

chasing an insolvent's land. The more purchasers there were, the keener would be the competition and the better it would be for the State.

The clause upon being put was confirmed.

Clause 30.—Governor-in-Council may waive any penalty or forfeiture incurred under these regulations; clause 31.—Lessees to furnish returns, respecting stock or improvements, as may be required by the Commissioner:

Agreed to, *sub silentio*.

Clause 31.—Governor may make reserves for public purposes:

MR. VENN asked how far the following words would empower the Governor to set apart reserves out of freehold lands, say for a land grant railway: "for any other purpose of utility, convenience, or enjoyment, or for otherwise facilitating the improvement and settlement of the colony." It appeared to him these words would empower the Governor to go very far indeed.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said that the interpretation put upon these words by legal authorities was that they only applied to purposes analagous to those already specified in the same clause, and not to purposes repugnant to the spirit and evident intention of the clause.

The clause was agreed to.

Clause 33.—Reserves to be publicly notified; Clause 34.—Temporary reserves may be made by the Commissioner:

Agreed to, without comment.

Clause 35.—Governor may order that the rents or profits arising from any reserve shall be paid to the persons having the management of such reserve:

MR. CROWTHER: For what purpose are the rents and profits to be so paid?

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I presume it would be for the improvement of the land reserved.

The clause was adopted, as were also the remaining clauses dealing with the management of reserves for commonages—which contain the same provisions as are to be found in the existing regulations.

Clause 39.—defining the six divisions into which the colony is to be divided for the purposes of these regulations:

Agreed to, without comment.

Progress was then reported, with leave given to sit again next day.

The House adjourned at three o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 28th July, 1886.

Busselton Jetty: Plans and Specifications; Road between Busselton and Bunbury: Engineer's report—Goods Shed at Busselton—Magisterial Investigations into causes of Fires—Message (No. 12): Assenting to Addresses—Proposed vote for erection of Medical Officer's quarters at Carnarvon—Proposed vote for Police and Medical Quarters at Pinjarrah—Criminal Law Procedure Amendment Bill: second reading—Benevolent Institution, Freshwater Bay (Message No. 10)—Land Regulations: further consideration of in committee—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

BUSSELTON JETTY AND ROAD BETWEEN BUSSELTON AND BUNBURY.

MR. LAYMAN asked the Engineer-in-Chief to lay on the table of the House the report of the Resident Engineer at Bunbury, on the extension of the jetty at Busselton, such report to be accompanied with plans, specifications, and estimate of cost; also the said Engineer's report on the state of the road between Busselton and Bunbury.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) replied: I regret that I am unable to lay upon the table the papers asked for by the hon. member for the Vasse. In the first place there is no report from the Engineer of the Southern District about the Busselton jetty extension, and as we are working on the drawings, specifications, etc., it would be a great inconvenience were they to be laid on the table of the House. If the hon. member will call upon me at my office, I shall be glad to give him all the information in my power. The Resi-

dent Engineer's report on the state of the road between Busselton and Bunbury being a purely departmental document, and consequently to a certain extent confidential, it is not desirable to lay it on the table of the House; suffice it to say he considers the sum of £5,000 as necessary to place the road in a fit state.

GOODS SHED AT BUSSELTON.

MR. LAYMAN asked the Engineer-in-Chief whether the goods shed at the shore end of the Busselton Jetty was for the reception of goods generally, or for bonded goods only; and whether there was any charge levied by the Government for bonded goods stored in this shed?

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith)—(replying on July 30)—said that the goods shed alluded to by the hon. member was for the reception of goods generally. Should bonded goods be stored in this shed, no charge would be levied by the Government for forty-eight hours.

MAGISTERIAL INVESTIGATIONS INTO CAUSES OF FIRES.

MR. PEARSE asked the Acting Attorney General whether it was the intention of the Government, during the present session, to introduce a Bill providing for magisterial investigation into the origin of fires in cases of destruction of property?

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said the Government had no such intention at present, but would consider the question, and, if able to deal with it this session, consistently with their other engagements, they would do so.

MESSAGE (No. 12): ASSENTING TO BILLS.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"The Governor informs the Honorable the Legislative Council that he has this day assented, in Her Majesty's name, to the undermentioned bills:

- "8. *An Act to confirm the Expenditure for the services of the year One thousand eight hundred and eighty-one, beyond the grants for that year.*

"9. *An Act to amend 'The Hawkers Act, 1882.'*

"10. *An Act to increase the number of Members to serve in the Legislative Council.*

"11. *An Act to amend 'The Boat Licensing Act, 1878.'*

"12. *An Act to impose a Duty upon the importation of Opium.*

"13. *An Act to regulate and restrict Chinese Immigration.*

"14. *An Act to authorise the granting of Exclusive Licenses, within defined areas in the waters of Sharks Bay, for Pearl Shell Fishing.*

"2. The authenticated copies of the Acts are returned herewith.

"Government House, Perth, 28th July, 1886."

MEDICAL OFFICER'S QUARTERS AT CARNARVON.

MR. SHOLL moved "That an humble address be presented to His Excellency the Governor, praying that he would be pleased to place on the Estimates for 1887 a sum sufficient for the erection of quarters for the Resident Medical Officer at Carnarvon." The hon. member said, no doubt it would be within the recollection of the House that last session a sum of £200 was placed on the Estimates for the purpose of procuring a medical officer for this district, and the Government acting upon that resolution had succeeded in securing the services of a duly qualified medical officer for the district. But, now that a doctor had been obtained, it was found there was no house for him to live in; and those who knew anything about Carnarvon need not be told that he was not likely to get a place fit to live in. In fact, he understood the doctor would not go up there unless he was sure of getting quarters provided for him. This was done for medical officers in other districts, and, although he believed the House had of late set its face against providing quarters for medical officers, he would remind hon. members that this was an exceptional case. The population of the district were so scattered, and so few in number, that the private practice of the doctor up there must necessarily be very limited. He believed the settlers were agreeable to contribute something towards the salary

of the medical officer, but, even if they did subscribe £100 a year between them, they could hardly expect a medical man to go there, without quarters, in a semi-tropical district like that. In addition to attending the settlers, there was a large native population to attend to, and probably that would have some weight with the Government. He hoped hon. members would support him in this motion.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): The question of providing quarters for medical officers is one that the Government must consider from more points of view than one, for, after all, the question resolves itself into whether you are to increase the salaries of these officers, or not. To give them free quarters is an indirect way of increasing their salaries. Although, as the hon. member says, in some districts medical officers have quarters provided for them, and other Government officials, —and it is argued from that that if you give quarters to medical officers and other Government officials in some parts of the colony, you ought to do the same in other parts—still I may explain that the fact of their obtaining quarters in certain districts is simply the result of accident. When the convict system was in full operation a number of buildings were erected by the Imperial Government for various purposes connected with the working of the system; and, when the convict system ceased and the buildings were no longer required, they were handed over to this Government, and the Government simply allowed certain officers resident in the district to occupy them. Is it supposed for one moment that if these buildings had not been already erected, this Government would have erected them? [Mr. SHOLL: They represent a certain value.] But, had it not been for the accident of their being there, the colony would never have dreamt of erecting such buildings. Moreover, if it is once admitted that medical officers and other Government officials ought to have quarters provided for them in one part of the colony, how can you help admitting that they ought to have quarters in all parts of the colony? If the medical officer at Carnarvon or at Bunbury is entitled to quarters, why not the Colonial Surgeon at Perth

or at Fremantle, where, we know, rent now is very high and increasing. The Government have considered this matter very carefully, and I am in a position to say that they are not prepared in any way to entertain such a proposal as that made by the hon. member for Carnarvon. However, to make use of a remark that has been made use of before—"circumstances alter cases." There are certain cases, as, for instance, when the Government have to establish any new settlement, when, of course, it becomes necessary to provide some accommodation for the officers who are sent up there; and, as regards the subject of this resolution, I can only say that, whilst the Government cannot entertain the idea of erecting quarters for a medical officer at Carnarvon, they are inclined to admit that there are certain circumstances surrounding the case of an exceptional nature, and, as some assistance to the medical officer, they have determined on recommending that his salary should be increased, and, with that view, it is proposed to place a sum of £50 on the Estimates for 1887, and I trust that will be accepted by the hon. member.

MR. SHOLL: What's the use of £50 to the man? He cannot build a house for £50, and there is none there that he can occupy.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): Surely he can make some arrangements for having a wooden building erected for him. A great many public officers in these outlying districts have to put up with rather primitive accommodation.

MR. MARMION: I cannot help thinking that the proposal of the Government to increase this medical officer's salary by £50, in lieu of providing him with quarters, is a very good one, and I would recommend the hon. member to accept it.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): There is a certain renowned company here who would build him a house very quickly if he undertakes to give them this £50 a year.

MR. McRAE thought it would be a pity, after securing the services of this medical officer from England, that the Government should lose his services—as he was afraid they would, unless they found a house for him to live in. At

present there was certainly no fit place for him at Carnarvon; and he thought that, in an outlying district like this, the Government should not only have quarters for their medical officer but also a hospital attached to those quarters.

MR. SHOLL said he did not see the force of the Colonial Secretary's argument that if they provided quarters for a medical officer in an outlying district where the amount of private practice was *nil*, or very limited, they should also provide quarters for the Colonial Surgeon at Perth. Perth was capable of supporting several medical practitioners, who had a lucrative practice. They were building medical quarters for the officer at Roebourne, and it was only a year or two ago when they took £300 out of a vote for the hospital at Geraldton to provide quarters for the medical officer there. At Fremantle, again, the Colonial Surgeon occupied quarters which would let at £100 a year. [Capt. SMITH: An Imperial building.] It was not so at Guildford, where quarters were provided for the medical officer, who had only three or four policemen to look after. The same as regards quarters in other places. It seemed to him that it was very convenient for the Government to be economical when it suited them, but if it was a question of gratuities they were the very first to come forward with proposals of £300. They did not study economy then, but when an important district required a medical officer they became very economical, all at once. Of course, the Government were masters of the situation, and if they were determined not to give this building to the medical officer at Carnarvon, he could not help it. He had done all he could in the matter, and he would leave it as it was.

MR. LAYMAN said the hon. member was wrong when he said that every district in the colony where there was a medical officer had quarters; at the same time he should be very sorry to oppose the motion to have quarters provided at Carnarvon, especially if there was no place there for the medical officer to live in; and he thought it would be better and cheaper for the Government to have quarters erected than to add £50 a year to the officer's salary.

MR. BROCKMAN understood that the gentleman who had accepted the position

of medical officer at Carnarvon was in the colony now. If his appointment had not been confirmed, he should imagine, after what had passed in the House this and last session, that the Government, before confirming his appointment, would make a stipulation with this gentleman that he shall attend to the private practice of the district. He should think that the Government, in making all future appointments of this kind, would make that stipulation, and upon that understanding only would he vote for this motion.

MR. WITTENOOM said he could not help but agreeing with much that had fallen from the hon. member for Carnarvon. He felt sure that a medical man going up to a new place like Carnarvon would find it very inconvenient without a house of some sort being provided for him; and, although £50 seemed a very fair amount to offer as an equivalent, still there would be the temporary inconvenience until quarters were erected. They all knew it was no easy thing in these remote country places for a stranger to get a house, or any accommodation fit for a medical man. The only objection to his mind was that it would be establishing a precedent. There were other places besides Carnarvon where the resident medical officer had no quarters, and, if the House agreed to this address they would have to make up their minds to do the same with regard to every other district.

MR. SCOTT said the remarks that had fallen from the hon. member for the Gascoyne exactly coincided with his own view of this question. It would be impossible for a medical man going up to a new place like Carnarvon to obtain decent accommodation at any hotel. Even if he could, a hotel was a funny place for a medical man to live in from year's end to year's end. He thought if the Government wanted to keep these medical men in the colony they should provide them with some decent quarters. He could not see what much use £50 would be to a man unless he could rent a house with it; and it appeared there were no houses to be had at Carnarvon. It was not likely that a young medical practitioner, just arrived in the colony, would go and speculate in house-building on his own

account, for it was not to be supposed that any young practitioner going to an out-of-the-way place like Carnarvon would go there with the intention of remaining there all his life. It was absolutely essential, in the case of an important and a rising district like the Gascoyne, that there should be a good medical man settled there, and, now that they had an opportunity of getting a first-rate man, he believed, the opportunity ought not to be allowed to slip by.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) said the facts with regard to the appointment of a medical officer for the Gascoyne District were these: Some years ago a sum of £100 was placed on the Estimates for the salary of a medical officer for the district, being the same as was paid in the case of other country districts; but that was not considered sufficient in the case of the Gascoyne. Subsequently the vote was increased to £200, which, it was considered, would be a sufficient inducement to secure the services of a medical officer. Nothing was said about quarters at all. The amount asked for and voted by the House was made known to the Crown Agents in England, who offered the salary to a medical gentleman, who had accepted the offer. Nothing was said about quarters, and the appointment was accepted without any reference whatever to the question of quarters.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said that what some hon. members advocated would lead to a very large expenditure. At present there were five medical officers who had quarters provided for them, and eight who had not. The five who had quarters were those at Roebourne, Derby, Geraldton, York, and Guildford; and those who were without quarters were the medical officers at Perth, Albany, Bunbury, Busselton, Greenough, Newcastle, Pinjarrah, and the Williams. Of the five who had quarters provided for them, the one at Derby had quarters in virtue of his also being the Government Resident; those at Guildford and York in consequence of the quarters which they occupied having been old convict buildings, and unoccupied. The same thing occurred at Geraldton, and the reason why £300 was spent upon the building there two or three years ago was

because it was in such a state of decay that some expenditure was absolutely necessary to make the place habitable. At Roebourne the medical officer's quarters were built simply to provide hospital accommodation for the district. So that if they were now to commence building quarters for a medical officer at Carnarvon, they would have to build quarters for all the other medical officers who were without quarters, which would mean nine new residences, all more or less pretentious specimens of architecture. The question was, could they afford it?

MR. PARKER said he did not himself see the logic or the reason that had induced the hon. gentleman to say that if they built quarters for the medical officer at Carnarvon it was necessary that they do so in every other district where no quarters now existed for the medical officer. No medical officer was likely to get quarters provided for him unless he established a reasonable claim, to the satisfaction of that House. It was proposed by the Colonial Secretary in this particular case, that, in lieu of quarters, they should give this Carnarvon gentleman £50 extra salary; but surely it would not be argued that if the House voted this extra £50 they would have to do the same to the salary of other medical officers. He was sure it must be plain to the Government as well as to other hon. members that it would be useless sending a medical officer to Carnarvon if there was no place for him to lay his head down. If, as was stated, it would be impossible for him to obtain a house or even lodgings, where he could carry on his practice, it appeared absolutely necessary that he should be provided with quarters. In these exceptional circumstances he thought it was only right and proper that they should do so. If the same exceptional circumstances occurred at Perth, and the Colonial Surgeon could not get a house to put his head in, he should say the same as regards Perth. While he said this, he must add that he was opposed altogether to the principle involved in these addresses for the expenditure of public money upon any special object brought forward by any hon. member who felt it his duty to move in the matter, and especially so when the Government itself opposed the motion. They

must bear in mind it was the Government who had to provide the funds to carry out these addresses; it was the Government who were responsible for keeping the Estimates of expenditure within the estimated revenue. Therefore he should not be inclined to vote against the Government in such cases as these. He thought it would be a bad principle to adopt. He believed it had been laid down by that "Grand Old Man," the late Premier of England, upon a similar occasion, that it was altogether opposed to constitutional principles for any person except the Government to propose votes of public money. It might be said that we in this colony were not living altogether under the same kind of constitution as the British Constitution, but it was based upon something like the same principles; and he thought that when the Government told them that they were not prepared to accede to any motion of this kind involving the expenditure of public money, they ought not to press them. The Government knew what the revenue of the colony could stand in the way of these additional charges, and, if they said that the revenue would not stand it, he thought that House should not press the expenditure upon them. He had no wish to oppose this particular motion, but if the Government said they must oppose it, he should not be prepared to press it upon them. He thought the matter ought to be left to the Government, and the whole responsibility cast upon them of enabling this medical officer to discharge the duties of his position. If he found that, through any laches or neglect on the part of the Government, he was unable to discharge his duties, and was obliged to leave the district, the responsibility would rest with the Government. He had no doubt that after this discussion the Government would consider it was incumbent upon them to provide quarters for this medical officer, to enable him to reside in the district where they were sending him; and he therefore hoped the hon. member would not press his motion any further.

MR. MARMION said it seemed to him that the proposal made by the Government was a very fair one. The hon. member for Carnarvon said it would be impossible for this medical officer to

find quarters there, if he went there; but, surely, it was out of the power of the Government to erect quarters at once. He could not help thinking that if this officer got an extra £50 a year added to his salary in lieu of quarters he would not find much difficulty in getting somebody to provide him with quarters. He presumed this £50 was only intended in lieu of quarters, and that it would not be continued should the Government be able to provide him with quarters.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): Certainly not.

MR. MARMION: I think it is a very fair offer, and one which the hon. member would be perfectly justified, on behalf of this gentleman, in accepting. £50 a year represents the interest of an expenditure of £600 in this colony, and I should think he would have no difficulty whatever in getting very decent quarters built for that sum,—quarters that would afterwards let for the same money.

MR. SHOLL said he was in this position: it was no use kicking against the pricks, and half a loaf was better than no bread. If the Government were determined not to give him what he asked for, he must content himself with what he could get, though he must say he did so with a very bad grace. Under the circumstances perhaps his best course would be to withdraw his motion; he would therefore move that the Chairman leave the chair.

Question put and passed.

POLICE AND MEDICAL OFFICER'S QUARTERS AT PINJARRAH.

CAPT. FAWCETT moved "That an humble address be presented to His Excellency the Governor, praying that he would be pleased to place on the Estimates for 1887 a sum sufficient for the erection of New Police Quarters, as well as suitable Quarters for the Resident Medical Officer at Pinjarrah." The present police quarters were erected so long ago as 1861, and were therefore a quarter of a century old, and quite unfit for present requirements. The district was an important one, and capable of being developed into one of the most

fertile districts of the colony; but its wants had been sadly neglected. The condition of the medical quarters was as bad as the police quarters, and provided no fit accommodation whatever for the medical officer, nor for those who might require his assistance. It was only the other day that an old man named Dempster had to die in the cells—he was not a prisoner—because there was no other accommodation for him. These new quarters if erected might be made also available as a local surgery, which was very much wanted. Altogether he thought the district had strong claims upon the Government and upon that House, and he hoped hon. members were prepared to recognise those claims in some slight degree.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) said he did not know whether it was necessary for him to repeat what he had already said to the hon. member for Carnarvon: he could only reply that he regretted that the Government were unable to entertain the hon. member's proposal as regards quarters for the medical officer, but, so far as the police quarters were concerned, that was a matter that would be taken into consideration when the vote for repairs of public buildings was taken.

The motion, upon being put, was negatived.

CRIMINAL LAW PROCEDURE AMENDMENT BILL.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt), in moving the second reading of this bill, said it dealt with a legal matter only. It sought to permit the raising of different points of law that might arise during a criminal trial for the decision of the Supreme Court, or of any Judge or Commissioner of the Supreme Court sitting in quarter sessions, and it showed the procedure to be adopted in such cases. He thought there could be no objection whatever to allowing questions of law being raised in this way in criminal cases: the same procedure obtained he believed in all the other colonies, and certainly it obtained in England.

Motion agreed to, *sub silentio*.

Bill read a second time.

BENEVOLENT INSTITUTION, FRESHWATER BAY (MESSAGE No. 10).

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) brought under the consideration of the House the message sent down by His Excellency the Governor, asking for the opinion of the Legislature as to whether a building to serve the purpose of a benevolent institution for the accommodation of all paupers requiring Government indoor relief, should not be erected on the Government reserve at Freshwater Bay, at an approximate cost of £5,600, the funds being obtained by the sale, as far as necessary, of the lands and buildings now used as invalid depôts at Mount Eliza, in Perth, and the Knowle at Fremantle. The hon. gentleman said that in all civilised communities, he thought, it was now recognised as one of the principal duties of the Government to provide relief in the shape of food and shelter for aged and destitute poor. Destitution was often occasioned, as they knew, by previous vicious life, over which charity, however, had rightly thrown her veil. They were all aware that the administration of the poor law in an old country like England was a gigantic affair, involving very heavy expenditure and attended with difficulty. In the other Australian colonies various praiseworthy efforts had been made to aid the Government in this benevolent work by means of voluntary contributions, and several institutions, some of them of palatial design, had been erected and were maintained for poor relief. In this colony the annual expenditure connected with the relief of the poor and destitute, which was entirely borne by the Government, was heavy, and was, he might say, annually increasing; therefore, undoubtedly, it was necessary that some measure should be adopted for administering poor relief judicially, efficiently, and at the same time economically. At present, as hon. members were aware, there were two depôts (as they were called) for indoor poor relief, one at Fremantle where there were sixty inmates, and one at Perth, under Mount Eliza, where at present there were 139 inmates. Prior to the 1st April this year the depôt at Fremantle was kept at the cost of the Imperial Government; but, since the transfer of the Convict Establishment to the Colonial

Government, the cost of maintaining that dépôt had fallen upon this colony, the Imperial Government paying so much per head for Imperial convicts. It was evident that it would not be a judicious, and certainly not an economical, procedure for the colony to keep two separate establishments, with a double staff of officers; and the Government had for some time past had under consideration the best way of concentrating all the inmates of these dépôts in one establishment. It had been first of all contemplated to transfer those at the Knowle to Mount Eliza, and afterwards it was thought it would be better to transfer those at Mount Eliza to the Knowle; but it was discovered that neither of these dépôts provided sufficient accommodation for the inmates of both establishments—in fact they were both full, and could not hold any more; and the cost of adding sufficient accommodation to either of them would have been very heavy indeed. Besides the difficulty of adding to these buildings, it was found that their situation was not at all a good one for the object in view. As hon. members were aware, it often happened that some of these inmates wandered into town, where they sometimes got drunk and otherwise came to grief; and the Government, having considered the whole matter in all its bearings, had come to the conclusion that the best move to adopt was the one alluded to in His Excellency's message, namely, to erect a suitable building on the Government reserve at Freshwater Bay, the cost to be provided by selling the two present dépôts. Plans of the proposed buildings would be laid before the House by the Director of Public Works, and he trusted that these proposals of His Excellency would meet with favorable consideration at the hands of hon. members. The site at Freshwater Bay was a very good one; it was easy of access by road or rail, and the internal arrangements, as would be seen, were such that different classes of paupers could be separated, as it was obviously desirable they should. The re-arrangement of the staff, it was anticipated, would entail but little additional expenditure, if any at all, and it was thought that whatever little increased expense might be involved would be compensated by the fact that the administration would

be more efficient, and, on the whole, more economical than to have to maintain two separate establishments. The hon. gentleman concluded by moving the following resolution:—"That an humble address be presented to His Excellency the Governor, informing His Excellency that this House approves of the erection of a Benevolent Institution on the Government Reserve at Freshwater Bay, for the accommodation of all paupers requiring Government indoor relief, at an approximate cost of £5,600; the funds being obtained by the sale, as far as necessary, of lands and buildings at the present 'Knowle' and 'Mount Eliza' Invalid Dépôts."

MR. SHENTON expressed himself in favor of the project, and said that the only difficulty that presented itself to his mind was as to providing the necessary medical assistance at Freshwater Bay. Probably the only way to get over that difficulty was to appoint a medical man as superintendent of the proposed institution.

MR. MARMION thought it would be desirable that before committing themselves to any resolution on the subject hon. members should have an opportunity of carefully examining the Director of Public Works' plans of the proposed buildings.

MR. McRAE asked whether the Colonial Secretary could give them any idea as to what the cost would be, over and above the amount which the present buildings might realise?

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): None at all, probably. The estimate cost of the new buildings is £5,600, and we hope to realise more than that from the sale of the present buildings and the land.

MR. RANDELL expressed a hope that the necessary expenditure could be met without the Government having to dispose of that delightfully situated ground, the site of the present depot at Fremantle, which by-and-by might be required for some other purpose.

The debate was then adjourned until Monday, August 2nd.

LAND REGULATIONS.

On the order of the day for the further consideration of the Land Regulations in committee,

Mr. SHENTON moved an amendment, that the House go into committee on the regulations on Monday, August 2nd. The hon. member said he did this because the return asked for the other day by Mr. Loton, showing the names of leaseholders in the Kimberley District, had not yet been presented. He thought this return would be very useful to the committee in dealing with certain portions of the regulations.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he believed it might be possible to lay the return asked for on the table on Monday next, but it was a very elaborate affair, and he thought the hon. member Mr. Loton, when he moved for it, had no idea what he was asking for, and he was very sorry himself now that he had agreed to furnish the return without a definite motion for its production. It had taken two clerks some days already to prepare it, and it would certainly take them until Monday to compare and check it. He believed that if the suggestion he had made at the time, that the hon. member should be content with the names of the principal leaseholders, with the areas taken up by them, it would have answered every purpose; and he was afraid that when this elaborate return, after many days' labor, came to be produced it would hardly be looked at. The only object it could possibly serve was to show what quantity of land had been taken up by pastoral lessees in the district, and he failed to see what the hon. member thought he was going to gain by it. They all knew that some lessees had taken up very large areas—that was not denied. Probably there were some of them who held as much as a couple of million acres, and possibly some of the banks even held more than that. He could have given all that information very easily, without entailing all the trouble of having this elaborate return prepared.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) thought his hon. friend the Commissioner of Crown Lands was hardly justified when he consented to furnish such a return, simply because an hon. member chose to ask for it. He thought his hon. friend should have insisted upon a motion to that effect being affirmed by the House. The question, he ventured to say, was asked on

the spur of the moment, without any thought of the labor it entailed, simply to show what quantity of land had been taken up by certain lessees, some of them probably members of that House. All that information could have been obtained, by going to the Survey Office, in a few minutes. What bearing could it have upon the Land Regulations, except perhaps as regards the quantity of land taken up by hon. members themselves; and it was notorious—there was no secret made of it—that hon. members did hold large areas of land in this district. Why then should the office be saddled with the unnecessary work of compiling such a return as this? It seemed to him really monstrous that the time of two clerks in an important department like that of the Crown Lands should be taken up for about ten days in preparing a return which no one probably would ever look at. He might say for himself that he had no end of land in the Northern district—he could not tell the hon. member how much he had for he did not know it himself, and he had never taken the trouble to ascertain, for he was afraid that a great portion of it was not worth inquiring after. Nobody was ashamed of the fact that they held land in this Northern portion of the colony, though some of them might be sorry. The rent perhaps was too high and a great deal of the land was of very little use, but he had yet to learn that these Land Regulations could not be dealt with fairly and reasonably simply because some hon. members happened to hold large areas of land in the Kimberley District. That would make no difference in the ultimate result of their deliberations over these regulations, and he was sorry himself that the Commissioner of Crown Lands ever gave his assent to the production of a return that could do no possible good, but which would take several days to prepare, and for no purpose whatever.

Mr. BURGESS said that no reason at all had been given for postponing the consideration of the Land Regulations—no reason of any weight; and he fully agreed with the Attorney General when he said that he failed to see what bearing upon the question the production of this return could have. The clauses which the committee would have to consider

next had nothing to do with the Kimberley District, nor the return asked for.

SIR T. COCKBURN-CAMPBELL said that in the other colonies not only did they refuse to produce such returns unless upon a motion for their production being carried, but, when a return was produced, the Government always had printed on it the cost of preparing and printing the return; and he thought that would be highly desirable here.

MR. MARMION said that as one of those interested in the Land Regulations, and more especially in those regulations applying to the Northern portion of the colony, it would give him the greatest pleasure to meet the hon. member who had moved the postponement of the order of the day until Monday, if the hon. member wished to press it. It would only enable him in the meantime to arm himself with further arguments in support of a just cause. At the same time he should like to ask the hon. member what his reason was for moving the postponement of the consideration of these land regulations. Had the hon. member any reasons that would hold water? If it was simply to see who it was that held land in the Kimberley District, the hon. member would find his own name figuring in the list, and no doubt the hon. member would also see the name of the hon. member for Fremantle and the names of other hon. members; and he would see that many of them had been the means of expending some thousands of pounds in improving these lands. He was sure that when this return came to be laid on the table it would contain nothing which need cause any hon. member to blush, or to be ashamed about, and he was sure it would not affect the vote of any hon. member one way or the other.

MR. WITTENOOM thought the hon. member for Toodyay had taken a most objectionable course in moving the postponement of the order of the day. Many hon. members came down to attend the night's sittings at considerable inconvenience, and if the hon. member intended moving to have the discussion postponed he had had ample time to have given notice of his motion, for they were told the other day that it would take a considerable time to prepare the return asked for by Mr. Loton. He hoped the

hon. member would not press his motion, but let them get to work.

The amendment was then put, and, a division being challenged, the numbers were:—

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

AYES.
Mr. Loton
Mr. Randall
Mr. Venn
Mr. Shenton (Teller.)

NOES.
Hon. J. Forrest
Hon. J. A. Wright
Hon. S. Burt
Mr. Brockman
Mr. Burges
Mr. Crowther
Capt. Fawcett
Mr. Grant
Mr. Harper
Mr. Layman
Mr. McRae
Mr. Pearce
Mr. Sholl
Mr. Wittenoom
Hon. M. S. Smith (Teller.)

The amendment being negatived, the Speaker left the chair and the House went into committee.

Clause 40—"The Governor in Council may define and set apart any Crown land in the Kimberley, North-West, Gascoyne, Eastern, and Eucla divisions, as a special area, and may declare any such area as open to selection under the provisions of these regulations, and may withdraw any such land from being so open. Provided that before any land in such area which shall be situated within a pastoral lease shall be taken possession of by the Commissioner and withdrawn from such lease, twelve months notice shall be given in the *Government Gazette*, and after the expiration of the aforesaid twelve months the pastoral lessee shall cease to have any claim to the land so declared. Provided, however, that in the event of the area not being sold or only partially sold the Commissioner may grant the lessee the right to depasture his stock upon the whole or any portion of such area on payment of the usual rent, or, in the event of the land being no longer required as a special area, may order that the land be restored to the pastoral lease from which it was originally taken."

MR. VENN moved, as an amendment, that all the words between "land" in the third line and the word "as" in the fifth line be struck out, so as to make the clause universal in its application to the whole colony, and not to the Kim-

berley, North-West, Gascoyne, Eastern, and Eucla divisions. The hon. member said he really could not see why they should single out any portion of the colony more than another for purposes of alienation, and the object of his amendment was to include the whole colony within this clause. As he had several other amendments to move further on, bearing upon this same principle, he would not at this stage weary the committee with any remarks on the subject.

MR. MARMION said it seemed to him rather a peculiar argument to use that similar conditions should apply in every district of the colony. With our enormous territory, extending from Eucla in the South to Cambridge Gulf in the North, presenting a diversity of climatic and other conditions, altogether different, it did seem to him, to use a very mild term, rather the height of folly to contend that the same laws should be enforced with reference to the lands in all these various portions of the colony—with reference to lands suitable for agriculture, and with reference to lands suitable for pastoral purposes,—a great portion of which was not much good for either. He hoped the hon. member would pardon him; but that did seem to him to be the height of absurdity. [MR. VENN: For purposes of alienation only.] For any purpose, he submitted that the argument was absurd.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the Government intended to oppose the proposition of the hon. member for Wellington, because, if they were to agree to it, they would be virtually admitting that all their trouble and all their time in endeavoring to deal with this question had been thrown away, and that they were now seeking to do that which was not desirable. He thought they must all recognise the difference between some portions of the colony and others, and that they should endeavor to frame regulations that, as far as possible—which was all they could hope to do—would suit the various and varying conditions and circumstances of the colony, which was the aim of the present regulations.

MR. SHOLL said that, whilst disagreeing with many of the regulations submitted by the Government, he in-

tended, in this instance, to support the views which had just been expressed by the Commissioner of Crown Lands. He thought it would be a mistake to apply the same principle to all parts of the colony alike.

MR. VENN said his amendment would simply have the effect of including the South-West division of the colony in this clause, extending the principle of alienation, on certain conditions, to be hereafter discussed, to that part of the colony, as well as to the other divisions. It would not affect the Northern portions of the colony; and if the Government and the friends of the Northern divisions of the colony would support him in this, he and those who were acting with him would be prepared to support the Government proposals, in other respects. He was aware that there were some hon. members who were neither in accord with his proposition nor with the propositions of the Government, and he would point out to those hon. members that unless they agreed to this amendment they were not likely to get what they really did want.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the amendment, so far as he could see, was altogether unnecessary. The object of the clause was to provide means whereby lands might be set apart for special purposes, and the proposition of the Government was this: that before any land should be so set apart for selection it should be surveyed; that twelve months' notice of the intention of the Government be published in the *Gazette*, and that a description of the land proposed to be included within any special area should be laid before that House for at least one month. The Government also proposed to modify the conditions upon which the land within these areas should be selected, the payment being at the rate of 1s. an acre, extending over ten years; the minimum area to be set apart for selection being 5,000 acres. It was not proposed that these conditions should apply to this part of the colony, and therefore the Government could not accept the hon. member's amendment.

MR. VENN explained that he was moving this amendment in the light of further amendments, which he intended to submit later on, and it was a very

difficult matter to deal with all the amendments beforehand. However, he must do the best he could. So far as the Northern portions of the colony were concerned, he thought it would be far better for them to accept the present amendment than the proposals submitted by the Government—better for them in every way, for he would surround direct purchase, or in other words free selection, with such restrictions in every part of the colony, that pastoral lessees would be so safe-guarded that it would almost give them supreme control over their runs. If any man wished to select land out of their runs, they need not be afraid, if the conditions which he proposed were adopted. Free selection then could do them no harm, while at the same time it might prove very beneficial to the colony. The principle, he maintained, was a right one, and he intended to stick to it, right through these regulations, and it was this—that no land in the colony should be locked up. Practically it might be said that this would be locking up the lands of the colony to some extent; but his desire was to meet the Northern settlers as far as he could, and to do all within his power—consistent with the principle which he advocated—to protect their interests. To that end he would surround free selection with so many safeguards that these Northern lessees need have no fear. He would provide that before a free selector could get possession of any portion of another man's land he must expend a very considerable amount of money in improving his selection, so that no one would think of taking up land for speculative purposes only, or for the purpose of harassing and levying black mail upon the lessee.

MR. WITTENOOM could not agree with the proposition to have special areas all over the colony, and he could only wonder that any hon. member with the experience possessed by the hon. member for Wellington should propose such a thing. The hon. member said that his proposition would give a lessee supreme control over his land. That might be very well where the land was not suited for agriculture, as in the North, but it would not be a good thing for this part of the colony where land suitable for agriculture could be found; and this, he presumed, was the reason why the

Government excluded the South-West division from the operation of this clause.

MR. VENN said his object was to hedge round free selection—that great bugbear, that frightful ogre of which some hon. members and many people were so much afraid—to hedge it round with such conditions that it could no longer be held over the heads of lessees. He would not absolutely prohibit free selection in any part of the colony, but he would insist on surrounding it with such conditions that the land could only be taken up for *bona fide* purposes of improvement and cultivation. That was all he sought to do.

MR. LOTON said that to his mind it did not much matter whether the committee accepted the Commissioner's clause or the hon. member for Wellington's amendment: it depended in a great measure upon what followed after. [MR. VENN: I quite agree with you.] It was contemplated all through these regulations that alienation and free selection should be granted on some conditions or other; but this particular clause only applied to the five divisions named. He understood that the hon. member for Wellington intended to make no provision for limiting the extent of those special areas, and he thought that was a very objectionable feature in the hon. member's proposals. If the Government could declare special areas without regard to the size of those areas, they might declare special areas within any lease in the colony. This would simply be perpetuating at the North those evils which had taken place, in the past, in these southern portions of the colony.

THE HON. J. G. LEE-STEERE said that occupying the position which he did it was not his intention to speak at any length upon the subject before the committee, but he thought, after occupying the somewhat prominent position which he did in connection with the select committee's report, and having added a rider to that report, it was well that he should now repeat what he had stated in that rider—namely, that he had the greatest objection himself to any shutting up of the lands of the colony. There were two different opinions, he believed, dominating hon. members on this subject. Some hon. members wished that no alienation whatever should be

permitted as regards lands in the North, while there were other members who wished that there should be alienation, on certain conditions; and he apprehended there would be a considerable majority in that House who would favor this latter proposition—that there should be alienation on certain conditions. Therefore it was for the majority of the House to consider what these conditions should be. He must say there were some conditions in the amendments now put forward by the Commissioner on behalf of the Government with which he was unable to agree. In the first place, there was no direct motive power by which these special areas should be set apart. He was of opinion that there should be certain areas set out and surveyed in these Northern districts—not that the Governor may set apart such areas, for, if optional with a Governor whether he would set apart lands for such areas or not, the probability was that they never would be set apart. He thought there should be some motive power to provide that these areas *shall* be set apart, when, in the interests of the colony, it was desirable they should be. Another objection which he had to the amended proposals of the Government was as to the condition requiring a description of the land to be laid on the table of that House for 30 days before possession was taken of it. That would lead to interminable debates and contention in the House on every occasion that the Government wished to open out special areas, and there would be no finality as regards these regulations. He thought that was a most objectionable feature in these amendments of the Government, and he felt sure it would do no good. Before resuming his seat he might be allowed to express the hope that the result of their deliberations upon this all-important subject would be to suggest for His Excellency's consideration a set of regulations which would be advantageous not only to the members of that House but to the colony at large.

MR. WITTENOOM said, with regard to motive power he presumed that these areas would be declared upon the application of any number of parties who expressed a wish to take up land in a particular locality. As to free selection, he was opposed to it in the northern parts of the colony, and for these reasons: firstly,

there was no land within those districts fitted in any way for agricultural purposes, and, secondly, because past experience had shown that after all the years the land had been open not a single blade of grass had been grown upon it. At present our northern lessees had an unconditional pre-emptive right and also a right of challenge, and if any regulations detrimental to their interests were to come into force as regards free selection, there was nothing to prevent them for the next six years from exercising those rights and picking out for themselves the choicest portions of their runs. Under these circumstances he thought that free selection would be a mistake as regards our northern lands, and detrimental to the only industry for which that portion of the colony was adapted; and—

THE CHAIRMAN: The only question before the committee is the question of alienation.

MR. WITTENOOM said he thought that the restricted alienation proposed by the Government was quite sufficient for the country. There was no desire on his part to lock up the land, but that these special areas when declared should be utilised for some useful purpose.

The amendment submitted by Mr. VENN was then put, and negatived, on the voices.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) then moved that the clause be struck out, in order to introduce another clause in lieu of it. The Government, after further consideration, had—as he had already informed the House—thought it would be advisable to alter the regulations as regards special areas, and, in order to carry out that intention, that the clause as it now stood be struck out, and the clause standing in his name on the Notice Paper be inserted in lieu thereof, as follows:—“*Alienation.*—The Governor in Council may define and set apart any Crown land in the Kimberley, North-West, Gascoyne, Eastern, and Eucla divisions, of not less extent than 5,000 acres, as a special area; and may declare any such area as open to selection under the provisions of these Regulations; and may withdraw any such land from being so open. Provided that, before any land in such area which shall be situated within a

"pastoral lease shall be taken possession of by the Commissioner, and withdrawn from such lease, twelve months notice shall be given in the *Government Gazette*; and that a description of the land to be comprised in such special area shall be laid before the Legislative Council at least thirty days prior to possession being taken; and after the expiration of the aforesaid twelve months the pastoral lessee shall cease to have any claim to the land so declared. Provided, however, that in the event of the area not being sold, or only partially sold, the Commissioner may grant the lessee the right to depasture his stock upon the whole or any portion of such area, on payment of the usual rent; or, in the event of the land being no longer required as a special area, may order that the land be restored to the pastoral lease from which it was originally taken."

The original clause was then struck out.

MR. McRAE moved that the following words be inserted after the word "area," in the sixth line of the new clause, "for purposes of cultivation only." He thought they ought to insert some provision to this effect. The object of declaring these special areas at all was to encourage agriculture—in fact, there could be no other excuse for interfering with the pastoral lessee's tenure—and he thought they ought to insist that the land taken up in these areas should be taken up for purposes of cultivation, and for no other purpose.

THE HON. J. G. LEE-STEERE said it might not be apparent to everyone that this was only another way of saying that there should be no alienation at all in these northern districts, for they were told and assured that there was no land fit for cultivation at the North.

MR. McRAE: I maintain that there is land fit for cultivation in the Kimberley district.

MR. WITTENOOM: We say that a great deal of the land is unfit for cultivation, but if any enterprising gentleman, with plenty of means, thinks there is an opening for him up there to go in for cultivation, we say let him do so. If those who want the land within these areas want it for any other purpose than for purposes of speculation or harassing

the lessees, we say they must want it for cultivation.

MR. VENN expressed himself strongly opposed to the amendment, and in doing so he believed he was echoing the feeling of the country generally. As a rule, he thought it was well to have a cultivation clause in land regulations, but he thought there was great force in the argument that they should not dictate to a man what he should do with his property, so long as he improved it. As to cultivation not having been resorted to in the past that was in a great measure because the land had been in the hands of people who found it suited them better to grow wool.

MR. LOTON hoped there was sufficient broadness of view and good sound common sense in that House to oppose the amendment now before them, and to carry that opposition into effect. It did seem an absurdity to attempt to legislate with such extreme nicety as this—that if a man took up land he must only do one particular thing with it. The occupier might expend hundreds of pounds in irrigation, for instance, and in the end find that the land was unfit for cultivation; but was the money expended in improving the land by means of irrigation to count for nothing? Would not that land be improved for pastoral purposes? If it would not grow corn, would it not carry a great many more head of stock? Why then should a man not be allowed to get the benefit of his improvements, simply because he did not find it paid him to go in for cultivation?

MR. BURGESS—who himself had on the notice paper an amendment of a somewhat similar character—said he was aware there was a great diversity of opinion on the subject, but he thought a good deal of cultivation might be done at the North, in certain directions—tropical or semi-tropical cultivation; and he took it that the object of Mr. McRae's amendment was to encourage the attempt. He had no wish, however, to force this amendment upon hon. members.

MR. MARMION had thought that the objection to a cultivation clause for the North Districts was the fact that there was no land there adapted for cultivation, but it appeared now, when they came to the crucial point, that some hon. members who had been putting forward that

argument were now anxious to get away from it. He thought that in every part of the colony, in these Southern areas and also in our Northern Districts, the cultivation of the soil should be encouraged as much as possible; and, so far as practicable, it should be made compulsory, when land was set apart for other purposes than pastoral purposes. What was their object in constructing railways but to encourage agriculture, to increase the productiveness of the soil, and to settle a thriving and contented population on it? He failed to see why lands should be taken away from the pastoralist unless it was with the object of converting it to some still better purpose, and what better purpose could there be, in the interests of the colony at large, than cultivation? Why should an important industry like the pastoral industry, for the prosecution of which these northern lands were adapted—why should an important industry be harassed and paralysed unless it be in order that the land might be devoted to cultivation?

MR. GRANT would allow cultivation and encourage cultivation where it could be carried on successfully; but he should not like to see land taken away from the present lessees, who had spent large sums of money in stocking and improving its grazing capabilities, except for purposes of *bona fide* cultivation. It would be a different thing if they could be put to any better use than grazing, but that could only be by cultivation.

MR. BURGESS: That is just the object of the amendment. If these northern lands are leased under some conditions affording a moderate degree of security it will induce the lessees themselves to enclose the best portions of their runs into paddocks; and if the land is—as is now proposed—to be open for selection, it would be most unfair to take it away from the lessees who now held it for purposes of pasture and give it to anybody else to hold it for the same purpose, or for purposes of speculation. It would be unfair to do so for any purpose except for purposes of cultivation, and that is the object of the amendment now before the committee.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the Government were unable to support the

amendment of the hon. member for the North. It seemed to him that His Honor the Speaker, and, he thought Mr. Loton, had hit the nail exactly on the head. The object of the amendment was to prevent alienation altogether in these Northern districts. Hon. members were aware that that was not the object of the Government. The object of the Government was to try and settle people on the land. One would really imagine—if he were a stranger here he should himself imagine—that every pastoral lessee in the colony was a most exemplary individual, fired with a desire to improve his land in every possible way, and that these lessees were doing all that possibly could be done with their holdings—[MR. BURGESS: So they would if you would encourage them to do so]—whereas his past experience had shown him that almost the reverse was the fact, and that large areas were held by lessees who had done nothing to them, nor attempted to put any stock upon them; and he believed this would always be the case, even under the new regulations, with many lessees; they would not utilise the land and improve it to that extent of which the land was capable of improvement. Therefore he thought if the Government of the day and the Legislature of the day believed they could set apart these special areas in any part of the colony on which a population would settle and take up small locations, up to 5,000 acres, it would result in permanent advantage to the colony. He thought that a man who took up his 5,000 acres for a special purpose, and was satisfied with that 5,000 acres, would be more likely to do some real good with it, both for himself and the colony, than the man who held his 100,000 acres besides. He thought the Northern settlers had every reason to congratulate themselves upon the general tenor of these regulations, for they certainly were liberalised more in their favor than in favor of any other section of the community. He thought they ought to thank their stars they were not living in this Southern division of the colony, for which he was sorry to say the Government were unable to do but very little, or nothing at all. He believed himself there was no chance of the hon. member carrying his amendment and that the House would not look

at it; and, so far as the Government were concerned, they intended to oppose it as much as ever they could.

MR. SHOLL was sorry to see the Commissioner of Crown Lands altering his opinion. When the hon. gentleman introduced these regulations he advocated the principle of security of tenure, which was the object of the amendment now before the committee. It must be known to all who knew anything about this Northern territory that the land was only fit for pastoral purposes, and why should they not give every inducement to pastoralists to improve the land, by giving them security of tenure? Without this security of tenure it was not likely that they would go to the expense of improving the land, so as to make it carry more stock, when at any moment the free selector might come in and take up the best part of the land. If they were going to allow these people to come in without surrounding them with conditions as to cultivation, what would be the result? The lessees would be liable to be harassed on every side. It was admitted by the Government that it would not be fair to take away the land from the pastoralists except in order to give it to those who cultivated it, and, if so, why should they not insert these words in the clause? If the land was not fit for cultivation, it ought not to be set apart for any other purpose. Surely it was not intended that the lessees were to have no security of tenure at all.

MR. HARPER said that when he spoke to the general question, he said he was opposed to alienation upon any condition whatever in the North Districts, except the Kimberley District. But, although he said that, he was second to no one in wishing to see people settle on the land; and when the Commissioner told them it was the desire of the Government to settle people on the land, he presumed he included the whole of the lands of the colony. But he could not conceive anyone who knew the whole of this colony thinking there was any probability of any man settling upon 5,000 acres in these Northern Districts, excepting, perhaps, in the Kimberley District, and there only for the cultivation of tropical products. It was absurd to think that Europeans would settle on the land. They might get Chinese or

Asiatics to do so; but certainly not Europeans, for the purpose of cultivating small blocks. There was no part of Australia, possessing the same kind of country, with the same climatic drawbacks, where it was done. With regard to irrigation effecting such wonderful improvements in the pastoral capabilities of a country, as the hon. member, Mr. Loton, seemed to think, he thought if the hon. member had read or studied the question, he would have found that in no part of the world had grazing been prosecuted, with success, by the aid of irrigation. Irrigation essentially made it necessary that the land should be cultivated, and, not only cultivated, but also levelled—an extremely costly operation.

The committee then divided upon Mr. McRAE's amendment, when the numbers were—

Ayes ...	...	...	8
Noes ...	...	...	13

Majority against ... 5

Ayes.	Noes.
Mr. Burges	Hon. M. S. Smith
Mr. Crowther	Hon. S. Burt
Mr. Grant	Hon. J. A. Wright
Mr. Harper	Mr. Brockman
Mr. Marmion	Capt. Fawcett
Mr. Sholl	Mr. Loton
Mr. Wittenoom	Mr. Layman
Mr. McRae (Teller).	Mr. Parker
	Mr. Randell
	Mr. Shenton
	Mr. Steere
	Mr. Venn
	Hon. J. Forrest (Teller).

MR. VENN moved that all the words after "*Gazette*," in the 16th line, and down to and including the word "taken," in the 21st line, be struck out. He failed to see what good this provision, as to laying on the table of the House a description of the land proposed to be set apart as special areas, could be. He thought that, to say the least of it, it would lead to some unpleasantness, and possibly to a considerable amount of discussion and ill-feeling in the House, session after session. They wanted some finality about their land legislation; but the result of this would be, that when the description of the land was laid on the table, every hon. member interested in the proposed special area would urge a score of objections to it. It would be far better to leave the matter in the hands of the Governor-in-Council or the Surveyor General.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the Government had no wish to press this condition. The Government were quite prepared to accept any amount of power that hon. members wished to entrust them with. This condition was simply introduced as a concession to the members of that House who might be interested in these northern lands. It was, however, a condition that was not unknown in some of the other colonies. The same provision was contained in the South Australian Act. But the Government had no particular desire to press it here. They had simply desired to give a little more security to the pastoralists of the Northern portion of the colony.

THE HON. J. G. LEE-STEERE would like to point out that the circumstances of South Australia were totally different from the circumstances of this colony. The Government there had already reserved large areas of land for agricultural purposes and purposes of settlement, and they said, "We won't reserve any more until Parliament is consulted on the question." That was a totally different state of affairs from what existed here, because here no land had been alienated and set apart as such areas. He looked upon this provision as an invitation to the members of that House, on every occasion when the Government proposed to alienate land, to raise objections to it. He could look upon it in no other light.

MR. RANDELL asked the Chairman what would be the result of laying any matter like this upon the table of the House?

THE CHAIRMAN: Goodness only knows what the result would be.

MR. RANDELL: What privilege would it confer upon the House?

THE CHAIRMAN: It would give the House a certain amount of information: that is all.

MR. MARMION said it appeared to him that the object of doing this would be not so much to invite discussion, as to enable anyone who might feel aggrieved at the proposal to set apart any particular area to point out to the Government that they would not be acting wisely or fairly in that particular instance; so that, if the occasion for it arose, the representatives of the people in that House

assembled might interpose. It seemed to him a very fair provision. Other matters were laid on the table of that House for the information of members, and he was not aware that it had led to any great amount of strife or contention. The minute book of the Finance Committee, for instance, was laid upon the table every session, but he had yet to learn that it was placed there with the view of eliciting hostile criticism. [**MR. STEERE:** Yes, it is.] He submitted that it was laid there simply for the information of the Legislature, and if any hon. member thought proper to criticise, in a hostile spirit, any expenditure incurred by that body, no doubt it was open for him to do so. But he maintained that the minutes were not placed there for the purpose of inviting hostile criticism, any more than would the description of the land proposed to be included in these special areas.

MR. PARKER pointed out that as regards the minute book of the Finance Committee that was the only way in which the House could come possessed of that information: but, in the case of these special areas, they would have all the information in the *Gazette* notice; and if the description of the land was to be laid on the table simply for their information, there was no necessity for it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he did not suppose that any great advantage would be gained by it, but still it showed that the Government were desirous of consulting the Legislative Council in this as in other matters. That was the object of this provision. Whether under the present constitution, or any other constitution, he thought the representatives of the people in that House had a perfect right to express their opinion upon this or any other subject of public interest. After all, it would be a mere formal proceeding; for, as to any objection that members might wish to raise to any particular area being declared, they would be aware of the intention of the Government in the matter, just as much without this formality as with it.

MR. GRANT thought it was a very necessary provision to make, and a great concession on the part of the Government to that House, showing as it did that they recognised the rights of the people to

have a voice in the land legislation of the colony. Although some hon. members were not at present averse to alienation, a change might come over them some day, and they would be very glad of an opportunity of giving expression to that change. Moreover, the Government were not always so well informed as regards some parts of the colony as the representatives of the district might be, and it might be very desirable that some information on the subject should be had. Some of these special areas which the Government might be asked to proclaim might be the key to every valuable part of a district, and the Government might not be aware of it. It might also be desirable to point out to the Government that the land within these areas was worth more than the upset price proposed to be put upon it. There were many reasons why he thought this provision should be retained.

MR. RANDELL said he did not understand it was intended so much as a concession to the representatives of the people in that House as it was to the Northern settlers. He thought the particular objection to it was to be found in the fact that it invited action as well as discussion on the part of the Legislature, whenever a special area was about to be declared, and that in this way there would be an absence of all finality in their land legislation.

The question was then put—that the words proposed to be struck out stand part of the clause; and, a division being called for by Mr. Venn, the numbers were:—

Ayes ...	...	...	16
Noes ...	...	...	5
Majority ...	...	...	11

AYES.
Hon. M. S. Smith
Hon. S. Burt
Hon. J. A. Wright
Mr. Burges
Mr. Crowther
Capt. Fawcett
Mr. Grimal
Mr. Harper
Mr. Loton
Mr. Marmion
Mr. McRae
Mr. Parker
Mr. Pearce
Mr. Sholl
Mr. Wittenoom
Hon. J. Forrest (Teller).

NOES.
Mr. Brockman
Mr. Layman
Mr. Randell
Mr. Steere
Mr. Venn (Teller).

Question—That the clause stand part of the Regulations—put and passed.

MR. VENN moved that progress be reported, and leave asked to sit again on Thursday, 29th July.

Question—put and passed.
Progress reported.

The House adjourned at a quarter to eleven o'clock, p.m.

LEGISLATIVE COUNCIL,

Thursday, July 29th, 1886.

Vaccination of Aboriginal Natives in the Northern Districts—Responsible Government: Mr. Venn's notice of motion—Eradication of Scab in Champlon Bay and Irwin Districts—Magisterial Districts Bill: first reading—Goldfields Bill: first reading—Land Regulations: further considered in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

VACCINATION OF NATIVES IN THE NORTHERN DISTRICTS.

MR. GRANT, in accordance with notice, asked the Acting Colonial Secretary if it was the intention of the Government to carry out the provisions of the Vaccination Act on the aboriginal natives in the Northern Districts of the colony. This matter had been brought under the notice of the Government in that House two or three years ago, but he was not aware that any action had been taken in the matter. He thought it was very desirable indeed that the Government should take action in the matter, and have as many of these natives vaccinated as they could.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) laid on the table a circular issued by the Government to the magistrates, on the subject referred to, and said that it would be sent from the circular that it was the intention of the Government to do all in