

about, so that it gives justice to the workman, and is such that no reasonable employer can complain of. It is obvious that if an employer is so negligent—knowingly negligent—that he allows his works, ways, and machinery to become so faulty that an injury is caused to the workman, he should be liable to damages. The second cause that will entitle a workman to claim damages is by reason of the negligence of any person in the service of the employer who has any superintendence entrusted to him whilst in the exercise of such superintendence. This means that it is not only the master's duty to be guilty of no negligence himself, but that he must appoint competent persons to supervise or superintend the works. The workman cannot control the employer. It is the employer who has the sole right of selecting, and he, therefore, should be liable if he selects incompetent persons. Then, again, the workman can recover if by reason of the negligence of any person in the service of the employer to whose orders or directions the workman at the time of the injury was bound to conform, and did conform, and where such injury resulted from his having so conformed, an accident has occurred. Then, again, he can recover if by reason of the act or omission of any person in the service of the employer, done or made in obedience to the rules or by-laws of the employer, or in obedience to particular instructions given by any person delegated with the authority of the employer, an accident occurs. That sub-section, however, is again subject to an exception in clause 4, under which the injury must have resulted from some impropriety or defect in the rules, by-laws, or instructions, and there is a provision by which a rule or by-law approved by the Governor in Council shall not be deemed to be an improper or defective one. The amount of compensation recoverable is limited to the estimated earnings of a workman of similar grade during a period of three years, and it is further provided that the court, in estimating the damages, shall take into consideration any payment made by way of payment or contribution from any insurance or compensation fund. It will be further observed that by clause 11 a workman shall not be able to claim double compensation. If he is entitled

to claim under any other Act, the amount he receives shall be taken into consideration in any action he may bring under this Act. There are other provisions, which I will explain in committee if necessary. There is, however, one important provision, which I believe is the law in the neighbouring colonies, although it is not the law in England. It is in effect that no workman shall be in a position to contract himself out of the Bill; that is, that no employer who may come across a distressed workman, who is anxious to get work at any cost, will be able to in any way exclude that workman from any benefits he may have under this Act. Of course, if we are to allow workmen and employers to contract themselves out of the Act, we might almost as well dispense with the measure at once. I commend this Bill to the favourable consideration of hon. members, and I think we are but doing tardy justice to the working man in bringing the matter before Parliament. I move that the Bill be read a second time.

Question—put and passed.

#### ADJOURNMENT.

The House, at 5.20 o'clock p.m., adjourned until Thursday, 6th September, at 4.30 o'clock p.m.

### Legislative Assembly,

Wednesday, 5th September, 1894.

Alleged imperfect construction of Dredge—Reported coal discovery at Jandakot—Patents Bill: third reading—Closure of Stirling Street (Fremantle) Bill: third reading—Municipal Institutions Bill: further considered in committee—Agricultural Bank Bill: second reading—Marriage Bill: in committee—Adjournment.

THE SPEAKER took the chair at 4.30 p.m.

PRAYERS.

ALLEGED IMPERFECT CONSTRUCTION  
OF DREDGE.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn)—referring to a statement made in the House by the hon. member for Perth, in the course of the debate upon the second reading of the Loan Bill, to the effect that he had heard that the dredge recently constructed for use in connection with the new harbour works at Fremantle was likely to prove a failure—said a memorandum had been addressed to the Engineer-in-Chief by the officer in charge of the works, Mr. Dillon Bell, replying to the statements made by the hon. member. The hon. member stated that he had mentioned the matter, in order that some official information should be furnished to the House on the subject. The hon. member, in the course of his remarks, said (according to the newspaper report) that “he had been told that between the ribs and planking of the vessel there was what was termed ‘young shipwrights’ put in, or pieces of filling up, and that in that case the vessel was in the hands of a person who did not understand the construction of iron vessels.” He wished to lay on the table the memorandum addressed to the Engineer-in-Chief by the officer in charge, whose attention had been drawn to the hon. member’s statement, and he asked that the memorandum be now read.

The CLERK read the memorandum, which was as follows:—

The Engineer-in-Chief,—

(1.) “Planking,” in the extract, is probably a typographical error for plating.

(2.) The Priestman dredger is an iron vessel throughout. A lap-plated vessel cannot be built without “pieces of filling-up” or “liners,” and these were, of course, supplied by makers with rest of parts.

(3.) During erection at Fremantle it was necessary, owing to want of exact fitting everywhere of parts sent out, to insert in several places additional liners. When parts of an iron vessel are prepared in one country and shipped to another for re-erection, this process is always more or less necessary; in the present instance, rather more. When an iron vessel is built at the yard where the ironwork is prepared, more exact fitting is of course attained.

(4.) The master mechanic in charge of erection was experienced in the practice of yards on the Clyde.

(5.) As erected, this dredge is especially strong, both in hull and machinery; is in commission at present, and working well in the

river. At the work of lifting rock, which she will presently reach, and for which her extra strength specially fits her, she is likely to prove a success, and unlikely to prove a failure.

A. D. BELL.

31/8/94.

REPORTED COAL DISCOVERY AT  
JANDAKOT.

MR. LEAKE (for Mr. JAMES), in accordance with notice, asked the Director of Public Works whether, in view of the reported discovery of indications of coal at Jandakot, the Government would take some steps to test the extent and value of the coal deposits (if any)?

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the Government had no knowledge of the report in question, and did not meditate taking any action in the matter.

## PATENTS BILL.

Read a third time, and transmitted to the Legislative Council.

CLOSURE OF STIRLING STREET  
(FREMANTLE) BILL.

Read a third time, and forwarded to the Legislative Council.

## MUNICIPAL INSTITUTIONS BILL.

## IN COMMITTEE.

This Bill was further considered in committee.

Clause 181:

Put and passed.

Clause 182—“Amount which may be borrowed by a municipality:”

MR. MORAN said that, upon the second reading of the Bill, he referred to the necessity of amending this clause in the case of goldfields municipalities. The clause provided that the amount which any municipality could borrow must not exceed ten times the average net ordinary annual income of the municipality for the preceding three years. That implied that no municipality which had not been in existence for four years would be allowed to borrow at all. In view of the abnormally rapid growth of goldfields towns, he thought some special provision should be made to enable these municipalities to borrow at an earlier stage of their existence than this clause contem-

plated. Some of these municipalities would be in a better position to borrow in a year or two than most country towns would be in twenty years, in the ordinary course of events; and, in order to meet these exceptional circumstances, he moved that the following words be inserted after the word "mentioned," in the fifth line: "and in the case of municipalities on goldfields, such loan may be raised upon the basis of one year's income."

THE ATTORNEY GENERAL (Hon. S. Burt) said he had some doubt as to the expediency of doing this. He did not think a new municipality should turn its attention, in the first year or so of its existence, to borrowing. He was inclined to think the clause in the Act limiting the borrowing powers of municipalities was a very salutary provision. They were not likely to know until after the first year's transactions what the income of a municipality would be. Again, if the provision were applied to goldfields, there would be no reason why it should not be applied to other municipalities, there being no reason why goldfields municipalities should be singled out for such a favour.

MR. ILLINGWORTH supported the idea of the member for Yilgarn, though he did not know whether the amendment would attain the desired object. A goldfields town, before it attained the position of a municipality, must have been in existence for a greater or lesser period. It did not become a full-blown municipality all at once, and, though the progress of these towns was, as a rule, exceptionally rapid, they could borrow nothing under this clause for three or four years. Taking the municipality in his own district, for instance, which had only recently been formed; at present it had no funds to work with. He suggested that it would be better to add to the clause the words:—"Provided always, that in the case of any municipality newly formed, such municipality may borrow any sum not exceeding three times the assumed annual income." This would enable the municipality to go to its Bank and obtain an overdraft in order to carry on its municipal improvements.

MR. A. FORREST hoped the amendment would not be agreed to. He thought these goldfields towns were fairly well wet-nursed by the Government, and there was no reason to give them these bor-

rowing powers before they had been three years in existence. Besides, these towns were only in their infancy, and it was not yet known whether they would be permanent centres of the goldfields. After three years it would be known whether they would be permanent centres of population or not.

MR. RANDELL said there was an abnormal expenditure by the Government on the goldfields, and he saw no necessity for giving the municipalities these exceptional borrowing powers. If there was any special necessity for any loan, an enabling Bill could be introduced into the House for that purpose, as had been done in other cases. The first loan raised by the municipality of Perth was raised in that way, in connection with the main drain.

MR. SOLOMON thought the amendment should be withdrawn. If a special loan should be required by any municipality, special legislation might be introduced to sanction that course. He thought it would be unwise to give these municipalities a free hand in the borrowing of money. The municipalities of Perth and Fremantle were in existence, as town trusts, for many years before they had power to borrow.

MR. WOOD thought it would be putting too much power into the hands of any newly fledged municipality to permit it to borrow as soon as it entered upon its existence. These goldfields towns in their first stage were only what he might call temporary towns, consisting mainly of canvas buildings of a trumpery character, which might be removed at any moment; and he thought it would be unwise to give them these exceptional borrowing powers.

MR. PEARSE thought it would be unfair to other municipalities equally as important to give goldfields municipalities this exceptional power to borrow after they had only been in existence one year. There was North Fremantle, for instance, which was about to become a municipality. Though it had more stability about it, and been much longer in existence, than any newly-formed goldfields town, yet it would have to wait three or four years before it could borrow under this clause, while some mushroom town on a goldfield would be able to borrow a year after it was created a municipality.

MR. MORAN said probably it would be wise on his part to withdraw his amendment, seeing that the majority appeared to be opposed to it. Still he thought that some exceptional legislation was required to meet the exceptional conditions of goldfields towns, which sprang into existence and flourished very rapidly. He ventured to say that Coolgardie, for instance, after two years of its municipal existence, would be better able to raise and support a loan than most towns in Western Australia that had been in existence for the last fifty years. It had been said that the Government had been a good wet nurse for the goldfields; but, so far as present appearances went, she had become dry, and the object of this amendment was to provide another wet nurse in the shape of the municipal government. But as the policy of the committee appeared to be a "wait a while" policy, he saw no use in pressing his amendment, though he was pleased to find that every member who had spoken encouraged the idea that, a little later on, when these towns were a little more fully developed, they might have recourse to special legislation dealing with this question.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 183—"Permanent works and undertakings for which funds may be borrowed":

MR. MORAN asked if sub-section (5)—the construction and purchase of water works—would include all methods of procuring water.

MR. A. FORREST: Look at sub-section (4).

MR. MORAN: What had that got to do with it? It said, "the construction of sewers and drains." They didn't supply water through sewers. This clause was evidently intended to apply only to surface conservation of water, and supplying through pipes. He thought it ought to include the supply of water by boring, condensing, or otherwise.

THE CHAIRMAN thought it would be found everything was covered by the words in the clause.

MR. MORAN thought it would not, and moved to add the words "or procuring of a water supply by any means whatever."

Question put, and a division taken, the numbers being:—

|          |     |     |    |
|----------|-----|-----|----|
| Ayes ... | ... | ... | 11 |
| Noes ... | ... | ... | 4  |

Majority for ... 7

| AYES.                |           | NOES.           |           |
|----------------------|-----------|-----------------|-----------|
| Mr. Burt             |           | Mr. A. Forrest  |           |
| Sir John Forrest     |           | Mr. Randell     |           |
| Mr. Illingworth      |           | Mr. Wood        |           |
| Mr. Leake            |           | Mr. R. F. Sholl | (Teller). |
| Mr. Marmion          |           |                 |           |
| Mr. Moran            |           |                 |           |
| Mr. Pearse           |           |                 |           |
| Mr. Solomon          |           |                 |           |
| Sir J. G. Lee Steere |           |                 |           |
| Mr. Venn             |           |                 |           |
| Mr. Paterson         | (Teller). |                 |           |

Question thus passed.

MR. LEAKE moved that the following words be added at the end of sub-clause (12): "for permanent location in the Town Hall (if any)." This clause, as it stood, empowered a municipality to raise a loan for "the purchase of organs and other musical instruments" without any restriction whatever. He did not know whether the mayor and corporation of Perth had suddenly developed a talent for music, or what it was that had prompted the insertion of these words in the Bill.

MR. RANDELL said these words had been in the Act for years, and he was not aware that they had led to any abuse.

MR. A. FORREST hoped the hon. member would not press the amendment, as it would cause some difficulty. There were not town halls in all municipalities.

MR. LEAKE said if a municipality had not a permanent building, it ought not to have musical instruments.

MR. ILLINGWORTH said goldfields towns and country towns had not too many amusements, and one of the best things a municipality could do was to establish a town band. Such bands had, in his experience, been a great boon in such towns, and were encouraged also in connection with the fire brigade.

MR. WOOD was quite in accord with the member for Nannine, and thought it would be a great advantage if these country towns could establish brass bands of their own for public recreation.

THE ATTORNEY GENERAL (Hon. S. Burt) was inclined to support the amendment. He was rather surprised at the hon. member for Nannine, who was generally sound on financial matters,

advocating money being spent by a municipality on a brass band, which was in no way a reproductive work.

MR. RANDELL said the amendment seemed to imply that there might be some abuse in the expenditure, but although the same provision existed in the present Act, he had not known municipalities to abuse their powers in this direction. He was inclined to support the views of the hon. member for Nannine, as he believed a good band would be very beneficial in any community.

MR. MORAN said that nearly all gold-fields towns already had bands, and he suggested that some provision might be made to subsidise them. It might be useful. It would be well, in the event of any future "Wealth of Nations" outbreaks, to have the proprietors conducted there with a brass band at their head, so as to soothe the ruffled feelings of the miners.

Amendment put and negatived.

MR. JAMES moved that the following sub-clause be added to the clause:—

"(15.) The construction, purchase, or erection of plant, pans, and appliances for the removal and treatment of night-soil and refuse, and the application thereof to land for the purpose of manuring it."

Amendment put and passed.

MR. JAMES moved that the following sub-clause be added to the clause:—

"(16.) The construction, purchase, or erection of stone quarries, machinery, and plant in connection therewith."

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 184 and 185:

Put and passed.

Clause 186—"Submission of the proposal to borrow to the ratepayers:"

MR. JAMES would have liked some provision made whereby the ratepayers might challenge any particular item on the schedule of proposed works. Under the clause as it stood they must either accept or reject the loan as submitted to them. He would not, however, propose an amendment.

Clause agreed to.

Clause 187—"Votes of ratepayers, when loan proposed; how to be taken:"

MR. RANDELL could not conceive a more cleverly worded clause than this for attaining the object of a council

desirous of borrowing. It required all ratepayers who wished to forbid the loan being raised to go to the poll and record their votes to that effect, and it took for granted that all who did not take that trouble were in favour of the loan. He was inclined to think a better way would be to require those who were in favour of the loan to record their votes.

Clause agreed to.

Clauses 188 to 194:

Put and passed.

Clause 195—"Sinking Fund:"

MR. JAMES moved that the following words be added to the clause:—"3. Any part of any sinking fund may be used for the purpose of repurchasing any debentures forming part of the loan to which such sinking fund is applicable, and upon the repurchase of any such debentures, the same, and all coupons belonging thereto, shall be forthwith cancelled, and it shall be the duty of the mayor and the clerk of the council to see that the same be done." The same provision existed in the Victorian Act.

THE ATTORNEY GENERAL (Hon. S. Burt) thought the same object might be better met by the insertion of a few words in the clause itself. It would be seen that the Bill provided that the power of cancelling debentures should be left to the Colonial Treasurer and the Auditor General, whereas the proposed amendment gave this power to the mayor and the town clerk. He did not think that would be advisable. He did not object to the sinking fund being used for the repurchase of debentures.

Amendment, by leave, withdrawn.

THE ATTORNEY GENERAL (Hon. S. Burt) thereupon moved that the words "in the purchase of any such debentures or" be inserted after the word "invested," in the fifth line of sub-clause (2.)

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 196 to 220, inclusive:

Put and passed.

Clause 221—"Service of notices:"

MR. JAMES said a notice was to be served by leaving it with some inmate of the house, or, if there be no occupier resident on the premises, by affixing the notice on some conspicuous part of the building. He proposed, as an alternative

way of serving that the notice be sent by post, registered. He moved that after the word "land," in the eighth line, the following words be inserted: "and by posting the same by registered letter to the owner or occupier to the address as appears by the rate book."

THE ATTORNEY GENERAL (Hon. S. Burt) did not see what was the use of posting a notice to a person who could not be found. If the notice was stuck on the premises, somebody would be likely to see it.

MR. JAMES asked whether, in the event of there being several occupiers on the same premises, it would be necessary to serve a notice on each occupier?

THE ATTORNEY GENERAL (Hon. S. Burt) thought it would.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 222 to 229 inclusive:

Put and passed.

Clause 37 (postponed):

MR. JAMES said that this clause had been postponed in order to make an amendment in it, which was not now required.

Clause put and passed.

New clause:

MR. JAMES moved that the following new clause be added to the Bill:—"At the first meeting of the council held after the first day of December in each year, or as soon thereafter as practicable, the council may elect from their number a councillor to act as deputy-mayor for the ensuing year. The deputy-mayor shall, in the absence or illness of the mayor, or during any extraordinary vacancy in the office of mayor, have and exercise all the rights, powers, and privileges, and be subject to all the responsibilities and duties by this Act conferred upon the mayor. If the deputy-mayor shall cease, from any cause whatever, to be a councillor, a successor shall be appointed for the remainder of the then current year." This was another of the suggestions made by the recent Conference of municipal representatives. There were lots of instances where a deputy-mayor would be very useful; and they might take it the recommendation would not have been made by the Conference unless the necessity for such an appointment had been felt.

MR. RANDELL: Is there any precedent for the appointment of a deputy-mayor?

MR. JAMES: I don't know of any. But if this House is not going to do anything unless there is a precedent for it, I am afraid its sphere of usefulness will be much curtailed.

MR. LEAKE could not see the necessity of the council having the power of appointing a deputy-mayor. If they appointed a deputy-mayor, why not an assistant deputy-mayor, and a deputy assistant, and so on *ad infinitum*? Provision was already made in the Bill for a presiding officer to act in the absence of the mayor, and what more did they want? A deputy-mayor was just as likely to be absent as the mayor himself; and where would you be then? If you appointed a deputy-mayor, you would require another uniform for the deputy-mayor, and a new chain. There was no necessity for such an appointment.

MR. JAMES said it was all very well for members who had had no experience of municipal work to say there was no necessity for this, that, and the other. The members of the late Conference, who were all practical men, and knew where the shoe pinched, considered that this power of appointment was necessary; and surely the recommendations of such a representative body were entitled to some weight and consideration.

MR. SOLOMON thought he could claim to have had some little experience of municipal work, and he must say he failed to see that a deputy-mayor was necessary, when the Act already provided for a presiding officer in the event of the mayor's absence. He had found no inconvenience when he was mayor in not having a deputy.

THE CHAIRMAN said he might be allowed to point out that there were official duties to be performed by the mayor in the interim between the meetings of the council; and he thought that was the object of having a deputy-mayor.

MR. RANDELL said that sometimes unpleasant duties were cast upon a mayor, and, perhaps, it was considered desirable to have somebody else to discharge those unpleasant duties.

MR. A. FORREST, speaking as a mayor, thought this was a very useful

provision. At present it was very difficult for a mayor in a busy place like Perth to leave town at all; there was always something for him to do, and which the Act required him to do, such as the signing of warrants, notices, and other documents; and it was very awkward if there was no one to take his place. It was all very well for the hon. member for South Fremantle (Mr. Solomon) to say he had not felt the necessity for a deputy-mayor when he was in office; the hon. member seldom travelled from home. But some of them had occasion to travel from one end of the colony to the other, and they found it very inconvenient not having a deputy. If the Governor left the colony on leave he appointed a deputy to act in his absence; and, surely, a mayor was of more importance than a Governor.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he noticed that another new clause was intended to be brought in presently, proposing that the mayor should be, by virtue of his office, a justice of the peace. Was it also intended that the same honour should attach to the office of the deputy-mayor? It looked like it.

THE ATTORNEY GENERAL (Hon. S. Burt) wished to point out that the mayor was elected by the general body of rate-payers, who knew whom they were electing; but if the council were allowed to appoint their own deputy-mayor what was the good of the ratepayers choosing a mayor? The result would be that the mayor would do nothing himself, but leave everything to his deputy. He never heard of a deputy-mayor anywhere else.

MR. LEAKE asked the committee to consider what powers it was proposed to give this deputy-mayor. He was to "have and exercise all the rights, powers, and privileges, and be subject to all the responsibilities and duties by this Act conferred upon the mayor." If they passed this clause they would practically have two persons exercising what you might call concurrent jurisdiction. They knew what municipal life was, and that very often there were opposing forces and separate factions at work, and what would be the result? They would have the mayor at the head of one faction, and the deputy-mayor at the head of the opposite faction, and a pretty kettle of

fish they would make of the municipal business between them. In the absence of the mayor, the deputy would be only too glad of an opportunity to serve his own particular faction, and to carry out their wishes, contrary to the wishes of the mayor; and so the game would go on. He hoped the committee would have nothing to do with the clause.

MR. R. F. SHOLJ, objected to the clause on this ground: it gave the mayor the right of delegating the powers entrusted to him by his fellow-citizens to some one else, to whom the citizens themselves, perhaps, might not care to entrust such powers.

Amendment put and negatived.

New clause:

MR. JAMES moved that the following new clause be added to the Bill:—"In addition to the matters aforesaid, every Council may make, publish, alter, modify, amend, or repeal by-laws for regulating the hours and times at which all or any shops (in which term is included all premises or parts of premises wherein or whereon any article of whatsoever nature is sold or kept for sale by retail or otherwise) within the Municipality shall close. Such by-laws may be limited in their application to any portion of the Municipality, or to the shops used in any particular trade or business. Provided, that every by-law shall apply to all shops of the same trade or business within the limit to which the by-law extends. No by-law shall require any shop to close earlier than six o'clock in the afternoon on more than one day of the week (in addition to Sunday, Good Friday, and Christmas Day), nor on any one day of the week to close earlier than one o'clock in the afternoon. Any such by-law may prohibit and provide for penalties to be paid by any persons dealing at or purchasing from any shop to which such by-law relates after the hour fixed for the closing thereof."

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

At half-past seven o'clock, p.m., the Chairman resumed the chair.

MR. JAMES, speaking in explanation of the proposed new clause, said it had been suggested that the best way of dealing with the early closing of shops

would be to give power to municipal bodies to make by-laws for that purpose. This amendment would not allow the councils to enforce the closing of shops earlier than 6 o'clock p.m. on more than one day in the week, nor to close earlier than 1 o'clock p.m. on any day (excepting holidays), and this provision as to closing at 1 o'clock would enable the mid-week half-holiday to be continued. The amendment would also not allow any preference in favour of particular shops engaged in the same lines of business in the same portions of a town. In the city of Perth, until within the last twelve months or so, the practice of early closing had been satisfactory and almost unanimous, the old established business firms having granted the mid-week half-holiday and closed their shops at 6 p.m. on other days, except Saturdays. But latterly a certain number of pirates in business had come into the city, and were keeping open their shops on the usual half-holiday, and also keeping open late at night. It could hardly be said that this amendment would interfere with the liberty of the subject, in providing that persons should not be allowed to keep open their shops after 6 p.m., nor on the usual half-holiday after 1 p.m., Saturday excepted. A great number of the shops in Perth were extremely badly ventilated, and the assistants should not be confined in a close atmosphere by having to carry on trade in the evening hours. The council in each town, to which the power of making by-laws was to be entrusted, would be largely a conservative body, and would be elected by the shopkeepers and their assistants to a large extent; so that the shopkeepers and assistants would mainly have the question of early closing under their direct control, and unless a majority of them were in favour of early closing, this provision could not be put in operation through the local council for enforcing the early closing. Therefore, the persons most directly concerned would have it in their power, by majority, to enforce early closing if they desired it, or to prevent action in that direction if the majority were opposed to early closing. The majority of the firms in Perth had been closing their shops voluntarily, but the incursion of the pirates was disturbing the local practice, and might soon upset it if not checked by the provisions of this new clause.

THE ATTORNEY GENERAL (Hon. S. Burt) said this new clause would be an innovation in the municipal law; and, whether the innovation was good or bad, the Government were of opinion that the question had not been ventilated sufficiently to authorise them in accepting it. The amendment had limitations; it did not go "the whole hog," but it proposed to interfere simply for one day, by saying the shops must close on that afternoon, and by saying the shops must not be open after 6 o'clock on other evenings, except, perhaps, Saturday. He thought the storekeepers and the purchasers should be allowed to choose for themselves as to the hours for trading. It might be that in one street or locality certain shops sold their goods on a particular day, or in certain hours; and, if so, the shops in other streets to which the by-law was not applied would gain an advantage. As to shop assistants requiring holidays, he thought the public influence might be brought to bear on those exceptional storekeepers whose assistants did not get the half-holiday. It was not a wise thing to enable municipalities to lay down a hard-and-fast line for regulating the hours of trading. These things were best done by mutual agreement. He did not think that in Perth there was any great call for this alteration in the municipal law.

MR. WOOD supported the new clause, and was surprised and grieved to find the Government were throwing cold water on it. Knowing the general feeling of the shopkeepers and assistants in Perth, he could assure the House that if the shop assistants were to lose their present advantages of the half-holiday and early closing, through the different practice introduced by new-comers, a great hardship would be caused without reasonable necessity. During recent months all sorts of new shops had been opened in Perth, and were doing business in late hours and on the mid-week half-holiday, thereby causing a serious grievance among those shopkeepers who desired to continue the established custom as long as they could afford to do so. Chinese, Afghans, and other new-comers were keeping open their shops very late, and competing unfairly with the old-established houses, which desired to treat their assistants in a fair and proper



manner. If this new practice were allowed to go on, the other shops would have also to open in the evening, in self-defence. He supported the new clause in the interest of the shop assistants. If the large business houses were to reduce their trade to such small amount as the proprietors could transact without employing assistants, they might, of course, keep open in the evening as easily as the Chinese and Afghans and other small traders, but what would then become of the assistants?

MR. MORAN supported the new clause in the interest of labour, while also objecting to the excessive number of public holidays proclaimed by the Government in this colony.

MR. A. FORREST opposed the amendment as impracticable, and argued that the City Council in Perth would not be able to enforce such stringent and arbitrary by-laws as were contemplated by the mover. Indeed, the same restrictions might be applied to workshops, even in cases where some particular work was urgent or imperative. The amendment would also interfere inconveniently with the business of refreshment houses.

THE PREMIER (Hon. Sir J. Forrest): And publicans too.

MR. A. FORREST said the amendment went too far, especially the latter part of it, for he could not understand how any hon. member could advocate that the purchaser should be fined, as well as the seller, for making some necessary purchase after the closing hour.

MR. CLARKSON opposed the amendment as interfering with the liberty of the subject. A shopkeeper should be allowed to keep open his shop all night, if he liked.

MR. JAMES reminded hon. members that the liberty of the subject was interfered with when the law required that an owner of scabby sheep should have them dipped; also that for the last fifty years, in conservative England, the Factory Acts had been interfering with the liberty of the subject, and the recent tendency had been to make those Acts more stringent. That empty phrase, "interfering with the liberty of the subject," was a stock argument commonly used by good, healthy, moss-backed Conservatives. He argued that local option was the only method by which the early closing of shops could be carried out

effectually. The same law as he now proposed was in force in Victoria and New Zealand, where it had worked well. As to penalties, they must be provided if the law was to be enforced. If, as the Premier had boasted, the Government of this colony were really Liberal and progressive, they should accept this new clause.

MR. LEAKE opposed the new clause on the ground that it was too wide in its application, and would let in a tremendous principle, for it meant local option pure and simple as applied to public-houses, as well as to other kinds of business. That was a pretty big order, for as this new clause did not expressly exclude public-houses, it included them among the places of business that might be closed at 1 p.m. or 6 p.m., as per by-laws. Now should the question of applying local option to the liquor traffic be legislated upon in this indirect manner? The whole question should be placed properly before the country prior to their legislating upon it.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said the question was not whether hon. members were Radicals or Conservatives, but whether they were sensible representatives; and if they were imbued with common sense, they would vote against this proposal to interfere unduly with the hours of business. Many of the small shops which kept open late were carried on by persons who did not employ assistants, but managed the business with the help of their families; and it would be hard and unreasonable to make by-laws which might prevent those persons from earning a living. He was surprised at the member for East Perth in proposing such an unreasonable interference with persons engaged in shopkeeping. That hon. member professed to be a Democrat, but he was really a sham Democrat.

MR. ILLINGWORTH said he felt as if, like Rip Van Winkle in the American story, he had been in a long sleep, and wakened up to find some hon. member contending for a state of things which might have existed a hundred years ago. One would imagine, from some of the speeches, that this was some new Radical idea and an untried principle; whereas, during the last hundred years, in nearly all parts of the world, legislation had

been limiting the hours of labour, and the hours of sale in shops. The whole trend of public opinion, in the last twenty years, in the Australasian colonies, had been in the direction of limiting the hours of labour, and the hours in shops. When the agitation for early closing first arose in the Eastern colonies, there was the same kind of talk from objectors, who said the people were not asking for the change. The shop assistants put out circular appeals to the public, asking them not to shop after six o'clock in the evening, and the result was that, after a little while, the whole feeling was on the side of the shop assistants. It then became necessary that a law should be passed to compel the few obstructionist shopkeepers to comply with the regulation which was in accordance with public opinion. The buyer was interested as much as the seller in this question; and if the majority of the people said they did not want the shops closed at 6 p.m., they would not, under this clause, elect a municipal council composed of members in favour of early closing. Personally, he did not expect to get in, by means of this clause, the local option power of closing public-houses. The larger business firms in Perth now voluntarily closed their premises at six o'clock in the evening, and on the mid-week half-holiday, and they employed probably nine-tenths of the assistants. Those shopkeepers were perfectly content to carry out the principle of this proposal; but because two or three shops in Barrack street and some Afghan and Chinese shops were kept open late at night, against public opinion, those shopkeepers who desired to close early, in accordance with public opinion, were placed at a disadvantage by this undesirable competition in night trading. In the goldfield towns of Victoria, the local bodies were the first to put in operation the power of enforcing the early closing of shops; and the local councils in this colony should be allowed the opportunity for making by-laws to regulate the hours of closing the shops.

MR. PIESSE supported the new clause, and said all persons engaged in business would know that the hours were quite long enough already, without the necessity of keeping shops open in the evening. He would prefer that the latter part of

the clause (relating to penalties) should be omitted.

MR. MORAN said the complaint about interfering with the liberty of the subject was rather ridiculous, because who was the subject — the shopkeeper or his assistant? The shop assistants, who were most concerned, outnumbered by ten to one those who would be interfered with in business by this clause, and the majority should be considered.

MR. ILLINGWORTH moved, as an amendment in the tenth line of the new clause, that all the words after the word "afternoon" be struck out.

MR. JAMES said he would accept the amendment.

THE ATTORNEY GENERAL (Hon. S. Burt) said the supporters of the new clause found themselves in a difficulty. The new clause would be inoperative without penalties, yet the mover was now willing to accept an amendment for striking out the power of enforcing penalties. Admitting that there was a good deal to be said on both sides of the question, yet the Government objected to the new clause because it was an attempt to import what might be the public opinion of other communities into the towns of this colony. No public opinion on the subject had been formed in this colony, and the Government would be wrong to lend their assistance in starting a novelty of this kind, upon one evening's debate. The hon. member for Albany, for instance, had not heard the voice of his constituents upon the question.

MR. JAMES: They are dead, down there.

MR. LEAKE: The member is not, at any rate.

THE ATTORNEY GENERAL (Hon. S. Burt) asked why they should not go through the process of forming public opinion upon this question before legislating upon it. The constituents he represented had a voice in this matter. The question must go through the usual process before public opinion on it could be ripe for legislation. It had been argued that because one shopkeeper out of twenty in a street would not close early, the other nineteen would have to keep open late also in self-defence. But that was putting the case on a niggardly and mean ground.

MR. ILLINGWORTH said it was a fact, for all that.

THE ATTORNEY GENERAL (Hon. S. Burt) said it ought not to be a fact. It was niggardly to say the other nineteen would be compelled to keep open because the one man who kept his shop open late at night might sell a few articles while their shops were shut. The convenience of the public should also be considered. Some persons found it was not convenient to go out and make purchases until the evening. The whole question should be discussed and threshed out in the constituencies before this House was asked to legislate upon it.

MR. JAMES said the country districts were not necessarily concerned in this question of the shopping hours in towns. The town constituencies, being affected, had discussed it, and were in favour of the principle of this clause. It was not necessary to discuss details in the constituencies, when the principle was approved of.

Amendment, for striking out penalties, put and negatived.

MR. SIMPSON, speaking upon the new clause, said he was in entire sympathy with it, and had been surprised to hear the member for the town of Fremantle (Hon. W. E. Marmion) speaking against the early closing of shops. The trend of legislation for many years had been in the direction of helping those who could not protect themselves against the men who had the big grasp of power. He did not think there was a shop in the Attorney General's constituency (the Ashburton). The Chinese and Afghan traders, by keeping their shops open late at night, were ousting the traders of the British race. He had heard the members on the Ministerial side described as Liberals, yet on that occasion the attitude of Ministerial supporters was Tory—ancient Tory—so ancient that it must belong to the carboniferous age, which the Premier had said was that of the Collie coalfield. This new clause was a distinct enunciation of the principle of local government, and he could not understand how any hon. member could be opposed to the principle of local government. The clause said the elected of the people should have the opportunity to make by-laws for governing the retail trade of a town. The retail dealers of Perth and Fremantle and other leading towns were being cut out of their reasonable profits by the unreasonable competition of men

who had come from Asiatic countries. Afghan and Chinese shops in Barrack street, Perth, were kept open all hours, whereas in Hay street the larger business men closed their shops at reasonable hours, because they were in touch with the opinion of the community. Between the hours of 8 a.m. and 6 p.m., a man could give the best of his time to any service.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) challenged the last speaker to prove that there were not more traders of the British race in Perth and Fremantle, who kept their shops open after hours, than there were Afghans and Chinese who did so. Where was the line to be drawn? Did the supporters of this clause desire to see the tobacconist shops and eating-houses, and even the public-houses, closed according to by-laws?

MR. SIMPSON: If you will propose that, I will second it.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) again asked where the line was to be drawn. The best course was to leave the question in the hands of the business people. While sympathising with the shop assistants, he had sympathy also with the small traders who were keeping their little shops open, not by employing paid assistants, but with the help of members of their own families, as a means of making a livelihood, of which the mover and others would by this legislation deprive them. In nine cases out of ten, those traders who kept shops open late at night did not hire any assistants; and why deprive them of the means of earning a livelihood? In many cases the wives of working men or domestic servants preferred to go and shop in the evening, as being the most convenient time for them. No real injury was done to the larger traders by a few small shops being kept open in the evening.

MR. CLARKSON asked why the supporters of this clause did not go a little further, and fix the dinner hour at not later than six o'clock, so as to give the cooks a show.

MR. ILLINGWORTH said the new clause would not make it obligatory on any town council to pass by-laws for this purpose. The clause was permissive, the intention being that where the majority

of a community desired to enforce the early closing of shops, they should have the opportunity of electing a council which would give effect to that general desire. The volume of shopping business would not be reduced by the trading hours being shortened.

Question—That the proposed new clause be added to the Bill—put, and division taken, with the following result:—

|                      |    |
|----------------------|----|
| Ayes ...             | 11 |
| Noes ...             | 15 |
| Majority against ... | 4  |

| Ayes.                | Noes.                 |
|----------------------|-----------------------|
| Mr. Illingworth      | Mr. Burt              |
| Mr. James            | Mr. Clarkson          |
| Mr. Monger           | Sir John Forrest      |
| Mr. Moran            | Mr. A. Forrest        |
| Mr. Paterson         | Mr. Harper            |
| Mr. Phillips         | Mr. Haesell           |
| Mr. Richardson       | Mr. Lenke             |
| Mr. Simpson          | Mr. Marinton          |
| Mr. Throssell        | Mr. Penrose           |
| Mr. Wood             | Mr. Randell           |
| Mr. Piesse (Teller). | Mr. R. P. Sholl       |
|                      | Mr. H. W. Sholl       |
|                      | Sir J. G. Lee Steere  |
|                      | Mr. Venn              |
|                      | Mr. Solomon (Teller). |

New clause negatived.

Progress reported, and leave given to sit again.

#### AGRICULTURAL BANK BILL.

##### SECOND READING.

THE PREMIER (Hon. Sir J. Forrest), in moving the second reading, said: Sir, on the 17th November, 1892, I had the pleasure of moving, in this House, the second reading of the measure known as the first Homesteads Bill, which introduced into the land legislation of this colony a principle different from any which had existed heretofore in the colony. By that measure the Government sought to introduce into our legislation the principle of free grants of land, as it exists, and had existed, in Canada and the United States of America. In that Bill we also proposed that the State should grant financial assistance to the persons who took up those homestead blocks. As hon. members will recollect, after considerable discussion, in which a great diversity of opinion was expressed in this House, the measure was ultimately withdrawn; owing, principally, I believe, to the objections which were taken to the financial clauses of that Bill; although this peculiar fact was elicited, that while the Government could, I believe, have carried the financial clauses of the Bill, there was, at that time, more objection

to the free grants of land. However, the Government decided to withdraw that measure, and in the next succeeding session (1893) we re-introduced the Homesteads Bill, without the financial clauses which had been objected to by so many of those hon. members who had usually given to the Government a generous support. It was on the 2nd of August, 1893, that I again introduced the Homesteads Bill, which had for its principal object the free grants of land to persons who were willing to take up and reside upon, and cultivate the homestead blocks. That Bill followed generally the principles of the Bill which had been introduced and withdrawn in the previous year, though it was added to in some important respects; but there was this great difference, that the Bill of 1893 did not propose to grant financial assistance to those persons who took up the homestead blocks. That Bill of 1893 received the approval of a majority of members in both Houses of Parliament, and it is now the law of the land. I may fairly say that the Bill of 1893, now known as the Homesteads Act, has not yet become popularised in this colony, and that I think is owing to various causes, which I need not enter into, the principal one being the counter attractions which have affected the land settlement in this colony during the last twelve months or more. The great advantages offered to settlers by the Homesteads Act have not been fully realised yet by the people for whom they were intended, and I do not think they are yet thoroughly understood by the people of the colony; and consequently the Act has not been availed of to the extent which I and others had hoped and desired. Still, I am convinced that the Act will be taken advantage of, and that it will prove an important factor, a very great factor indeed, in the settlement of the lands of this colony. It was thought by some hon. members, and was freely stated, that the fact of giving free grants of Crown land to settlers would have the effect of lessening the value of freehold lands; but, whatever persons may have expected or feared in regard to that matter, I think they must be convinced now, even after this short period of trial, that the Homesteads Act has had no such effect, and that in

no case has it lessened the value of freeholds in the colony. While I freely confess that the operation of the Act has not realised altogether my expectations, I feel certain that no one in this colony desires now that the Act should be repealed; and I am as firmly convinced at the present moment of the usefulness and value of that measure as I was when I introduced it to the consideration of this House.

*A Sequel to the Homesteads Act.*

The Bill I have the pleasure of introducing to-night is a fitting sequel to the Homesteads Act of 1893. I admit that the provisions of this Bill, which I now ask the House to read a second time, are a great improvement on the Bill of 1892 in regard to the conditions and manner of granting financial assistance to farmers and cultivators of the soil. The defect in the Bill of 1892 was that no power of discrimination was reserved to the Government as to the persons who might apply for and claim advances of money upon the improvements of their holdings. The financial assistance was also restricted to a particular class of persons—to the persons who were homestead-blockers. In this Bill, on the contrary, there is no obligation on the part of the Government to lend money to any applicant. There is a power to lend, but no obligation to do so, and, further, unless the Government have the funds available at the time, and unless the circumstances of the colony are favourable, there is really no obligation on the part of the Government to lend the money; and an application for a loan in any case can be refused, if the manager considers the applicant is not a person to whom it would be desirable to lend money. The business to be carried out, under the powers of this Bill, is to be of a safe and sound character. This Agricultural Bank is intended to pay its own way, and there should not be any loss to the country upon the transactions occurring under the provisions of this Bill. Hon. members will notice in the Bill that the manager of the Bank is so restricted that he can do nothing by his own authority without obtaining the consent of the Governor, which means the Governor in Council; and, on the other hand, that the Governor can do nothing by himself without the recommendation of the manager.

*The Need for some Assistance to Settlers.*

Since the Homesteads Act has been in force, and ever since it was introduced, I have been carefully trying to find out some means by which to encourage the occupation and cultivation of the agricultural lands of the colony. The subject is a difficult one. The smaller settlers on land are generally struggling men who may have a little capital, and are not generally men of means; so that the difficulty is as to how persons of that class can be assisted in the early stages of settlement, without risk to the State; for one has to consider very carefully whether, in assisting them, one would not be incurring a risk of losing the capital with which they were so assisted. However, after years of consideration and thought on the subject, the result of my deliberations, up to the present, is contained in this Bill. I may say, too, that in a matter of this kind there is plenty of room for difference of opinion; that there is plenty of room for persons to take a view of the question different from that which I take. But I maintain that the principle contained in this Bill is sound, and that the object we have in view is one of great national importance, and of great urgency. Therefore, seeing this is a subject of great national importance, and also, in my opinion, a subject of great urgency, I submit that we will not be going far off the right road if we give this plan a fair trial; and I firmly believe—in fact, I am confident—that the result will be advantageous to those who are assisted, and advantageous to the colony.

*How the Bank will be administered.*

I will proceed to deal shortly with the provisions of the Bill, and explain its purport and its object. Hon. members will have noticed that the Government propose to obtain the funds for establishing and working this Agricultural Bank—the funds which they propose to advance to farmers and cultivators of the soil—by the issue of mortgage bonds, or by such other moneys as may be provided by Parliament from time to time. In the first place, it will be necessary to have a manager of the bank. Some hon. members may, perhaps, be of opinion that the position of the manager of this bank is not sufficiently assured;

that he may not be in that independent position towards the Government which hon. members may think desirable, but I may point out that, under the existing law in regard to the custody and investment of Savings Bank funds, the whole control of those funds is absolutely at the disposal of the Governor in Council. There is no manager coming between at all; but the whole of the Savings Bank funds of this colony can be lent, under the provisions of the Act, by myself as Colonial Treasurer, and subject to the approval of the Governor in Council, in any way we may think fit, without the intervention of any other person. So that in the provisions of this Bill, with regard to the manager of the bank, there will be more protection for ensuring proper administration than there is in the case of the Savings Bank trust funds, under the present law. These funds for the bank are to be raised by the sale of mortgage bonds, as they are here called, though they will really be the same as Treasury Bills. The money might be provided in the same way as money is raised by the sale of Treasury Bills, which the Government are authorised, under the Treasury Bills Act, to sell any time for the purposes of a Loan. But there are more restrictions in this Bill, in regard to the money for the purposes of this bank, than there are in the existing law for controlling the administration of the Savings Bank funds. The Colonial Treasurer for the time being is to issue these bonds, and the form of the bond is set forth in the Schedule.

*The aggregate Capital and how obtained.*

The Bill provides that the aggregate sum which the Treasurer is authorised to raise by mortgage bonds is £100,000. The reason for fixing that amount in the Bill is to limit the operations of the Government under this Bill to a reasonable amount; so that if the bank is found to be successful in its working, as I believe it will be, the Government may easily come back to the Legislature, and apply for power to raise more money. It is also provided that the bonds may be issued either in the colony or outside the colony; either by sale to the public, in the same way as we sell our Treasury Bills or our inscribed stock, or by investing in these bonds

any trust funds which may be at the disposal of the Government. I may at once say that, in the early stages of the operation of this Bill, my intention is to buy these mortgage bonds with moneys at the disposal of the Government, under the Savings Bank Act. I propose that method for several reasons. Firstly, any securities that are secured upon the Consolidated Revenue of the colony are a fit subject for investment, under the provisions of the Savings Bank Act of last year; and it will be very convenient indeed, and also economical, that the funds required for lending to farmers and cultivators, under the provisions of this Bill, shall be obtained by the sale of these mortgage bonds to our own institution, the Savings Bank, in such amounts as may be required for the purposes of the Agricultural Bank, from time to time. The Savings Bank will then hold the bonds, and will receive the interest on them half-yearly, in the same way as if the bonds were held by any private individual; and that method will also obviate the necessity of the Agricultural Bank having to borrow money for the purposes of this Bill before the money is actually required for lending out in small sums. If I, as Treasurer, were to go into the market and borrow £20,000 or £50,000, under the powers of this Bill, by the sale of mortgage bonds, say in London, I would have to invest that money again quickly, or I could not earn and pay the interest coming due upon it, as I should not be receiving any interest for its use by customers of the bank until it was actually lent out, and to keep the money lying idle would not be a paying operation for the bank; whereas, by the plan I suggest, I would sell the mortgage bonds to the Savings Bank only as I required the money for carrying out the purposes of this Bill. The interest proposed to be paid on these mortgage bonds is not to exceed five per cent., though I hope that in many instances we will be able to obtain money for the bank at four per cent., or a little over; and we propose to lend the money at interest not exceeding six per cent. The intention of the Government at present is that there shall be a margin of about one per cent. between the interest which the bank will pay and that which it will receive; so that if capital for the

bank were borrowed at four per cent., the bank could lend the money in small sums to farmers and cultivators at about five per cent. All moneys raised by the issue of these bonds are to be paid to the Colonial Treasurer for the time being, and he will hold the moneys in trust for the purposes of this Bill; he will also repay the principal and interest of moneys secured by such bonds. Hon. members will notice, too, that the principal and interest of moneys raised under the operation of this Bill are secured upon the Consolidated Revenue of the colony; and this form of security will make the bonds as secure and as negotiable in the market as our Inscribed Stock or our Treasury Bills. If, therefore, there is any deficiency in the operations of the bank, in paying the interest, or repaying the principal due to the holders of its bonds, then the Consolidated Revenue of the colony will have to make good that deficiency. Clause 13 provides that "Any such mortgage bonds may be negotiated, sold, or disposed of" by the Colonial Treasurer, who may fix "the limit of price below which the said bonds shall not be so negotiated, sold, or disposed of." The intention of that provision is, of course, that we shall not dispose of these bonds at a lower price than they are worth, and that a minimum may be fixed in the same way as is fixed under our Inscribed Stock Act, by the Government of the day. The bonds may be sold either in the colony or out of it, and the Bill also provides for the exchange of bonds which may have been defaced or lost, or for exchange in other such contingencies. The ordinary provision is made for punishing persons who counterfeit or forge any bonds of the bank. I have now explained how the capital for the bank is to be raised, in order that these advances may be made to farmers and cultivators.

*How Loans are to be advanced.*

I have next to explain how it is intended to utilise the funds which we may obtain by the sale of these bonds. I cannot do that better than by reading the 18th Clause of the Bill, which clearly explains the manner in which the funds may be invested, as follows:—

"(1.) The manager, with the approval of the Governor, may make advances to farmers or other cultivators of the soil

"on the security of their holdings in fee  
"simple, or under special occupation lease  
"or conditional purchase from the Crown,  
"or a homestead farm under 'The  
"Homesteads Act, 1893.'"

Then follow the conditions under which the money may be lent:—

"(a.) For the purpose of making improvements (as hereinafter defined) on  
"unimproved holdings, or

"(b.) Adding to improvements already  
"made on holdings."

Hon. members will at once see it is intended that the money shall be expended only upon future improvements, and not on improvements already made. If, for instance, an applicant for a loan has a farm already improved, and has a mortgage upon it, he will not be able, under this Bill, to obtain a loan from the Agricultural Bank in order that he may use it for repaying money he has already borrowed. He will only be able to obtain a loan from this bank for the purpose of making new improvements, and not to repay the cost of any improvements already made. The clause goes on to say:—

"(2.) No advance shall exceed one  
"half of the fair estimated value of the  
"improvements proposed to be made, and  
"at no time shall the advance or advances  
"to any one person exceed the sum of  
"three hundred pounds."

There is room here for difference of opinion as to the maximum amount of £300; and I shall be glad to listen to the views of hon. members in regard to this matter. I have no strong opinion on it, myself, though I think £300 is as low a limit as should be fixed in the Bill, and I do not think any less sum than £300 would be desirable. At the same time, it may be desirable that the sum should be increased; and I shall be glad to listen to the views of hon. members on the matter.

"(3.) The rate of interest to be charged  
"on any advance shall not exceed six  
"pounds per centum per annum, payable half-yearly."

As I have already said, while the rate of interest shall not exceed six per cent., it may be less, and the rate must, for the present, be governed by the amount we have to pay for the money. The Government intend that there shall be a difference of about one per cent. between

the amount of interest we have to pay for the money and the amount which the borrower will have to pay to the Bank.

*An important Safeguard.*

Sub-section (4) of the same clause says:—

“(4.) Every advance shall be recommended by the manager for the approval of the Governor, and no advance shall be made unless so recommended and approved.”

I think this is a very good provision, that the manager shall not be able to lend without the approval of the Governor, and that the Governor cannot lend without the recommendation of the manager; the “Governor” meaning, of course, the Governor in Council. That is an important provision. I rather expect to hear some hon. members say the manager would not be independent, that he would be under the control of the Governor, because there would be the power of dismissing him; but I think that, in these days, the Governor of a colony in Council does not ride such a high horse as to be able to coerce any public servant endowed with statutory powers, in the way provided in this Bill. There is an appeal even beyond the Governor in Council, and that is to the Parliament of the country; and I think that a Ministry which attempted to coerce a bank manager appointed under statute might find that he would not be able to coerce Parliament, when an appeal was made to it. At any rate, if hon. members can suggest how the manager of this bank can be placed in a better position for carrying out his duties independently, we shall be glad to consider it, though I do not see any necessity for it, at present. As I have already said, under the present law, an immense amount of money is entrusted to the Administration of the Governor in Council, absolutely, under the Savings Bank Act; and I believe this extra and special provision, that it shall be obligatory for the manager to recommend a loan before the Governor can sanction it, is a sufficient safeguard, under the provisions of this Bill.

*Instalments to New Settlers.*

Clause 19 provides,—

“(1.) Any advance recommended and approved as aforesaid may be paid by the

“manager, by instalments, as the improvements proceed.

“(2.) Any person applying for an advance under this Act shall set forth in his application the improvements upon which he proposes to expend the advance, and in the event of the money being applied to any purpose other than that approved by the manager, or not being in his opinion carefully and economically expended, the manager may in his discretion refuse to pay any further instalment of the agreed advance, and may at once call in the money already paid.”

The first part of this clause is an important provision. It is an easy way, a simple way, by which the new settler may be assisted; and if that provision were not in the Bill, it would not be possible for the Bill to apply to persons who had small means; because if the occupier were obliged to make the improvements, and complete them, before he received any part of the money to be advanced, it might be necessary for him to go to some other financial institution, or merchant, or storekeeper, and to involve himself in debt while carrying out the improvements necessary to enable him to obtain a loan under this Bill. Therefore, it is provided in this clause that the manager may pay by instalments the amount of the loan he may have promised. The second part of the clause provides that the amount of the loan shall be expended carefully and economically, to the satisfaction of the manager, otherwise he may refuse to complete the amount he has promised, and may recall the portion he has already advanced.

*Preparing Crown Lands for Occupation.*

I will now direct attention to Clause 21, which may be regarded by some hon. members as not being quite in keeping with the other provisions in the Bill; but this clause involves a principle that I have considered during many years, and which I think will prove of great advantage to the colony. It enables the Governor in Council, with the moneys available under this Bill—and I propose to alter this clause a little in committee, by extending it, not only to moneys available under the Bill, but also to any other moneys that may be provided by Parlia-



ment for the purpose from time to time—it enables the Governor, by means of these moneys, to clear, cultivate, drain, ring-bark, or fence any Crown lands; and it provides that the Commissioner of Crown Lands shall afterwards lease these lands, or dispose of them under the land laws in force, upon such rental and conditions as the Governor may prescribe. This provision will enable Crown lands in suitable localities to be ringbarked and otherwise improved, and made fit for immediate occupation, on a large scale, and to be disposed of under the land laws in force, and at such a rental as will provide for the repayment of money so expended on the land. Some portion of the moneys that are proposed to be raised under item No. 9, in the Loan Bill now before Parliament, for the “development of agriculture,” may be devoted to the purposes set forth in Clause 21 of this Bill, when the clause is amended in the manner I have suggested.

*What are “Improvements.”*

Clause 22 says: “Improvements for the purposes of this Act shall mean clearing, cultivating, draining, planting of vineyards or orchards, ringbarking and fencing, but shall not include any other kind of improvement.” I am sure there may be considerable difference of opinion as to what shall constitute improvements; and that matter may be fully considered in committee. It may be that the definition in the Bill is too wide to meet the views of some hon. members, but I do not think anyone will be likely to say it is not wide enough. I now come to the provisions by which the money that has been so advanced to farmers and cultivators is to be repaid. The period of the loan is to be 20 years, and the currency of the mortgage bond is to be 20 years, so that the period in each case will be the same.

*Mode of repaying Advances.*

Clause 23 provides that, during the first five years, the borrower will have to pay to the bank the interest only, and not until the sixth year will he be required to begin the repayment of the principal of the loan, to the extent of one-thirtieth every half-year, while also paying the interest; and, in this way he will, by the end of 20 years, have repaid the

whole of the money he borrowed from the bank. By that time also, the mortgage bond, which was the means of obtaining the money for him, will have been redeemed.

*Security for Advances.*

It is provided, in Clause 24, that “No advance shall be made on any property which is encumbered by any previous mortgage, other than a mortgage or charge under this Act.” We now come to several clauses following, dealing with persons who may be in default—persons who may not be able or willing to comply with the conditions under which they borrowed the money. Those previous show how such persons may be dealt with. Their goods and chattels may be seized, and their land sold; these being the usual provisions which exist in Acts of this nature, relating to persons who borrow money under certain conditions. In all Acts dealing with such matters, there must be a means of foreclosure and sale, in order to enforce the repayment of the amount which has been borrowed. There is a power in the Bill to make regulations prescribing the mode in which applications for advances shall be made, and other matters of detail. There is also a provision that the Governor may appoint from time to time, and also remove, valuers and other persons for carrying out the purposes of the Bill.

*A short and simple Measure.*

I have now gone through the main provisions of the Bill, and, of course, hon. members will have an opportunity of discussing the clauses in committee. Hon. members will, at least, admit that the Bill is a short one, in view of the importance of the subject, for there are only thirty clauses; and it is also a very simple Bill, such as everyone can easily understand, and that is a virtue which characterises most of our statutes—at any rate, those of the last few years. It seems to me that the statutes of this colony are more simple and more easily understood than most of the Acts of other countries which I have seen. That remark will apply equally to this very important Bill, for I think any person, whether he have legal knowledge or not, may easily understand every clause in it. I am not able to say the main provisions

of this Bill have been adopted elsewhere. Of course hon. members know that this question has been considered by Parliaments in other colonies, though I am not able to say they have taken the exact lines that I am proposing here. I believe, however, that the provisions of this Bill—so simple and so easy—will be adopted by many other colonies in the future. At any rate, I feel sure, in my own mind, that the provisions of the Bill exactly meet the circumstances of those countries where the State has large areas of land to dispose of.

*Questions for Consideration.*

The questions to be considered are:—(1.) Is the Bill necessary? (2.) Is it urgent? (3.) Is it safe legislation? Firstly, I believe it is necessary. Secondly, I believe it is urgent. And, thirdly, I believe it is perfectly safe legislation. I will try and place before hon. members some reasons for this belief.

*Food Supplies imported.*

During the three and a half years we have been in office, say from the beginning of 1891 to the 30th June last, we have imported into the colony food supplies and other products, which could easily be produced here, valued at over a million of money. I will name some of the principal items:—Bran and pollard, £41,833; butter, £115,064; oats, £103,747; flour, £134,166; hay, £34,231; preserved meats, beef, pork, bacon, hams, £128,213; and potatoes, £26,074. I have all the items here, as shown in the list returned by the Collector of Customs; but these will suffice to indicate the nature and extent of these imports, which represent over a million sterling paid by this colony during the last three and a half years, and averaging over £300,000 a year, sent out of the colony for articles which could be produced within it. I have come to the conclusion that there is an urgent need to do something towards assisting the cultivation and improvement of the lands of this colony, so as to increase the production, and so as to render these large importations of food products unnecessary. I shall be glad if hon. members, in the course of this debate, can show me that the conclusions I have arrived at in regard to this matter are not based on fact, or that they can reasonably be modified. I

have no desire to make things look worse than they are. In fact, I always try to make them look as well as possible. I do not believe in looking on the black side of things, especially in our present circumstances. But this list of food importations is a terrible indictment—that to the extent of over £300,000 a year, during the last three and a half years, we have been importing food and other products which can very well be grown here. I think the time has arrived when we should make some effort—when we should not be content to say that things are going on very well, and may be left to their own course, and that we will not take any extra means to try and alter this state of affairs.

*The Crédit Foncier—Not a New System.*

I have no doubt some hon. members will look with disfavour, at any rate to start with, upon the idea that the Government are proposing to make advances to farmers and cultivators of the soil; but I should like to point out that this is not a new idea; that it does not emanate from the inner consciousness of Ministers or of those who are supporting them. This idea is nearly as old as the hills. In Germany, and Russia, and France the principle is in existence, and is flourishing. I will read, for the information of hon. members, a few words in regard to the *Crédit Foncier* Banks in existence in those countries:—

“At the close of the seven years’ war, in 1756, the proprietors in Silesia found themselves in a state of inextricable embarrassment. The ruin and destruction caused by the war, and the low price of corn caused by the general distress, made them unable to meet their engagements. Interest and commission rose to 13 per cent. They obtained a respite of three years to pay their debts. To alleviate the distress arising out of this state of matters, a Berlin merchant, named Büding, invented a system of land credit, which has been very extensively adopted in Germany, Russia, Poland, and, lastly, in France.

These associations are divided into two classes. The first are private associations; and these again are divided into companies formed by borrowers, and those formed by lenders. The second are founded by the State or the provincial authorities.

The system was introduced into Silesia in 1770; the March of Brandenburg in 1777; Pomerania in 1781; Hamburg in 1782; West Prussia in 1787; East Prussia in 1788; Lüneburg in 1791; Esthonia and Livonia in 1803; Schleswick Holstein in 1811; Mecklenburg in

1818; Posen in 1822; Poland in 1825; Kalenberg, Grubenhagen, and Hildesheim in 1826; Wurtemberg in 1827; Hesse Cassel in 1832; Westphalia in 1835; Galicia in 1841; Hanover in 1842; Saxony in 1844; and France in 1852.

All these Land Banks made advances to about one-half the value of the land, in small bonds, chiefly varying from £5 to £100, bearing interest from three and a-half to four per cent., transferable by indorsement or delivery; together with a small sum to form a sinking fund to redeem the principal and defray the expenses of management. These institutions have had the most marvellous effects in developing the agriculture of the countries in which they have been formed: exactly similar to the effects of cash credits in Scotland. Their obligations have maintained through all crises—monetary, war, and revolutionary—a steadiness of value far beyond any other public securities whatever, either Government or commercial. Josséau says, that in a population of 27,827,990, the negotiable *lettres de gage* or *pfaundbriefe*, amounted to over £21,000,000 sterling. In the revolutionary period of 1848, while the Prussian funds fell to 69; the shares of the Bank of Prussia to 63, and the shares in railroads 30 to 90 per cent., the Land Bank bonds, producing three and a-half per cent. interest, stood at 93 in Silesia and Pomerania; at 82 in West Prussia; and at 96 in East Prussia."

Hon. members will notice, from this testimony, that, at any rate on German soil, the advances made to farmers have not resulted in ruin to the institutions that have lent the money; that, notwithstanding war and revolution, the bonds of those banks have still maintained a fair value.

#### *Advances to Farmers in Ireland.*

But I can come a little nearer home than foreign countries, and show that the system of the State making advances to farmers is in existence, under British legislation, in Ireland. In Mr. Gladstone's Irish Land Act of 1881 the principle was introduced, and continues in operation—not exactly as it is in this Bill, but to a greater extent. Under that Act the British Treasury provides funds for the purpose of making advances to farmers in Ireland, for enabling them to purchase their holdings. The Irish Land Commissioners may purchase estates, and re-sell to tenants, or to the public; and they may make advances for the purpose of the reclamation or improvement of waste and uncultivated land, for the drainage of land, or any other work of agricultural improvement. There is the principle at work under the Irish Land

Act of 1881, by which the State, the British Treasury, is enabled to make advances of money to farmers for the purchase of their holdings, and also to make advances for the reclamation or improvement of any agricultural land; also for buying estates in order to subdivide and re-let them either to tenants or to the public. I mention this instance to show that the principle of this Bill is not so new as some hon. members may have thought—that is, the principle of the State providing funds in order to assist the cultivation and improvement of its own lands.

#### *Railways and Land Settlement.*

Ever since the present Government have been in office our great object has been to open up, as far as the means available will enable us to do, the lands of the colony by railways, and to give improved facilities for transit, not only by railways, but by sea. We have tried our best to give facilities by land, and also to assist the transit by sea. We have also tried our best to attract to this colony a desirable class of people, though I do not think we have been altogether successful. What we have fully anticipated would result has resulted. The bold policy of progress which we inaugurated in the construction of public works throughout the colony, as far as our means would permit, has resulted in opening up a great portion of the country, which was before difficult of access; and the discovery of gold has very much assisted the Government, and has been the means of increasing the revenue of the colony. But this is only half what is required, for besides facilities of transit it is necessary that we should try and promote, as far as possible, the settlement and production of the soil. There is no doubt that facilities of transit, in opening up the country by railways, is of itself a great encouragement to the occupation and cultivation of the land. It is a great encouragement indeed; so much so that, under ordinary circumstances, it would be sufficient; in many other countries it has been sufficient; and, even in this country, if you give it time enough, I believe the facilities of transit alone will be sufficient to settle this country. But other things are growing more quickly

than one could have anticipated. The great extension of settlement to the eastward, the great population that is growing up on our goldfields, has altogether disturbed the ordinary action of railway construction; and instead of persons being enticed to settle on the land and cultivate it, by reason of the facilities of transit, the general result up to the present has been that persons have gone away from the land because the attractions of our goldfields are too great; and it is necessary, under these conditions, that the State should provide more inducement and facilities for those who are willing to settle down as farmers and cultivators of the soil.

*What two important Bills may do.*

I am of opinion that, if the Loan Bill which is now before the House becomes law, and this Agricultural Bank Bill also becomes law, it will be difficult to realise what these two measures will do for the country. It seems to me that we will then have the power and the machinery for doing what we require to do in order to make this country thoroughly flourish. We will have facilities of transit to our goldfields, and also the means by which we can give encouragement and entice people—if I may use the word “entice”—to occupy and cultivate the land as permanent settlers. We will then not only be in the position that many persons may be assisted in settling upon and cultivating Crown lands, but also we will have the power, in this Bill, by which the Government may itself enter upon lands, and clear them, and make them fit for occupation; thereby doing probably in one year what would, under other circumstances, and if left to the ordinary exertions of individuals, occupy ten years to perform. Now, let us try and realise what will be the result if, in any agricultural centre where Crown lands are available, the Government were at once to clear ten thousand acres of land and make it fit to put the plough into! I believe it would altogether transform that part of the country. And you may depend upon it, if people can find such land in a fairly good climate, and ready for occupation, there will be no lack of persons ready to occupy the land. What has been the reason why agriculture has progressed

so much in South Australia? The land was in its natural state, clear, and the persons desiring to settle could go there and put in a crop straight away. I have seen people in the Northern parts of that colony going on to the land with ploughs and horses, and without so much as putting up a fence they have begun to cultivate the land. That will be the result here, if this bill becomes law, and if the Government are enabled to step in and try to remove some of these great natural obstructions to settlement. As we all know, we are increasing our obligations in the shape of public debt to a considerable extent; our population, I am glad to say, is also increasing, so that the indebtedness per head is not going on faster than the increase in our revenue. Our revenue is increasing by leaps and bounds, and it appears likely to do so for some time to come. Our cultivation and extension of settlement should go hand in hand with the extension of railways and the increase of population—these should go on as fast, or faster, I hope, in proportion.

*Food Supplies for the Goldfields.*

I cannot see what is the use of building railways to our goldfields in the interior of our territory, if the food supplies required for the large population congregating there have to be imported over the sea from other countries. We have a chance now that we never had before, and probably we may never have as good a chance again; that is, we have a large population, and an assured market; we have plenty of land, and all we need to do is to place that land under cultivation. The desire of the Government is to encourage and entice, and to assist people to settle on the soil and cultivate it, so that the market which is waiting at our doors may be supplied with produce from the lands of this colony.

*Other Countries seeking a Remedy.*

Hon. members must have noticed, by reading the newspapers of other colonies and of various parts of the world, that every civilised country is directing attention to the same object I am advocating to-night. Other colonies in Australia have had great difficulties and trials, financial and otherwise; and what is the specific they are trying, in order to remove

those troubles? It is to try and induce people to settle on their lands. During the "boom" time, people have been attracted to the cities, so that Melbourne, for instance, has become a monster city, where one may walk for miles through its streets to-day. But, at the same time, the land in the country parts has become depopulated through the greater attractions of the cities, as in parts of Great Britain, and especially near London, where you may travel through miles of good land which has gone out of cultivation—all having been attracted to the great metropolis. But the time will come when the people there, and in other congested places, will have to turn their attention to this question of land settlement, as many countries have done, and will have to make the land support the people, and not the cities keep them. I hope we shall learn by the experience of other countries what is best for us.

*Land Legislation in other Colonies.*

With our neighbours in the Eastern colonies, the question of trying to settle people on the land is engaging serious attention. In Victoria a Bill on this subject has passed through the Lower House, after much debate, and was sent to the Legislative Council; but it is not based on the same principle as this. There is this great difference, that our measure is surrounded with safeguards; and whereas the Victorian Bill was intended to relieve mortgagees and financial institutions, our Bill is intended to increase the cultivation and production of the soil. The whole pith of this Bill is contained in a very few clauses, all the rest being padding, which is necessary for protecting the little piece that is of vital importance. If any one can show me a better plan for attaining the object we have in view than that I now propose, he shall have my hearty support and concurrence.

*No Risk of Loss to the State.*

One good feature in the Bill is that it is framed on the principle that its working shall not cost the colony a penny. I do not believe it will involve any expense or loss to the country, if wisely and carefully administered. I see no reason why the £100,000 authorised to be raised by this Bill should not be invested in the lands of the colony, without

the slightest loss. If there is any loss in the working of this Bill, it will be because we lend money to undesirable persons, and that, I think, can be avoided. During the time I have been in the Executive Government of this colony, we have lent tens of thousands of pounds of the Savings Bank trust funds, and I do not know that we have lost anything. There is no restriction in dealing with those trust moneys, as to the class of freehold security on which the Government shall lend them. We can lend those funds as we think proper, subject to the provisions of the Act, and still we have not lost anything whatever. I cannot understand the arguments of people who say that to invest public moneys, under safeguards such as this Bill provides, in improving our national estate, our inheritance, will be a bad thing. What is the use of the uncared country, with its trees, bringing in nothing? It will never be any good until we get settlers on it to cultivate and improve it; and to tell me that it is not wise to encourage the improvement and occupation of our national estate is an argument I cannot realise.

*In Conclusion.*

I appeal to hon. members to look into this subject carefully, as I have done. This little Bill, which may not be much in appearance, has given me a considerable amount of thought. Many months of personal labour I have devoted to getting it into the shape in which I submitted it to the Attorney General; and it has given him a great deal of trouble, since, in bringing it into the shape in which it was presented to hon. members. I hope hon. members will read it carefully, and try to understand it, before they undertake to criticise the labours of persons who are trying to do their best to meet the circumstances and requirements of the country. I take my stand on this Bill, and have no fear of the result, if its provisions are carefully administered. If a little loss does occur under it, which I do not anticipate, yet it will not have been thrown away, but will be spent on the lands of the colony, in a way than which no man can spend it better—in trying to subjugate the forces of nature, and in trying to improve this country, and make that produce something

which is producing nothing at present. I cannot understand how the provisions of the Bill can work disadvantageously to the people of this country, or to the country itself; and, as I said before, it will not only be productive of great good, but, if carefully administered and wisely carried out, it must prove an immense benefit to the people without causing any loss to the country.

MR. THROSSELL: I rise to say a few words in support of this admirable Bill, so ably laid before the House. Hon. members, in dealing with this important measure, will, I hope, dismiss from their minds any prejudice they may have formed respecting it, when they remember that the principle of this Bill is already in operation within the city of Perth, in the administration of the Post Office Savings Bank. I consider that we might utilise the Savings Bank by increasing the maximum of deposits up to £500, and by investing the funds of that bank upon the security of property in country districts, as is already done in the city of Perth. In saying I heartily approve of this Agricultural Bank Bill, I by no means bind myself to support it in detail. The Premier has already shown, by the statistics of the imports which he quoted, how much need there is for increasing the productions of the soil. I can only regret that this measure is not much larger in its scope. Only one hundred thousand pounds! Why, there are members sitting round this House who could deal with three times that amount. The hon. member for York (Mr. Monger) could deal very comfortably with half a million, and show good returns for it; and I venture to say I could do so myself. I am glad to see there is to be some necessary safeguard in this measure. I heartily believe in State socialism, and I hope this will not be the last effort which the present Government will make in the same direction. While I believe in helping the cultivators of the soil to improve their position, and in teaching them self-reliance and self-help, yet I do not believe in spoon-feeding the people. The best possible help we can give them is to place them in such a position that they can help themselves; and I believe this measure will have that effect upon them. With regard to the details of

the Bill, we shall have to look into them carefully, and I think they will need considerable alteration. The Bill proposes to treat the freeholder and the leaseholder as being on an equal footing in regard to security for loans. I believe that is not right. The Bill provides, rightly and wisely, that the borrower shall take equal risk with the lender, and it thus leaves an ample margin of 50 per cent. in the value. With proper valuation, that will be a good and safe margin; but the opponents of the measure may say, what need is there for the State to lend money upon a farming security with a 50 per cent. margin, when a borrower can obtain help from an ordinary financial institution upon such a margin as that? But my experience, and that of others, will show that one of the greatest wants in agriculture is that while there are financial institutions for the aid of small borrowers in Perth and other centres of population, there is an utter absence of financial institutions for assisting the settler or the cultivator, no matter whether he be the owner of a 10,000 acre freehold or a 5 acre block. There is an utter absence of any financial institution whereby such a man can go, as a matter of business, and ask for a loan on the security of his property. It has been said, by a clever writer who does not understand the subject, that the class of men who would go to the Government Bank for a loan would be such men as the ordinary banks had refused to lend money to. But my experience is not in accordance with that. I can tell hon. members of men who have gone to the ordinary banks for financial assistance, and who have had a cheque book put into their pocket, and been allowed to draw up to the actual freehold value of their holding. And what has been the result of that? The high interest charged has eaten them up, and many a man, embarrassed in that way, has struggled on for years, and ended in ruin. The great difference between this Bill and the one that has just been passed in Victoria is that the Victorian measure proposes to raise five million pounds, to be lent to persons who may have properties on which they cannot raise any further loan; and there is no prudent provision in that measure, as there is in this, for a margin of 50 per cent. in the value of the security. If we

succeed, under this measure, in placing £100,000 upon ample security among our farming people, the Government will be able, in time, to come down to this House and say: "Not only has the £100,000 been placed on safe security, but it has been expended in improving the land." If that amount were lent on securities in the Eastern districts, at the ordinary cost of £2 an acre for clearing, it would mean 50,000 acres of virgin soil added to the productiveness of the country. What the colony needs is more land cleared; and if, under this Bill, 50,000 more acres were cleared, there would be a return to the colony in the very first year of a sum for produce equal to the whole amount of the £100,000 advanced to the men who cleared and cultivated the land. I challenge any hon. member to show any industry—bar the "Wealth of Nations" mine—that would give the same result as I have stated. I have said some alteration is required; and I venture to say that, in committee, there will have to be considerable alteration in the details. The bill places the freeholder under a great disadvantage as compared with the leaseholder. Suppose a leaseholder takes up 500 acres of Crown land and pays a rental of £12 10s. per annum, and that he applies for a loan of £100. Under the provisions of this Bill he would have to spend £200 on improvements in order to obtain a loan of £100 upon that security. That would be wise and right, the Government security being on the improvements. But the freeholder may have a freehold of the value of £500, and if he applies for a loan of £100, he must expend £200 on further improvements in order to secure the advance of £100, because the loan is to be advanced only for future improvements; so that the £500 of freehold value and the £200 worth of improvements would make the total value of his holding £700, which he would have to pledge to the Government for the paltry £100 of a loan. In that matter the Government will have to submit to an alteration. Another clause permits the Government to clear land—a very wise thing, at first sight, but it seems to me to be a departure from that principle of the Bill which requires that the borrower shall take equal risk with the lender, by leaving a

margin of 50 per cent. in the value. In the case of the man who leases 500 acres of Crown land and obtains a loan of £100 on improvements, he will have to expend or create £200 of value in improvements in order to obtain a loan of £100; but if his next neighbour can have £100 worth of clearing done for him by the State, and if he may take up that land on deferred payment extending over twenty years, paying interest at 6 per cent., that neighbour will be put in a better position than the other man. Therefore, this would be a departure from the principle of taking equal shares in the risk, and I think this provision as to clearing land had better be struck out, leaving the clearing to be done by those who take up the land, rather than by the Government. Then, in regard to the half-yearly instalments, I do not wish it to be believed that, in asking for this assistance to farmers, we are seeking to establish a race of paupers on the land. Our farmers in the Eastern districts are anything but paupers. Certainly some of them want financial assistance, upon safe conditions; and I believe that if money be lent to farmers in the way proposed in this Bill, to be advanced only after the improvements have been certified to as performed, those farmers will be in a position after the very first year to repay it. Every hon. member knows there is no better system than the deferred payment system for the settlement of our lands; and, taking the colony as a whole, there have been wonderfully few lapses in regard to the payments for land. As to the nature of the improvements, and believing this measure is only the beginning of larger future measures in this direction, I shall, in committee, strongly oppose the making of advances for fencing or for draining. The first great necessity, in creating a homestead, is to clear the land; and when you advance the money for clearing the land, if that clearing does not give to the holder the means afterwards of making his own fences and drains, he will be a poor farmer indeed. In regard to the rate of interest, I would say the question is not so much one of low interest, as an easy and safe mode of obtaining the money, so long as this Bank is conducted on a safe principle, like that of a building society. Wherever the *Crédit Foncier*

principle has been tried, it has been a grand success. There is ample proof of that in this city, in the Perth Building Society as applied to workmen's cottages, for I am in a position to know that this same society, while it has made hundreds of happy homes, has not sustained one single loss. The same remark applies to the Post Office Savings Bank, which is making large loans year after year, and I believe has never suffered a loss. I understood the Premier to say he meant to sell the bonds of the Agricultural Bank to the Savings Bank, in order to provide capital for the new Bank. With all respect to the Premier's judgment, I do not think that plan should be adopted, and I will tell you why. I presume there will be large demands upon the funds of the Post Office Savings Bank in Perth and other towns, for mortgages in the ordinary way; but if that money be lent to the Agricultural Bank, and through it lent in small sums to farmers, there will soon be an outcry from the city and towns that the usual advances on mortgages cannot be obtained, because the Savings Bank funds will have been absorbed by the new Bank. It will be better, I think, that the capital of £100,000 for the new Bank should be obtained independently of the Savings Bank. I have said enough to show that I am thoroughly in favour of the principle of this measure, but I hope hon. members will put away any prejudice as to this being a measure for the relief of storekeepers or bankers, and will recognise that the present time is most favourable for introducing this measure. Formerly, we have complained of labour congregating too much in the towns; whereas the effect of this measure will be that many men who are coming to the colony with little or no capital, but with the advantage of experience in some other colony, which is just as good as capital, will be able in this colony, under proper guidance, to take up land and maintain their families upon their little homesteads, the labour of their families being also utilised on the land; and when they have done so, and their improvements are vouched for, they will be in a position to obtain financial assistance from the new Bank. I believe that no previous measure passed in this colony will bring such grand results for the benefit of our people and our city as

this measure; and I would ask hon. members to think well on the words of wisdom which have fallen from the Premier this evening, and deal with the Bill accordingly. In reference to a remark from the hon. member for the Swan, that this is a storekeepers' measure, I would remind you that, when a similar measure was advocated in this House, not long ago, the same objection was made, that it was a storekeepers' measure. But hon. members will see that, under this Bill, no money can be paid by the Bank to borrowers until the specified improvements are vouched for; and the Bank being secured with a margin of 50 per cent. in value, it can never be said that the money advanced under this Bill is for any other purpose than the settlement of people on the soil. It has been asked, Why should we assist the agriculturist any more than we should assist the tradesman or the manufacturer? I say that if this Bill were only for making advances upon freehold or leasehold properties, leaving to the borrowers the option of spending the money as they liked, I should not be so strongly in favour of it; but by assisting the farmer in the way proposed in this Bill, you will be putting into motion the machinery for assisting every workshop in the country. If a 10,000-acre block is cleared, and your wise measure plants on it eight or ten families, what will be the result? They call in the wheelwright, the blacksmith, and workmen in other trades to provide them with necessary implements and conveniences; so that I want hon. members to bear in mind that, in assisting the agriculturist, you are bringing into play every trade in existence in the colony. When the Bill goes into committee, I shall have pleasure in assisting to make it a practical measure, by striking out those clauses which might possibly make it a dangerous measure. I believe every hon. member is imbued with the desire to give this Bill a fair trial; and I think we can show such results with this £100,000 as Victoria with her £5,000,000 will not be able to do in a given time.

MR. ILLINGWORTH moved that the debate be adjourned until Monday, 10th September, 1894.

Motion put and passed, and the debate adjourned accordingly.



## MARRIAGE BILL.

## IN COMMITTEE.

On the motion of the ATTORNEY GENERAL (HON. S. BURT), the Bill was passed through committee, with further amendments agreed to *pro forma*, for the purpose of having printed in their proposed order the several amendments of which he had given notice. He said this course would enable hon. members to see, in a convenient form, the exact bearing of the amendments which he had framed for giving effect to what he understood, from the previous discussions in committee, was the general wish of hon. members.

Bill reported, with the further amendments.

Report adopted.

Ordered—That the Bill be reprinted, and that it be recommitted on Tuesday, 11th September, 1894.

## ADJOURNMENT.

The House adjourned at 10-23 o'clock, p.m.

## Legislative Council,

Thursday, 6th September, 1894.

Excess Bill, 1893: second reading; in committee—Stirling Street (Fremantle) Closing Bill: second reading; in committee—Patents, Designs, and Trade Marks Acts Amendment Bill: second reading; in committee—Seab Act: working of; appointment of joint committee—Employers' Liability Bill: in committee—Adjournment.

THE PRESIDENT (HON. SIR G. SHENTON) took the chair at 4-30 o'clock, p.m.

## PRAYERS.

## EXCESS BILL, 1893.

## SECOND READING.

THE COLONIAL SECRETARY (HON. S. H. PARKER): I have no doubt that hon. members have perused the report of the

Auditor General. In that report there is an appendix lettered B, which shows the causes of the excesses in the Treasurer's Statement for 1893, and the Bill I now propose to ask hon. members to read a second time is to legalise that expenditure. Although the Government have expended £28,485, which was not voted by Parliament, there has been a saving of over £70,000 of the moneys voted by Parliament. There are, as hon. members are aware, occasions when it is necessary to incur expenditure without the authority of the Legislature. For instance, at the time we had the smallpox scare, the Government were compelled to spend a considerable amount of money, and that item appears in this Bill. In the Medical Department £1,272 was spent in vaccination fees beyond the amount voted by Parliament. In consequence of the outbreak of smallpox every one rushed to be vaccinated, and the Government did their utmost to give effect to the desires of the people. The Police Department spent £365, principally in clothing and remounts, in addition to the estimate passed by Parliament. In the Defence Department there was an excess of £2,180, but of this sum £2,000 was expended on the fortifications at Albany, it being portion of this colony's contribution towards the construction of the forts there. This was a liability we incurred some years ago by agreement with the neighbouring colonies, under which we undertook to pay £5,000, they paying the balance. Then it will be observed that there has been an excess in the Postal Department of £591, caused principally by the extra expenditure incurred on the conveyance of inland mails. As our goldfields are opened up it becomes necessary for the Government to make arrangements for the carriage of mails to new places where there is a population of any size. The Government Storekeeper spent an excess of £650, which the Auditor General says was necessary, as the vote of Parliament was insufficient to meet the demands of the departments for stationery. Under the head of "Miscellaneous" there appears an excess of £10,146. The first item, £100, was caused by the amount for the Queen's Plate at Roebourne being required before the end of the financial year. The £2,190 1s. 7d. under the head