authority, not that of an expert, that

there is tick in West Kimberley, any amount of it; and if there is danger to the southern parts of this colony of being devastated by tick from East Kimberley, there is danger also of their being devastated by tick from West Kimberley. There is only one thing that will alter the price of meat in this colony, and that is by abolishing the necessity of living on imported frozen meat. The member for East Fremantle (Mr. Holmes) stated that we could not get cheap meat in this country, because the demand was at one end of the colony and the supply was at the other end; but that is another fallacy, for we see that the demand is at one end of the world and the supply at the other end, and that meat can be sold in London at half the price as compared with the price charged for meat in Western Australia. You will have to take the duty off frozen meat in order to break down this monopoly. There is a ring, and the statement made by the member for East Coolgardie (Mr. Moran) shows that not only have we a ring in Perth, but that there is a ring on the goldfields, where butchers before they are allowed to engage in the trade are compelled to deposit fifty pounds, and to sign a document that they will not sell meat at less than a certain price. These are serious charges to be made, and they demand inquiry, for they are made not only against people who are outside this House, but they are also made against hon. gentlemen who sit in this House.

MR. MORAN: I never made any such imputation. The House may infer what it likes from my statement, but I did not impute what the hon. member now suggests.

MR. OLDHAM: I understood the hon. member to make a statement to that effect, but I accept his explanation. Still I believe there is a ring, and I am satisfied on that point.

MR. MORAN: All right; the price of meat is up now.

MR. OLDHAM: I fail to see that the motion proposed by the member for York will reduce the price of meat one iota; and I also fail to see the necessity for covering up information that may be received. I intend to vote against both proposals. If the matter be serious enough, let it be threshed out where the

public will be seized of all the circumstances.

MR. BURT (Ashburton): I do not know that the hon. member who submitted the motion to which this amendment has been proposed would have done so, or would have used the terms he did, had he had before him the report of the Queensland expert, Mr. Hancock, when the language of the motion was chosen.

MR. MONAGH: The report was only a telegram at the time.

MR. BURT: The motion starts out by saying that, owing to the absence of all sickness and mortality on account of the tick in East Kimberley, it is advisable to withdraw the restriction of quarantine placed by this House on that district last session. But it is evident there is more ground for concern in regard to this disease in that district now than there was when the quarantine was imposed, and when the matter was discussed at the end of last year. It is well to keep the question we are debating free from that other question which has been so often introduced by hon. members, namely, the price of meat on the goldfields and elsewhere in the colony.

MR. MORAN: That is the point, so far as the people are concerned.

MR. BURT: The member for East Coolgardie (Mr. Moran) has not at all appreciated what the House has been talking about, nor did he when the question was debated last session. The hon. member seeks to take this occasion to air his views as to a reduction in the price of meat. No one will disagree with him in saying that it is advisable, if possible, to cheapen food in every way. What the Parliament of the country is concerned about now is whether the herds of the colony are in any real danger from the disease which exists in the Kimberleys. If we cannot apply a remedy without increasing the price of meat unduly, we should hesitate a great deal before imposing another restriction which would have the baneful effect of raising the price of meat still further.

MR. MORAN: That has been the effect.

MR. BURT: But we must not let the herds of the colony be devastated by disease, simply because the price of meat may be raised by restrictions. If meat be unduly raised in price by restrictions,

it must, if possible, be lowered in some other direction. There are plenty of ways of reducing the price of meat without introducing tick disease throughout the length and breadth of Western Australia. I am sure the member for East Coolgardie can see there are other means which could be taken to reduce the price of meat, should the price get unduly high. If he cannot see that at present, a little consideration will show him that, if the whole matter depended on the supply from Kimberley, one way would be to have chilling works established at Kimberley either by the Government or by people subsidised by the Government. Then, the price of meat might be reduced by removing the stock tax or decreasing the import duty on frozen meat. The House ought to guard against sacrificing restrictions, and allowing the herds throughout the colony to be open to disease, simply because the price of meat is going to be increased, and because Parliament is too lazy to find some means of counteracting that result. It is immaterial to me that the price of meat may be raised a penny or two, because I can see at once ready means of getting rid of the penny or two, and, perhaps, another penny with it. It will be recollected that when this tick disease was reported in the Northern Territory of South Australia and in Queensland, this Government acted as other Governments acted, and prohibited the introduction of any cattle whatever into Kimberley. Nothing was said against that action at the time. It was granted by everyone that it was not wise to allow the introduction of diseased cattle into a new country. The quarantine regulation passed without observation, everyone approving of what was done, as similar action was approved in South Australia, Queensland, and New South Wales. Then, unfortunately, the regulation was relaxed. The value of quarantining was at once seen. If the quarantine which was first established in regard to the Northern Territory of South Australia had not been broken, we should not to-night have been discussing this subject.

MR. JAMES: That is the point.

THE PREMIER: Tick was here ten years ago

MR. BURT: I never heard of it. We are now getting wiser on the subject of this disease.

MR. MORAN: We are getting hungrier.

MR. BURT: The disease was said to be "red water," which did no harm to the cattle, and would not exist in one place while it would flourish in another. We got tumbled about in our ideas at the time, and then an expert was called in to tell us what the disease really was. Now we want to examine that expert, and pick him to pieces, by means of that knowledge which we lacked last year when we imported him. I have seen that sort of thing done before. Experts in harbour schemes and gold-mining, for instance, have been called in, and when we do not agree with them, we call them fools, and get somebody else. Let us keep the question before the House free from that of the price of meat. If we come to the conclusion that our determination must increase the price of meat, steps must be taken to bring the price to a proper figure. Consumers must not be unduly harassed; but if precautions are necessary against tick, do not let us hesitate to take those precautions because of the result. It seems that tick was introduced into East Kimberley by the relaxing of the quarantine regulations, and the opening of the door a little, it being thought there were no tick at all. When the subject was last debated, a report from the Chief Inspector of Stock (Mr. Craig) recommended the quarantining of the whole of the district. That was objected to; and the recommendation was not carried out. I do not mean to say that those who had charge of the business at the time did not act with what they thought wisdom. They hesitated, naturally, to shut up a whole district, hoping the information as to the disease was not true. But it now appears that from the small patch then infected, the disease has spread until, as we are told by Mr. Hancock, East Kimberley is "ticked up." It is established by the gentleman whom we all agreed to get here to inform us, that tick disease exists in East Kimberley, and that it has been fatal to certain cattle.

MR. MORAN: That is asserted, not established.

Mr. BURT: The hon. member who is pleading for cheap meat makes an interjection which I did not catch, but is probably irrelevant. The matter of cheap meat can be argued on a fitting occasion, and should not be mixed up with an agricultural discussion which affects districts where meat is raised in order to feed that hon. member and his constituents. If cattle were brought into other parts of the colony, the result might be the spread of the disease through all agricultural districts; and then the hon. member would have to pay a bigger price than ever for his meat. We all know that tick exists, and know the danger of the disease. Other colonies are taking precautions, as were taken in this colony last year, and which we here now propose to continue. This is not the time to relax those precautions, except for some very good reason indeed. It is suggested that a Select Committee should be appointed to make further inquiries. This is an important subject, and it distresses one to think one may take a wrong view. In all cases of quarantining and of measures of prevention, some interests must be affected and loss occur to some one. If compensation can be given for losses caused by proceedings taken for the prevention of disease, such a course may be considered. If a person, without any fault on his part, has got into such a position that, for the protection of his neighbours, he must be put under a ban to his loss, it ought to be considered what compensation, if any, should be granted. In the case of scab amongst flocks, there was no hesitation in passing a law that a sheep seen to have the disease must be at once killed. But accompanying that drastic measure was a provision for compensation to the owners of the slaughtered sheep. If, as we are told, you kill cattle by shutting them up just as surely as by poleaxing, then the question of compensation to the owners should be considered. That is a point I would not leave out of consideration for a moment. We must not shut our eyes altogether to the cases of individual loss. People are sometimes detained at Albany in quarantine, and kept from their friends and their correspondence, and put to considerable inconvenience and loss in order

to protect those on shore from what might be disastrous effects. We do not hesitate to put people to this loss for the protection of the community generally. Once it is established that the tick is a great danger to the country, then I say, for God's sake, keep it in the district where it has been proved to exist, and prevent it from spreading to other parts.

Mr. MORAN: We can't.

Mr. BURT: Other people think they can. They make similar regulations, and if the regulation we have enforced is not effective, let some one suggest another. I cannot subscribe to the argument that as we cannot prevent the tick from spreading, we should let the cattle come down here, and have cheap meat. I say it is our duty to protect the herds of the colony. We are now posing as a country open to settlement. Dairy herds have been imported, land has been brought under cultivation, butter and cream factories have been established. Is this a time for the country to say: "We don't care a rap about the tick, so long as we have cheap meat!" If we have the tick, we won't have anything else. We must get rid of the tick if we want to preserve our other industries, and especially the industries I have named. I would be sorry to stifle any attempt to improve our knowledge on the subject, but it seems to me that the application for a Select Committee comes from the wrong quarter. If the motion is carried, I think we may assure hon. members that a large majority of this House will scrutinise the report of the committee very closely, and all the actions of the committee, because the committee may get evidence of a sort to suit them, and may not, perhaps, get other evidence which those not on the committee may think should have been obtained. If it is intended that this committee should only obtain evidence from Queensland, I would not vote for it for a moment. I am not against appointing a committee; I do not feel I would be justified in opposing it; but I must say that the evidence which that committee may bring before the House will have to be really to the point before we can do away with the existing regulation. I think it wrong, if I may be excused for saying so, that the Queensland expert

should be ridiculed in the way he has been. This House agreed last session, on the suggestion of the Premier, to leave the question open for six months for the purpose of getting an expert from Queensland to report on the subject. This Government then asked the Queensland Government to oblige us by sending us an expert for that purpose. The Queensland Government did so at once without hesitation, and I don't think it is behaving well to a sister colony to ridicule the report which that expert has prepared. We ignoramuses sent over to Queensland for somebody to tell us something about this subject, and it ill becomes us to ridicule his report. Even if we could get experts equally good from elsewhere, that is no reason why we should say that the expert sent us from Queensland is incompetent. He is outspoken and fearless, and we do not always get men of that stamp. In my experience, we have had men of another sort before, and there was something suspicious about their reports. This man goes to the East Kimberley district and says, "You have the tick as bad as bad can be." I was very sorry to see the expert's report stating this. I was hoping we should find that we were not justified in taking the action we did last session. It appears, however, from Mr. Hancock's report, that we must redouble our precautions, and not relax them. If the result is the increased price of the commodity, we must face it fairly; but do not let us neglect the recommendations made by the expert. If the amendment for a Select Committee is pressed, I shall feel justified in supporting it, on the ground put forward by the hon. member who moved it; but I warn him at the same time that if the committee proceed by picking holes in the report, saying that so-and-so is not right, and this other is untrue, I for one will not believe a word of their report.

THE PREMIER (Right Hon. Sir John Forrest): As there is a likelihood of our coming to a conclusion on this question, I desire to say a word or two about it. There is a very great deal in what the member for the Ashburton (Mr. Burt) said with which I am in accord. I do not take the same view he does in regard to the danger to be apprehended from the introduction of these cattle to this part of

the colony, because I think the experience we have gained shows that the danger is not so great as might be supposed. After all, the experience of persons in regard to the tick is in the localities where it triumphs, and no one has had any experience of the tick disease in a climate such as ours. I may be met by the argument, and fairly too, that if we have no experience in one way, we have not very much the other way; but last session I came to the conclusion I did on the ground that a large number of cattle had come South and no evil results had occurred. I should like to say at the outset that this is in no way a party question, any more than the Health Bill is a party question. I regret to see my two hon. friends opposite cannot forget that last session they thought they had in this question an opportunity of making a good attack on the Government. In fact, I think they hoped to be able to secure the Treasury benches by means of it.

MR. LEAKE: And they very nearly did.

THE PREMIER: For the sake of argument I will admit that. The two hon. members opposite are not, in my opinion, so much interested in the question of the introduction or otherwise of tick as they are in remembering that last session they made this question the means of attacking the Government. I am glad to say, however, that we were able to defeat their very good intentions.

MR. SIMPSON: That was a long time ago.

THE PREMIER: At any rate you cannot forget it. The two hon. members opposite do not, therefore, approach the question in the spirit in which I think it ought to be approached. I will go so far as to say that hon. members on the Ministerial bench are at perfect liberty to vote exactly as they please, because it is not a party question. It is a question affecting the health of our stock, which I do not desire to be in any way considered as a party question.—[Laughter from the Opposition side of the House.]—If hon. members opposite were as genuine in their opposition to this regulation as I am in trying to deal with the question in an impartial manner, it would be better for the country and also better for the question at issue.

MR. LEAKE: What have we done now?

THE PREMIER: Nothing, except carrying on a cannonade of interjections, and sometimes of offensive remarks.

MR. LEAKE: What have I said?

THE PREMIER: You have not said much, but the member for Geraldton (Mr. Simpson) is always saying something. I cannot agree with the member for East Coolgardie (Mr. Moran), when he says that all the cattle in the colony are in the Kimberleys, because in 1896 there were 89,000 head in those two districts, while in the North-West there were 47,000, and in the South-West from the Ord River southward there were some 62,000. So that it is not quite correct to say there are no cattle here, because there are 10,000 in the Bunbury district, there are 6,000 in Sussex, there are 3,500 in contiguous country, there are 4,500 in another district, and at Toodyay there are 7,000. Therefore, it is not right to say there are no cattle here. Nor can I agree with the remark, which seems to find so much favour with the member for Geraldton and others, that we should take very great pains to search the West Kimberley district to see if there is any tick there.

MR. SIMPSON: I did not say that.

THE PREMIER: Well, you voted for it.

MR. SIMPSON: Yes.

THE PREMIER: Then why don't you stick to your guns.

MR. SIMPSON: So I will, and fire them too.

THE PREMIER: You are continually changing your opinions. You change as quickly as the wind. You vote any way you like. There is no evidence of the tick in the West Kimberley district, and I hope it will be a long time before any is discovered there. As to the remarks of some hon. members that there is no natural barrier between the two Kimberleys, they are not quite accurate. There is a road from East Kimberley to Fitzroy and to Hall's Creek; also one or two tracks; but the Leopold Range runs from Fitzroy right to the seaboard, with only one pass through it. It is a great barrier, and very mountainous country. There is very little communication in that direction; the only communication worth mentioning is that along the road to Hall's Creek and to the Fitzroy Junction. There is a barrier, and if the tick disease does

exist, and it has been ascertained that it does, there is no reason why it should not be kept from East Kimberley. I hope it will be. I am not anxious personally to discover these ticks, but if they are there, they will soon be discovered by people travelling about. The cattle have to be shipped at Derby, and if the tick disease does exist in West Kimberley it will not be long before it is found out. But I am not anxious to prove its existence. I would like to prove that the disease is not there at all.

MR. WILSON: It would soon be found if you sent an expert there.

THE PREMIER: Why not send an expert to the Canning or Bunbury to find tick? There is no reason why we should hunt about for the tick; it will come to us soon enough if it is there. For some reason or other hon. members opposite desire that the tick disease should be found in West Kimberley.

MR. SIMPSON: Not at all.

THE PREMIER: I do not want it to be found there.

MR. SIMPSON: We say so, too.

MR. WILSON: We desire to prove it is not there.

THE PREMIER: What necessity is there for sending an expert there?

MR. LEAKE: We say it is not there, and do not let it get there.

THE PREMIER: The hon. member says it is there.

MR. LEAKE: I did not.

THE PREMIER: It seems to me that we would do well to have this matter thoroughly investigated. The prospect looks dark, with this report of Mr. Hancock before us; he describes the situation as not at all satisfactory; but the more light we bring to bear on the question, and the more we investigate it, the better. There are other questions besides that of the tick; the question of utilising the large quantity of stock in the Kimberley district is to be considered. If the Select Committee decides that it cannot recommend the introduction of these cattle into this part of the colony, the committee may investigate how these cattle can best be utilised. The committee may make recommendations as to the establishment of freezing or chilling works in Kimberley, or somewhere else. If the committee give attention to this

matter, the House will be in a far better position to deal with the question than we are now, with only the report by Mr. Hancock before us. I cannot understand how any one who is really earnest in this matter can object to a Select Committee to make an investigation. We should be better able to come to some conclusion, with the result of the labours of a Select Committee before us, than we are at present. The objection to a Select Committee is that we do not want to be influenced. Surely we are sufficiently intelligent to judge for ourselves as to whether the conclusions arrived at by a Select Committee are those which commend themselves to our judgment. We shall be in a better position, at any rate I shall be, to judge as to the best means to be taken in regard to the tick in East Kimberley, than I am at the present moment. In my opinion, Mr. Hancock's report deserves to be treated with the greatest respect by us. Mr. Hancock came here at the request of his Government, and at our request, to make an investigation. He has had an unpleasant duty, because it would have been much more pleasant for him to have been able to report favourably of the district than otherwise; that goes without saying. He has given us his opinion in regard to this matter, and although it is very unsatisfactory as far as the material interests of this colony are concerned, still he deserves our thanks for the trouble he has taken in regard to the investigation. I would like to say this in regard to this not being a political matter in any way. Last session there was a resolution passed by this House and accepted by the Government, as to the course to be taken in regard to the tick, that the East Kimberley district should be shut up for six months, or until Parliament should again deal with the question. Parliament has the matter before it now, and will no doubt come to a conclusion which will be wise in the interests of the whole colony. I see difficulties in connection with this matter, and those points mentioned by the hon. member for West Kimberley in reference to the vessels calling at the ports are very important. If Fremantle becomes an infected port, it will be a serious matter, because no stock will be allowed to be imported from the eastern

colonies to Fremantle. That is a matter we shall have to give our attention to. I have not changed my opinion about the ravages of tick in these southern latitudes. I believe the disease will do no harm here. I said so last year, and I repeat the statement.

MR. LEAKE: Good gracious!

THE PREMIER: "Good gracious." Your knowledge is not greater than mine, and my opinion is that the tick will do no harm in this latitude, 32 degrees south. We have had some experience. Fifteen thousand cattle were brought from East Kimberley, where we know the tick exists, to Fremantle, and no evil results came about. That may be a coincidence; at the same time I have my opinion, but I may be wrong. We have to gain our experience, because no one can tell us that this tick disease has done any damage in Australia, under conditions and in a climate similar to ours. Our climate is not like the climate of Queensland. We have not the rich low-lying lands, or the humid climate such as they have there. We have open plains, and the sun plays on the animals, and we have it on the best authority that the sun is the greatest enemy of the tick; therefore I am of opinion that the evil results that have attended the herds in Queensland will not attend them in our northern temperate climate. That is only my opinion, and no one would be justified in acting upon it.

MR. WILSON: What does Mr. Hancock say about it?

THE PREMIER: He has not had experience here, in this latitude.

MR. LEAKE: He is against it.

THE PREMIER: He has not had experience in similar country in these latitudes. His opinion may be right, but my opinion is, judging from our own experience, that the tick will not thrive in our temperate southern latitudes.

MR. EWING: Why bring Mr. Hancock here, if he knew nothing about it?

THE PREMIER: We got him so as to go to East Kimberley to investigate.

MR. LEAKE: And he gave you more than you wanted.

MR. EWING: He gave his report, and you do not like it.

THE PREMIER: I do not think that remark is at all necessary. I did not say

I did not like it; I complimented Mr. Hancock on his report just now.

MR. EWING: You said you did not like it.

THE PREMIER: I did not; only it does not matter, if you like to say so. I think it would be wise to accept the proposal to send the matter to a Select Committee. There is nothing to lose by adopting that proposal. I cannot think that those opposed to it are anxious to get at the whole truth, to investigate the matter to the utmost. Those who are opposed to the proposal for a Select Committee are opposed to it for other reasons. If it is decided by the Select Committee that cattle cannot with safety be transported from the East Kimberley district, the other important questions would have to be considered—the best means of utilising the large number of cattle in that country and bringing them speedily to this market. That being my view, I heartily support the proposal of the hon. member for Beverley, that a Select Committee be appointed.

On the motion of MR. SIMPSON the debate was adjourned.

ADJOURNMENT.

The House adjourned at 10.59 p.m. until the next day.

Legislative Council,

Wednesday, 13th July, 1898.

Petition: Early Closing (Shops) Bill—Paper presented—Motion: Leave of Absence—Bankruptcy Act Amendment Bill, first reading—Lodgers' Goods Protection Bill, further considered in Committee; Division on Clause 1—Early Closing (Shops) Bill; second reading (moved); Point of Procedure, President's Ruling—Adjournment.

THE PRESIDENT took the chair at 4.30 o'clock, p.m.

PRAYERS.

PETITION: EARLY CLOSING BILL.

HON. A. B. KIDSON presented a petition from 600 shopkeepers and shop assistants in Perth and Fremantle, in support of the Early Closing (Shops) Bill.

Petition received, and read by the Clerk.

PAPER PRESENTED.

By the COLONIAL SECRETARY: Map showing railways already constructed in the colony.

Ordered to lie on the table.

MOTION: LEAVE OF ABSENCE.

On the motion of the HON. A. G. JENKINS, leave of absence for six weeks was granted to the Hon. J. H. Taylor, on account of urgent private business.

BANKRUPTCY ACT AMENDMENT BILL.

Introduced by the HON. A. B. KIDSON, and read a first time.

LODGERS' GOODS PROTECTION BILL.

IN COMMITTEE.

Consideration in Committee resumed.

Clause 1—Lodger, if distress levied, to make declaration that immediate tenant has no property in goods distrained:

HON. R. S. HAYNES: The point to which objection had been taken by him, at the previous sitting, he found had been taken advantage of in England, where such an Act was in force, and the result had been to deprive the landlord of his rent. The case which had been decided in England was as follows:

A person is not the less a lodger under this Act, although the rooms he occupies substantially constitute the whole house, and the immediate tenant retains but one or two rooms, or even creates a sub-tenancy in respect of the rooms not occupied by the immediate tenant, and even though the landlord does not reside, so long as he retains control: but the lodger himself must sleep and reside to be within the statute. The question whether a party is a lodger or not ought not to be left to a jury in an action for illegal distress, though on an application for an order under section 2 it is to be determined by justices. The declaration need not state that no rent is owing from the lodger to his own landlord, though such be the case, nor even that the person by whom it is made is a lodger.

The effect of that was that if a tenant took a house containing sixteen rooms, he