

CONSTITUTION ACT AMENDMENT BILL.

THIRD READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Bill be now read a third time.

THE HON. J. MORRISON: I beg to move, as an amendment, that this Bill be read a third time this day six months. I do so for these reasons: Right through this Bill there has been a certain majority in this House, on all the divisions but one, against the main principles of it. When we found the other evening that the first sub-section, relating to the qualification of electors, in the second part of the Bill, was carried, I thought it was advisable to enter a protest against the whole measure, even if it only proved to be a formal one. I do not, however, move this amendment as a matter of form, but because I think that in doing so I am studying the best interests of the whole of the colonists of Western Australia, and I am quite sure that hon. members—perhaps they will not vote with me, although the division lists show who ought to—will agree with me that I am merely actuated in this amendment by a sense of duty. I make this motion because I consider that the present Bill does not really convey the liberal franchise it is reported it does, and because I think in practice it is likely to cause more discord and discontent among the colonists than it will give satisfaction. I am also of opinion that any extension of the franchise which is called liberal should be liberal, and should extend to every person in the colony—whether male or female—above the age of twenty-one years, and thus put an end to this constantly recurring and agitating question, and place it out of the range of practical politics. I am also of opinion that a change in the Constitution at the present time is neither judicious nor advisable in the interest of Western Australia. Had it been necessary, a direct reference should have been made to the various constituencies. The question of extending the franchise not having been taken into public account when the present Parliament was elected, I think, before we sanction it, the electors should be allowed to have a voice on the subject. For these reasons I beg to move that the Bill be read a third time this day six months.

There being no seconder, the amendment lapsed, and the Bill was read a third time and *passed*.

GOLD DECLARATION BILL.

THIRD READING.

The Bill was read a third time, and *passed*.

KENSINGTON LANE CLOSURE BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

WINES, BEER, AND SPIRIT SALE ACT AMENDMENT BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

ADJOURNMENT.

The Council, at 8:20 o'clock p.m., adjourned until Tuesday, 12th September, at 2:30 o'clock p.m.

Legislative Assembly.

Monday, 11th September, 1893.

Road from Jandakot to the South-Western Railway—Leave of absence to Member for Plantagenet—Economy in the Erection of future Railway Stations, &c.—Legal Practitioners Bill: Legislative Council's amendments—Constitution Act Amendment Bill: Legislative Council's amendments—Gold Declaration Bill: first reading—Engine Sparks Fire Prevention Bill: third reading—Chattels Foreclosure Bill: second reading—Fremantle Water Supply Bill: in committee—Loan Bill, 1893: in committee—Homesteads Bill: further considered in committee—Adjournment.

THE SPEAKER took the chair at 7:30 p.m.

PRAYERS.

ROAD FROM JANDAKOT TO SOUTH-WESTERN RAILWAY.

MOTION FOR ADJOURNMENT.

MR. CANNING: In rising to move the adjournment of the House I wish to direct attention to the urgent necessity

that exists for the construction of a road from Jandakot area to some point on the South-Western Railway. Settlement has been going on in the locality I have mentioned for some considerable time past, but the farmers find themselves in the position that farmers have been in for many years past, that is to say, they cannot get their produce to market at anything like reasonable rates.

MR. R. F. SHOLL: I never heard they had any.

MR. CANNING: The hon. member might satisfy himself about that by getting a horse and riding out to-morrow morning. Until these settlers have a road, they are certainly under a great disadvantage, and new arrivals will be discouraged from settling there, if they find they are to be in the same position. We know that a few miles of heavy cartage places our farmers at a serious disadvantage compared with growers elsewhere who have greater facilities of transport; and, if the cultivation of these areas set apart for agricultural purposes is to be encouraged, a matter that requires attention at an early date is the construction of a road to enable the settlers to bring their produce to market. I beg to move the adjournment of the House.

Question put and negatived.

LEAVE OF ABSENCE TO MR. HASSELL.

MR. PHILLIPS, on behalf of Mr. A. FORREST, moved that leave of absence be granted to the hon. member for Plantagenet, for fourteen days, on account of urgent private business.

Question put and passed.

ECONOMY IN CONSTRUCTION OF FUTURE RAILWAY STATIONS, &c.

MR. R. F. SHOLL, in accordance with notice, moved, "That in view of the many demands upon the resources of the colony, this House is of opinion that in future, when constructing railways, the Government should exercise more economy in the erection of railway stations, platforms, &c., than has been done in the past; and this House is also of opinion that the amount proposed to be expended upon and in connection with the railway station at Bunbury is in excess of the requirements of the district and the means of the colony, and that the Government

be requested to select a less expensive site for the station than the one now proposed." The hon. member said he had been for some time impressed with the necessity of exercising greater economy in this direction. He had been struck with the fact that the Government, in constructing and equipping their railways, went to a great deal of unnecessary expense with their station buildings and platforms along the road; and, while we had so many calls upon the public Treasury, he thought it would be in the interests of the colony if a little more economy were exercised in these matters. He might say, in dealing with the South-Western Railway, just completed, that he had not himself yet travelled along that line, but he found from a return laid on the table that a little station just across the river, at Burswood, cost £590 8s. 10d. What on earth they required a station there at all, costing anything like that amount, he could not say. Then, seven miles out, they came to Cannington, where they had a station that cost no less than £1,424 14s. 1d. He thought that a small shelter and a very small platform, costing £200, would have been ample for the requirements of that district for some time to come. Then they went on to Kelmscott station, which cost £397, and, a little further on, they came to Armadale, where the station cost £300. At the Jarrahdale junction they had another station, costing £546; while at the Serpentine the station cost no less than £1,380. It did appear to him that these were very large sums to spend on roadside stations and platforms. Then they came to Pinjarrah. The estimate for that station (which was not yet completed) he found, was £3,067; and £2,480 had been expended up to date. Other stations and platforms of minor importance ranged from £160 to £263, making a total of £8,859 on this one line of railway. It did appear to him that this sum might well have been largely reduced. Then again there was the station or platform recently erected at Cottesloe, between Perth and Fremantle. He did not know what it actually cost, but there could be no doubt that there had been undue extravagance, and that the money might have been utilised for a much better purpose. Then there was an expensive platform and other accessories at Chid-

low's Well, which he admitted were undertaken before the present Government took office, but which were far beyond the requirements of such a place for many years to come. Coming now to the second part of his resolution, referring to the Bunbury station, it was rather difficult to say what this station was likely to cost, the estimated cost ranging from £14,000 to £20,000, which was too large a sum altogether to be spent for such a purpose in any district in the colony, no matter where it was. The money might be far better expended in providing telegraphic communication to some of our goldfields, or in providing a water supply, or in other absolutely necessary public works. He did not mean to say that Bunbury should not have a railway station, and a station suitable for its requirements; but it did appear to him that the large sum proposed to be expended in connection with this station was altogether unwarrantable, and altogether beyond the resources of the colony, and certainly beyond what was necessary in a small town like Bunbury. Then, again, they were told the other day that it was proposed to spend £19,000 in connection with the railway station at Geraldton. He was sure that all the requirements of Geraldton would be served by a much less expensive station. He believed it would be stated that a great deal of this expense he had referred to was caused through the department having to lay down sidings; but why that should be so, he was not in a position to form an opinion. But he did hope that the Government, in the future, would exercise greater economy in this direction, and put up less expensive structures in the future than they had in the past. He thought that, so long as railway communication was given to country places, people along the line should be satisfied with a plain platform and a mere shelter from the weather, inexpensive galvanised iron structures, for the protection of their produce, and with less money expended in mere ornamentation. When they remembered that the whole of their coast was very imperfectly lighted, and especially their Northern ports, and that the Government said they could not find the money for these necessary works, he thought it was monstrous that so much money should be wasted in the erection

and ornamentation of elaborate railway stations all over the country. As for the Bunbury station, he hoped the Government might be able to select a less expensive site than that at present proposed. He understood it was close to the sea coast. As the town could never extend seawards, it appeared to him that this was a mistake, for if the town extended at all, it would be inland, and it would be very unwise policy to adopt a site for a railway station which would be of little or no use in the future. In any case the amount proposed to be expended on this Bunbury station was altogether in excess of the requirements of the district, and beyond the means of the colony.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said he had almost hoped that the hon. member, by this time, had got over a little of the irritation which existed in his mind when he first tabled this motion. It must be apparent to every member who had travelled over the South-Western Railway that the hon. member's remarks were not borne out by facts, nor his motion either. The motion referred to "the many demands upon the resources of the colony;" that was quite correct. Then it went on to say that "the Government should exercise more economy in the erection of railway stations, platforms, etc." He supposed that, as Ministerial head of the department, he was responsible for these stations on the South-Western Railway. The Government, realising that if it was a right thing to build that line at all in anticipation of the traffic it was likely to create, thought it was also the right thing to anticipate the requirements of that traffic. But he ventured to say that no member who had travelled on that line—the hon. member who brought the motion forward admitted that he had not—would say that there had been any expenditure incurred that could have been avoided, in view of the requirements not only of future traffic but even of the present traffic. The hon. member referred to the station at Burswood as a sample of extravagance. Really, he did not know how they could have had a more simple structure than that at Burswood, if they were going to provide any accommodation at all. Why, his own cattle sheds had cost more,—three times as much. The hon. member allowed nothing for the cost

of land resumed for railway stations, but led the House to believe that the sums he had mentioned were spent on buildings alone. As a matter of fact, many of these station buildings did not cost more than £150; the platforms might have cost from £180 to £200, according to the level. From Pinjarrah downwards there was nothing but the plainest and smallest kind of shelter sheds. At some of the stations, and especially at Pinjarrah, loop lines had to be built, and sidings, which necessarily added considerably to the cost. He did not believe that anyone who had travelled along this line would agree with the hon. member that there had been any extravagant expenditure at all. If they intended to encourage traffic on their railways, they must give country people the same facilities as those in town, and not throw their goods on the ground, exposed to the rains of winter, and the blaze of the summer sun. They were building a very fine station at Perth, and they had very decent stations along the Eastern Railway; and he did not think that the expenditure in this direction on the South-Western line had been at all extravagant. In fact this line was one of the cheapest lines ever constructed in Australia, even including the cost of stations. It was the cheapest line ever constructed in this colony, until we built the Yilgarn line. As to the station at Bunbury, the Government had fixed upon a site, but not until the claims and advantages of two other sites had been fully discussed, and abandoned. The valuation of the land on one of these sites was £3,800, and on the other £4,800; while the valuation of the block of land where the station was to be was only £1,500 or £1,600.

MR. RICHARDSON: Then where does the £12,000 or £14,000 come in?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said the hon. member was quoting the figures of the mover of the resolution, and not the figures of the department. The sum total, according to the departmental estimate of the necessary buildings and platforms, amounted to £6,309. The station itself would cost about £1,800, which was not such a very large amount for a place like Bunbury. The cost of reclamation, which was put down at £3,400, was not more than it would have been if they had adopted the £4,800 site;

and, altogether, he did not think a more suitable site could have been chosen. That was also the Engineer-in-Chief's opinion (which the hon. gentleman read). The Engineer-in-Chief had no hesitation in saying that the site now selected was the most suitable for future developments. It was very probable that a very extensive coal traffic might be looked forward to in this district in the future, and this site would be admirably suited for such a traffic, being convenient to the shipping. The Engineer-in-Chief was quite clear that the site selected was the best of the three alternative sites. The hon. member was also wrong in his figures about Geraldton, when he said the station there would cost £19,000. The whole cost of the resumption of land and everything would not be more than about £10,000. It was not the buildings and platforms that ran away with the money, but the grading, and the sidings and other necessary conveniences for working the traffic. Our Eastern Railway, when first constructed, was provided with no conveniences—the whole thing was starved—and the result had been that from that day to this the Government had had to encroach upon current revenue to provide them, which was not a desirable thing. He hoped the House would not support the hon. member's motion. The Government had gone into this matter with the greatest possible care, and with a view to economy, and he did not think that any member could fairly say that the Government had been extravagant in their expenditure in providing conveniences of traffic for the public. If we built railways and intended to develop the country's resources, we must provide such facilities and conveniences as were necessary to meet the demands of the public.

MR. MONGER was very glad that the hon. member for Gascoyne had brought forward his motion, because it had at last brought under the notice of the House the proposed large expenditure in connection with the Bunbury Railway station. But he felt sure that after the nice way the Commissioner of Railways had explained everything in connection with that matter, this would be the last time they would hear any mention of extravagant expenditure in connection with this particular railway. Probably,

if the hon. member for the Gascoyne had availed himself of the pleasure of being present the other day to partake of the hospitality of the contractor for that line, he would never have brought forward this motion, at any rate so far as this particular line was concerned. He regretted to learn that such a large expenditure was contemplated at Geraldton. He thought if the people at Geraldton had any spark of patriotism about them, they would have built their own station, after the liberal way in which they had obtained compensation from the Government for their land. He was sure the district did not warrant any such expenditure as this upon its railway line.

Mr. RICHARDSON thought it was rather unfortunate that the hon. member had brought forward his motion in its present form; he would have been more likely to have met with support if he had divided it into two separate motions. As it stood, it involved two accusations against the Government, one accusing them of general extravagance in connection with the erection of railway buildings, and the other affirming that the House disapproved of the proposed expenditure on the Bunbury station. He thought the allegations as regards some of the stations on the South-Western Railway were not altogether unfounded, though he must admit that the Commissioner of Railways had satisfactorily explained the cause of this large expenditure. Still, he thought, we could have done without some of these conveniences for some years to come, until the traffic became developed and established, so as to enable us to determine where would be the most convenient sites for these stations, for, no doubt, some of them would be found to be in a wrong position. When they heard that £1,400 had been expended in providing stations at the Canning and at the Serpentine, he thought there was some ground for saying that the expenditure was not at present warranted, and would not be for many years to come. With reference to the site of the station at Bunbury, no doubt it was a vexed question, and he doubted if any private member was capable of arriving at a practical and intelligent solution of the question at all. The net result of the debate, he thought, would be—he hoped it would be—to impress

upon the Government the necessity of studying the strictest economy, at this juncture in our history. It was much easier to let the dollars go than to get hold of them again; and he thought the Government could not be too careful in their expenditure, and in not incurring any expenditure that was not absolutely necessary.

Mr. PATERSON said he should like to call attention to the fact that the shelter sheds on the South-Western Railway were on the lee side of the line, and in the wrong position to afford any protection from the weather.

Mr. CLARKSON said he was one of those who recently, in response to the kind invitation of the Mayor of Bunbury, attended the opening of this line, and he must say he was very much struck with several things as he travelled along. One was the large extent of very inferior country through which the line passed, and the absence of settlement; another was the very nice stations and sheds erected along the line,—many of them far in advance of the railway station at Newcastle, the terminus of the Eastern line, and the chief town of a most important district. He had also been struck with the fact that these shelter sheds faced the wrong way, as they faced the West, or weather quarter, instead of the East. As to the Bunbury station, he should have thought there was plenty of room outside the town for a station, without putting it close to the sea; but he should be sorry to express any decided opinion upon the subject.

Mr. TRAYLEN said the hon. member for the Gascoyne was of course quite within his rights in bringing this matter before the House; but he regretted he was not in accord with the hon. member in the views he had expressed as to the extravagance of the Government in connection with the Bunbury line, and the proposed amount to be expended in connection with the station at Bunbury. He would like to remind members that not many years ago they were discussing a proposal with reference to the Greenbushes tinfields; and, if members believed what they said then about the prospects of those fields, Bunbury was not going to be a humdrum place very much longer, if it was a humdrum place now. They would also, probably, have a proposal before

them shortly, having for its object the development of the Collie coalfield, and, when they bore in mind that some of that very coal took them down to Bunbury the other day, they must see that Bunbury was likely to become a place of very considerable importance in the not distant future. He thought the Government were doing wisely in taking possession of an arm of the sea for their railway station, where they would have ample room to move about, and have every facility for providing for the traffic likely to come from the development of the tinfields and coalfields of the district, as well as the surrounding agricultural areas. He should, therefore, heartily support the Government in what he considered the reasonable amount they proposed to spend at Bunbury.

THE PREMIER (Hon. Sir J. Forrest) said perhaps he might say one or two words in reference to this motion. He thought that his hon. friend the Commissioner of Railways had shown that there had been no extravagance in the way of providing stations on the South-Western line, which was the only line completed since the present Government had been in office. He thought it must be acknowledged by everyone that we were building our railways at a very much lower rate than ever in this colony, notwithstanding all this so-called extravagance that the hon. member had referred to. The hon. member did not say one word about the low cost of this South-Western Railway as a whole; all he desired was to endeavour to show that the Government had been extravagant in the way of stations. He (the Premier) travelled along this line the other day for the first time, and he saw no extravagance. He saw some very nice buildings, here and there—not at all large, and not at all expensive or extravagant. As to the position of some of the sheds, facing the wrong side, he supposed they faced the side of the line where the most traffic was likely to come from. The Engineer-in-Chief had addressed a memorandum to him that day with reference to this question of the cost of our railways, and he remarked that the Bunbury-Boyanup Railway, which was the last line undertaken before the present Government came into office, had cost nearly £3,000 a mile, and there was nothing extravagant about the station

buildings on that line—practically there were none at all; whereas this Perth-Bunbury Railway had only cost at the rate of about £2,000 a mile, exclusive of the terminal station. He questioned very much whether, if the hon. member himself had had the control of the expenditure on these extravagant stations that he talked about, he would have made a reduction of £1,000 in the whole lot; so that if some people took a more sanguine view of the future than the hon. member did, he did not think the hon. member had much cause of complaint. The Government did not wish to spend a single penny more than they could help. Money was not so easily obtained as they could wish, and it would be very foolish on their part to spend more than was absolutely necessary. He must admit, as regards the Bunbury station, the amount seemed a large one; but the fact was that the total amount was made up of so many items, all absolutely necessary, this being the terminal station, that it ran into a lot of money. No other site would have been less expensive, and certainly the site adopted was a very convenient one, and had a great many advantages, including a straight run of about a mile into the station. It interfered with no streets, and it was capable of being extended, at some future time, upon land belonging to the Government. It also afforded an easy means of communication with the jetty or wharf. It had some disadvantages in the way of levelling or grading, but the difference was not so great as the cost of another site would have been for the land alone. The experience of the present Government had been that the moment a railway was proposed to be taken to a district, the value of land required for railway purposes increased tremendously in the eyes of the owners. Of course, he would be glad, himself, if it were possible to reduce the expenditure upon these matters, for he did not want to spend sixpence more than they need spend. But, if we built railways, we must be prepared to spend money. We were building them now, as he had said, at a lower rate, he believed, than railways were ever built before in these colonies, notwithstanding all these expensive stations which the hon. member talked about. While he sympathised with the hon. member in his desire for

economising, he did not think the hon. member was justified in saying that they could have exercised more economy than they had done in this direction. The Government were most anxious to economise, and they would not take the hon. member's motion in any way in a hostile spirit, for, although they did all they could in the way of economising, the motion could do no harm.

MR. R. F. SHOLL said he did not wish to labour this question, but he should like to offer a few remarks in reply to what had fallen from the Premier and the Commissioner of Railways. The Premier said we were getting our railways built now at a cheaper rate than we ever did before. Surely the Government could not take the credit for that.

THE PREMIER (Hon. Sir J. Forrest): Yes; it is due to good management, we think.

MR. R. F. SHOLL did not think so. He thought it was due to the easy character of the country. The present Government seemed to think that the country was indebted to them for every stroke of good fortune, whether it was a low tender for a railway or the breaking up of the drought. But notwithstanding all this cry about our cheap railways, it appeared the Government could not get on without fresh loans to complete them, and additional expenditure in every direction, owing to their original amounts having been under-estimated. He could not help thinking still that the Government had made a mistake in building so many stations and wayside platforms along this South-Western line, being on an average at about every seven miles. He thought it would have been time enough to have erected platforms when they found they were required, as the country became developed and the traffic increased, and not build them in prospect. With regard to the Bunbury station, of course the explanation given put a more favourable construction upon the matter. No doubt there were many features connected with the present site which commended it to the Government. There could be no doubt, as the Premier said, that the Government had to pay a very extravagant price for the land they resumed for railway purposes. He thought the sum to be paid for compensation ought to be based upon the value of the land at

the time, and not upon the enhanced value which it would acquire when the railway was constructed. There was one thing he should like to say with regard to Bunbury. He called it an insignificant town, some evenings ago. He wished to withdraw that now, for he found from a return published in the *Gazette* that for the half-year ended the 30th April last, the total assessments upon the whole of property within the Municipality amounted to no less than £62 19s. 6d., and that the total revenue of the town was £302 3s. 2d.

THE PREMIER (Hon. Sir J. Forrest): How much is it at Carnarvon?

MR. R. F. SHOLL: Carnarvon is not going to have a railway station costing £14,000. We cannot get a few hundred pounds for a lighthouse.

THE PREMIER (Hon. Sir J. Forrest): It has had £20,000 for a jetty.

Motion, by leave, withdrawn.

LEGAL PRACTITIONERS BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

The following Message was received from the Legislative Council:—

"The Legislative Council acquaints the Legislative Assembly that it has agreed to a Bill intituled 'An Act to consolidate and amend the Law relating to the Admission of Practitioners in the Supreme Court, and to regulate their conduct and remuneration in certain cases,' subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

"GEO. SHENTON,

"President.

"Legislative Council Chamber,

"Perth, September 11th, 1893."

Schedule of Amendments made by the Legislative Council in "The Legal Practitioners Bill."

No. 1.—On page 6, Clause 15, sub-clause (d), line 7.—Between the words "board" and "his," insert "constituted by the Acts hereby repealed, or any of them."

No. 2.—On page 6, Clause 15.—Add the following words to the end of the clause: "and is admitted a practitioner within twelve months thereafter."

No. 3.—On page 7, Clause 23, line 7.—Strike out the words “the same penalty and process of attachment,” and insert “in the same manner” in lieu thereof.

No. 4.—On page 7, Clause 27, lines 1 and 2.—Strike out the words “the last preceding section,” and insert “this Act” in lieu thereof.

No. 5.—On page 8, Clause 31, line 3.—Between the words “act” and “or,” insert “(unless such incapacity is caused by the practitioner being struck off the roll or suspended from practice).”

C. LEE STEERE,

Clerk of the Council.

7th September, 1893.

Ordered—That the consideration in Committee of the Legislative Council's Message be made an Order of the Day for Wednesday, 13th September.

CONSTITUTION ACT AMENDMENT BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

The following Message was received from the Legislative Council:—

“The Legislative Council acquaints the Legislative Assembly that it has agreed to a Bill intituled ‘An Act to amend the Constitution Act, 1889,’ subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

“GEO. SHENTON,

“President.

“Legislative Council Chamber,
“Perth, September 11th, 1893.”

Schedule of Amendments made by the Legislative Council in “The Constitution Act Amendment Bill.”

No. 1.—On page 2, Clause 3.—Strike out the first five lines, and insert the following in lieu thereof:—
“Notwithstanding anything contained in the principal Act, the “Legislative Council constituted “by that Act shall not cease to “exist on the coming into operation of Part III. of the said Act, “but shall continue and subsist

“until the issue of the writs for “the first general election of members to serve in the Legislative “Council constituted by this Act, “when such last-mentioned Legislative Council shall take the “place and have all the powers, “functions, and privileges of the “Legislative Council constituted “by the principal Act.”

No. 2.—On page 2, Clause 4, line 1.—Strike out “twenty-one” and insert “eighteen” in lieu thereof.

No. 3.—On page 2, Clause 4, line 2.—Strike out “Divisions” and insert “Provinces” in lieu thereof.

No. 4.—On page 2, Clause 5, line 1.—Strike out “seven” and insert “six” in lieu thereof.

No. 5.—On page 2, Clause 5, line 2.—Strike out “twenty-one” and insert “eighteen” in lieu thereof.

No. 6.—On page 2, Clause 5, line 4.—strike out “and.”

No. 7.—On page 2, Clause 5, line 5.—Strike out “Electoral Districts.”

No. 8.—On page 2, Clause 5, line 6.—Strike out “The West Division comprising.”

No. 9.—On page 3, Clause 6, line 2.—Strike out “twelve months,” and insert “two years” in lieu thereof.

No. 10.—On page 3, Clause 8, line 3.—Strike out “two,” and insert “three” in lieu thereof.

No. 11.—On page 3, Clause 8, line 4.—Strike out “two,” and insert “three” in lieu thereof.

No. 12.—On page 9, add the following new clause, to stand as No. 23:—
“In the case of a proposed Bill “which, according to law, must “have originated in the Legislative Assembly, the Legislative “Council may at any stage return “it to the Legislative Assembly “with a message requesting the “omission or amendment of any “items or provisions therein; and “the Legislative Assembly may, “if it thinks fit, make such omissions or amendments, or any of “them, with or without modifications.”

Consequential Amendment.

Consequent on amendment No. 3: Strike out the word "Division" or "Divisions" throughout the Bill, and insert "Province" or "Provinces," as the case may be, in lieu thereof.

C. LEE STEERE,

Clerk of the Council.

7th September, 1893.

Ordered—That the consideration in committee of the Legislative Council's Message be made an order of the day for Wednesday, 13th September.

GOLD DECLARATION BILL.

Received from the Legislative Council, and read a first time.

ENGINE SPARKS FIRE PREVENTION BILL.

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

CHATELS FORECLOSURE BILL.**SECOND READING.**

MR. MONGER: In moving the second reading of this Bill, I do so with feelings both of pleasure and regret—pleasure in being able to bring forward for the consideration of the members of this House a Bill which has for its object the protection of the financial institutions of the colony; regret that there may be any necessity for bringing the Bill into operation. The Bill has for its only object the placing of financial institutions that advance money on personal property in the same position as people who advance money on real property. To my mind this is a Bill which will commend itself to the good sense of this House, as it already has to the good sense of hon. members in another place. The first two clauses are simply the short title and interpretation clauses. Clause 3, which is an important clause, provides that "If default is made in payment of the principal, interest, or other moneys secured by a bill of sale"—I would call attention to the next words—"whether such bill of sale shall have been made before or after the passing of this Act, or any portion of such moneys, and such default is continued for six months after the time for payment mentioned in the bill of sale, or if no time for payment is

"mentioned therein after demand for payment has been made in the manner mentioned in the bill of sale, the grantee or the attorney or agent of the grantee may apply in writing to the Registrar for an order for foreclosure." Then the Bill goes on to give the form in which the application for a foreclosure order is to be made. The next clause leaves it optional with the Registrar whether he will grant a foreclosure order or not. The Bill is a very simple one as it now stands, and I am pleased to say has passed through another place without any division. Those hon. gentlemen gave the Bill their very careful consideration, and it has come down to us, approved, as I understand, by the Attorney General. I do not therefore think it is necessary for me at this stage to give any further particulars with reference to the Bill. I feel sure that all members here, as in another place, will agree to the second reading of the Bill without dissent; and, should there be any amendments to make, they can be made in committee. I beg to move the second reading.

Motion put and passed.

Bill read a second time.

FREMANTLE WATER SUPPLY BILL.**IN COMMITTEE.**

Clauses 1 to 7 inclusive:

Put and passed.

Clause 8.—"The Director of Public Works may charge a sum, not exceeding one shilling in the pound in any one year, upon the annual rateable value of all land and premises liable to the general rate, as shown by the rate-book compiled by the Council of the Municipality of Fremantle for the purposes of the general rate under the Act or Acts for the time being regulating the municipal government of Fremantle for the supply of any such lands and premises with water for domestic purposes."

MR. SOLOMON asked the Director of Public Works whether it would not be possible for him to reduce the maximum charge in this clause, namely, one shilling in the pound upon the rateable value of property. Taking into consideration that, many years ago, when the waterworks at Fremantle were started, they were started for Government purposes, and that the bulk of the expense in connection with

them, from the beginning, was incurred solely for the convenience of the Government, he thought they might fairly ask the Government to make some allowance for that. It was not the same as if the Government had gone to the expense of starting these works for the benefit of the general public, or to make profit out of them. Subsequently it was found advisable to ask the Government to extend the service in order to meet the requirements of the town; yet a large number of Government departments and other public institutions were still supplied from this source, including the railway station, the Customs, the shipping, the harbourmen's quarters, the churches, public schools, and other public bodies. He might say that a great deal of the water which was used, in fact, was used by the Government themselves or public bodies. The people of Fremantle had no objection whatever to pay for their water, but he thought the Director of Public Works would see that it was only just that excessive powers of rating should not be given in a case of this kind. As the Municipal Council was not in a position to take over these waterworks, no doubt it was necessary that the Director should have certain powers of rating; still, in all justice, he would ask him to reduce the maximum rate of one shilling as fixed by the clause. He would move, as an amendment, that the words "one shilling" be struck out, and "ninepence" inserted in lieu thereof.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) said the maximum of one shilling was arrived at after much consideration, and he did not think it was an extravagant one. It did not necessarily follow that the maximum rate would be imposed; and, whether it was extravagant or not, he assured the hon. member that all the revenue which the Government wanted to derive from this source was only such as would be sufficient to meet expenses, and the interest on the capital invested. The rate required might not be more than sixpence; but there were constant applications for an extension of the mains, which of course entailed additional expense; and now it was even proposed to extend them to North Fremantle. The hon. member, however, might rest assured that the Government would not think of levying

a rate over and above what would cover the actual expenses and the interest on the capital invested. Of course, if it was the wish of the House to reduce the maximum, he did not know that the Government would offer any violent opposition to it. But members might rest assured that no higher rate would be levied than was actually necessary.

MR. PEARSE thought it very desirable that the Director of Public Works should have all the power vested in him by this clause so far as levying a rate was concerned, but he thought that a 5 per cent. rate was far too high to charge people for their water, which, after all, was not equal in any way to the Perth supply. The great consumption, and the great expense, after all, was owing to the supply for the shipping and the various Government departments in the town, and not for supplying the ratepayers. He thought if the House and the Government would consent to the amendment, reducing the maximum rate to ninepence, it would meet all the requirements of the case.

MR. R. F. SHOLL said the Government were only asking for this maximum in the event of its being necessary to impose it, to save them from actual loss. It was not intended to levy the maximum rate unless it was necessary to cover the cost. He thought it was very necessary that they should be armed with this power. They did not know how far the present mains might be extended, at the request of the people of the town. The hon. member who moved the amendment had the assurance of the Government that they would not impose the maximum rate unless it was absolutely necessary. He thought it was a great boon to the people of Fremantle, or any other town, to have an ample supply of pure drinking water, such as the Government provided, in this instance. To his mind, it would be a mistake to tie the hands of the Government in such a way that they might not be able to levy a rate which might, or might not, eventually be sufficient to cover working expenses and the interest on the outlay. If the Director of Public Works were to impose an unrighteous rate upon them, the people of Fremantle would very soon make it known.

Amendment put and negatived.
Clause agreed to.

Clause 10.—“The clerk of the Municipality of Fremantle shall, in every year, supply the Director of Public Works with a copy of the rate-book of such Municipality free of charge:”

MR. SOLOMON moved some verbal amendments, so that the clause should read as follows: “The clerk of the Municipality of Fremantle shall, in every year, allow the Director of Public Works to take a copy of the rate-book of such Municipality.” He thought the Director of Public Works, upon consideration, would not expect the Town Clerk to supply him with a copy of the rate-book every year, free of charge, or at the expense of the Municipality. It involved a very large amount of work, and he thought it was only reasonable that the Government should do it themselves if they wanted it done.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) said he would have no objection to pay for it.

THE PREMIER (Hon. Sir J. Forrest) thought it would be better for the Town Clerk to furnish the copy, and charge for it. The Government did not want it done for nothing.

MR. PEARSE thought it was quite unnecessary that the Government should have a copy of the whole rate-book of the Municipality, as it was quite impossible that the water supply would extend over the whole town.

MR. MOLLOY said although the Director of Works might not require a copy of the whole rate-book, still, unless he had a complete copy, it might be that the very part of the list that he wanted might be omitted.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 11 to 15 inclusive:

Put and passed.

Preamble and title:

Agreed to.

Bill reported, with amendments, and report adopted.

LOAN BILL, 1893.

IN COMMITTEE.

Clauses 1 to 6 inclusive:

Put and passed.

Schedule:

Item 1.—Completion of Yilgarn Railway, £34,000:

MR. RICHARDSON asked the Commissioner of Railways to give them some explanation as to why this amount was required.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said the hon. member for York, the other evening, said he would like to know how the money already voted for this work had been expended, before agreeing to any further expenditure. He now had a return in his hand, which would give the hon. member the information he wanted in detail, and also show him what this further sum was required for. The greater portion of this sum was required in connection with the water supply along the line.

MR. MONGER said the information now supplied was quite new, and he moved that progress be reported, and leave given to sit again.

Motion put and passed.

Progress reported.

HOMESTEADS BILL.

IN COMMITTEE.

The House went into committee for the further consideration of this Bill.

Progress had been reported upon Mr. MONGER's new clause,—“Any holder of “less land than stated in Clause 4 in fee “simple, or the occupier of any less “quantity of land under special occupation or conditional purchase, may “apply for and take up under this Act a “homestead farm adjoining such fee “simple, special occupation, or conditional purchase block, and reside on “such fee simple, special occupation, or “conditional purchase block in lieu of “the homestead farm as required under “this Act. All other conditions included within this Act to be complied “with.”

MR. MONGER said the new clause which the Premier proposed to introduce, in lieu of the clause he had moved the other day, was, in his opinion, far more liberal than his own, and he must congratulate the hon. gentleman upon his intention of introducing into the Bill a feature which he was sure would meet with the approval of the principal agricultural people of the colony. He had

much pleasure in withdrawing his clause in favour of that of which the Hon. the Premier had given notice.

Clause, by leave, withdrawn.

New Clause:

MR. HARPER moved that the following new clause be added to the Bill:—
 "In the Eastern Division second-class lands shall mean all lands comprised within lines parallel to the Yilgarn Railway, and distant respectively six miles and twenty miles therefrom.
 "Third-class lands shall mean all lands comprised between the twenty-mile line and a parallel line forty miles from the said railway." The hon. member said he should like to explain the object he wished to attain by this clause. The country through which this railway passed, so far as it went through the Eastern Division, was very much of one character, taken as a whole—forests and thickets and plain; country that would have to be dealt with in considerable areas to be of any use, and country upon which a considerable amount of money would have to be laid out on it. Yet, being on the road to the goldfield, it would, no doubt, offer considerable attraction. To attempt to lay it out in areas would, he was sure, operate a great deal against its development, for this reason: a surveyor, in laying out country, very often thought a great deal more about his own ease and the symmetry of his blocks rather than the character of the country. If a person had the opportunity to select his land in the form he desired, he would take that which best suited him. He thought this was a country that might be fairly classed in value according to its proximity to the railway, and his proposition was that land within six miles of the railway should be retained for settlement, and that all land beyond that distance from the railway should be classed as second and third-class lands. The effect would be that the land would, in this way, by a process of selection, be classified automatically. The better class of land, after a while, would all be selected, leaving the residue, which might then be dealt with under some altered regulations. It might be said that there were objections to this, as there were to free selection anywhere, namely, the difficulty of providing roads, which, he thought, might be got over by

providing that, within certain distances from the railway, there should be reserves for roads made perpendicularly to the railway, and also provision for lateral roads. One great advantage that would accrue from this proposal was that the land would be ready at once, as soon as the Act came into force, and people need not wait for surveyors to lay it out. They could select their blocks right away, and settlement would progress much more rapidly than if the land had first to be all surveyed. He hoped the Premier, would, if possible, support the clause, because he felt confident, from his knowledge of the country, it would very much simplify and expedite the settlement of the country. There were no water frontages to be reserved, no springs nor lakes—that was, of fresh water—and there was no reason that he could see why this land should not be classed according to its distance from the railway.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member's intentions were most excellent, and no doubt his plan would simplify the classification of the land. But it seemed to him there were a considerable number of difficulties in the way. In the first place this Bill provided that the land shall be set apart before the Act shall become available. That was provided for in the 18th clause. It was not the whole side of a country that was to be set apart and become available under this Act, but those parts only which the Governor in Council set apart for the purposes of the Act. It might so happen that it was not desirable to set apart the whole of the country along this railway. For instance, it might be found to be auriferous, or at any rate mineral producing land.

MR. RICHARDSON: Could not the Government resume it?

THE PREMIER (Hon. Sir J. Forrest): They might, but there would be a difficulty about it, after the land had been set apart and taken up. The Government proposed to have an examination of the country made by survey, showing all the loamy rich flats and also showing the sand-plains and the rough country,—a topographical survey, and then the Government would be in a position to deal with the matter sufficiently near for the purposes of this Bill. The Bill would have to be carefully worked out after it passed through Parliament, and regula-

tions would have to be carefully framed to carry it out, and means would have to be devised for dealing with the lands under the Act. It seemed to him it would be better for the House to leave these details to the Government, rather than tie their hands by drawing any hard and fast line in the Bill itself, as to what shall be second and third-class lands, as proposed in this clause, which, after all, was a very rough and ready way of classifying land. He was much obliged to the hon. member for his effort to make the Bill work of itself easily, but he did not think any good result would be derived from fixing any hard and fast line like this. It was not only this particular part of the colony where there would be this difficulty; they would experience the same difficulty in other parts of the colony, in classifying the lands, and he really thought the best way would be to leave it to the Government. He thought it would be better in the interests of the colony, and also for the working of the Bill, to give the Government a free hand, as much as possible, to see how they could work it out. There was the mineral land difficulty, which he had referred to, and there might be land further than six miles distant from the railway which might be very rich land and fit for agriculture. Many people considered that this salmon gum country was fit for corn-growing. The land itself, no doubt, was; the only difficulty would be as regards the rainfall. He knew an instance where a settler in this part of the colony had actually cultivated some land and obtained a very fair crop. At any rate, without going too closely into the matter, he thought the hon. member, upon consideration, would agree with him that it would be wiser to leave the matter in the hands of the Government, and not to bind them with any hard and fast line as proposed.

MR. RICHARDSON said no doubt there was a grain of wisdom in the Premier's suggestion not to tie the hands of the Government too much; but he would impress upon them that, while they are preparing for all this classification and survey of the land, settlers may be waiting to go on the land. An intending settler might have a block of land in his eye, and he might have to wait a long time before a surveyor reached it, and, after some months' waiting, he

might become disgusted and go away, as he knew, hundreds had done before. He thought they should endeavour to avoid this in the future as much as possible, and let people get on the land as soon as possible. As to the mineral land difficulty, he did not think that ordinary surveys were likely to give us very much practical information as to the character of the land. No doubt it would be a good thing for the Government to have a free hand; the only thing was, he hoped they would not block the operation of the Bill, as settlement had been hitherto blocked, by placing a too high and fanciful value upon the land, in the belief that settlers were going to rush it. There would always be the climatic drawback and the rainfall difficulty; and he trusted that the Government would always bear that in mind, and not impede settlement by placing too high a value upon the land. If they found settlers desirous of going on the land, let them have a free hand as well as the Government. The sooner they got on the land the better; it had remained a barren waste long enough.

MR. MONGER did not know that he could support this new clause, though no doubt there was a good deal in it. He should certainly like some clause introduced by the Government to define these second and third-class lands. The hon. member for Beverley's proposal was certainly a very rude system of classification, and hardly sufficient to meet the requirements of the whole of the land within the agricultural areas of the Southern portions of the colony. He should also like some better system of classification than that proclaimed by the Government, and let the settler know beforehand whether he is going to take up land in a homestead area, or first, or second, or third-class land, and not treat selectors in the way the Great Southern Railway people had treated intending settlers on their lands. Do not let them think they were applying for second-class land, and, when they made their selection, charge them a high price for it. He thought it would be advisable to leave the working of this part of the Bill in the hands of the Government, and trust to them to define the different classes of land.

MR. HARPER said, with regard to the Premier's objection to the clause, it

appeared that the Premier's intention was to put the matter in the hands of a surveyor, who would probably know very little about the land, and selectors would be at his mercy. With regard to mineral areas, he thought that was an extremely weak point. If practical prospectors, who went about for this very purpose of discovering auriferous or mineral country, did not succeed in finding it, he was very sure that surveyors were not likely to do so. He still thought a clause of this kind would act very beneficially, and certainly facilitate settlement, but, of course, if members thought differently, he was prepared to give way. But to leave it to surveyors would certainly lead to great delay, and the result would be disappointing, as the Government would find out.

Clause put and negatived.

New clause :

THE PREMIER (Hon. Sir J. Forrest) moved that the following new clause be added to the Bill, to stand as Clause 32:—"Clause 46 of the Land Regulations is hereby repealed, and the following is substituted in lieu thereof":—

"(1.) Every agricultural area shall be gazetted in the *Government Gazette*, and with the exception of those portions applied for and held under Clause 49 as amended by this Act, and under Clauses 54 and 55 of the Land Regulations, shall be disposed of under the following conditions:—

"(a.) The price of land shall be fixed by the Governor in Council, but shall not be less than ten shillings an acre, payable in twenty yearly instalments or sooner, as prescribed by these Regulations.

"(b.) No person under the age of eighteen years shall be eligible to obtain a license to occupy land.

"(c.) The maximum quantity held by one person shall not exceed one thousand acres, and the minimum, except in special cases, approved by the Commissioner, shall not be less than one hundred acres.

"(d.) Not more than one sub-division within an area shall be included in any one applica-

tion, unless the sub-divisions applied for adjoin and lie side by side and together form one complete block. The first year's instalment, as prescribed by Clause 101 of these Regulations, shall accompany each application.

"(e.) Upon the approval of the application by the Commissioner, a lease shall be issued for twenty years.

"(f.) Within six months of the approval by the Commissioner the lessee shall commence to reside on some portion of the land held by him, residing upon it and making it his usual home without any other habitual residence for the first five years of his lease, during which time he shall fence in the whole of the land on the surveyed boundaries, or, in special cases, as near thereto as shall be approved of by the Commissioner; the fence to be of the description prescribed by the interpretation clause of these Regulations. Provided that the Commissioner, on the application of the lessee, may grant an exemption from fencing any part of the land which has frontage to a permanent river, creek, or other natural boundary held by the Commissioner to be sufficient. Provided further, that not less than one-tenth of the quantity held by the lessee be fenced in within the first two years. A statutory declaration shall be furnished to the Commissioner on or before the 1st of March in each of the first five years of the lease as to residence and improvement. A form of declaration will be found in Schedule No. 16 of the Land Regulations.

"(g.) In the event of the required improvements and conditions not being completed at the end of two years, or

"five years, as the case may be, or on breach of the conditions of residence, the land shall be forfeited to the Crown together with any improvements existing upon it.

"(h.) At the expiration of the lease, "or at any time after five years from the date of the lease, provided that the required fencing is in good order, and that an amount equal to the full purchase money has been expended on the land in prescribed improvements in addition to the cost of such fencing, "and further provided the full purchase money has been paid, a Crown grant shall issue.

"(i.) If the required improvements and conditions have not been fulfilled at the end of the lease, or if at any time the annual instalment is not paid as required by these Regulations, the lease shall be forfeited, and shall thereupon revert to the Crown.

"(j.) If any lessee shall die or be declared a lunatic before the fulfilment of the prescribed conditions of residence and fencing, his land may, with the approval of the Commissioner, be held by his representatives or their assigns subject to the fulfilment by them of all unfulfilled conditions except the condition of residence; but in trust for, and for the benefit of the persons rightfully entitled.

"(z.) Any person possessed of rural land in fee or special occupation license under previous Regulations within the South-West Division, or who may be the holder of a lease of such land from the owner and residing upon a portion of such land, shall be allowed to become a conditional purchaser subject to all the conditions, with the exception of residence (which, however, shall be on the land already held by him in fee or special occupation license or leasehold),

"prescribed by Clause forty-six of the Land Regulations. Provided that the land applied for shall not be more than ten miles from such residence."

He said there was practically very little difference between these regulations and those contained in the 46th clause of the present Regulations, which it was proposed to repeal, except in this one particular: whereas the 46th clause made provision for a license for five years and afterwards a lease for fifteen years, they proposed now to make it one operation for the twenty years. It had been found that the present system did not work well, in practice. People got their licenses for five years, went on the land, and never applied for the lease at all. For years and years they went on occupying the land under their license, after their license had expired. It was he who introduced the system into our present Land Regulations, but he saw no good cause, after his experience of the working of it, why there should be two kinds of tenure. It gave a great deal of trouble in the Survey office, without any good result. Therefore they now proposed to have one term of twenty years. He did not think there were any other alterations in the clause, except that the provision that existed in the old Regulations under which a person could only take up three blocks of land had been struck out, and now they could have as many as they liked, so long as the maximum held by one person did not exceed 1,000 acres. The old regulation had been found to act somewhat disadvantageously in the case of *bond fide* occupiers who had no large means at their command. He thought he might commend the new clause with confidence to the committee, as not being in any way at variance with the principles of the existing Land Regulations, except in the direction he had indicated; and these alterations would, he thought, prove beneficial.

MR. RICHARDSON asked whether it would not have been wise, when amending this 46th clause of the Land Regulations, to have gone a little bit further, and make some different stipulations as to the improvements to be carried out, and the dates by which they must be carried out. He thought it was pretty well acknowledged now, by the light of experience, that it was a considerable blot

on our Land Regulations that a person taking up say 1,000 acres, after fencing a certain portion of it within two years, really need do nothing more to it for the remainder of his lease. If he only complied with the condition as to fencing some of his land in two years after he entered into occupation, there was not the slightest check upon him for the remainder of his twenty years. He thought that was a decided blot upon our land laws. He thought they might provide that the occupier should fence one-half the land in five years, and the whole of it in ten years.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he was fully in accord with the hon. member for the DeGrey in his views on this point. Everyone must now see that what the hon. member pointed out was a blot upon our present Regulations, and he thought it was highly desirable that something should be done in the way of providing a fine or penalty, if a man did nothing with his land after fencing in a portion of it.

MR. RICHARDSON thought they might report progress at this stage, so that the Government might consider this point.

Question put and passed.

Progress reported.

ADJOURNMENT.

The House adjourned at twenty-one minutes past 10 o'clock p.m.

Legislative Council,

Tuesday, 12th September, 1893.

Kensington Lane Closure Bill: second reading—Wines, Beer, and Spirit Sale Act Amendment Bill: second reading—Engine Sparks Fire Prevention Bill: first reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 2:30 o'clock p.m.

PRAYERS.

KENSINGTON LANE CLOSURE BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I have no doubt that hon. members are aware that recently the Commissioner of Railways resumed a considerable quantity of land westward of the present Perth Railway station, for the purpose of forming an additional goods station. The land taken crosses an old lane, known as Kensington Lane, which was formed principally for the purpose of forming a route for the water which ran away through the lakes down to Claisebrook. The lane is of no use now, and it is proposed to close it to the public, the Government, of course, taking the responsibility of keeping the waterway clear. I move the second reading of the Bill.

THE HON. J. W. HACKETT: I would only draw attention to one point. I believe a box drain has been provided instead of an open drain, and I think, if the Hon. the Colonial Secretary will make inquiries he will find that the low-lying lands in Perth are now above the level of it; at least that is the opinion of the City Surveyor. If this is so it will be necessary, for the health of the city, to lower the drain.

THE HON. E. T. HOOLEY: I am glad to hear the Colonial Secretary say that the Government will take the responsibility of coping with the water. It seems to me that a blunder has been made in connection with this drain, where it runs past the railway station, and the same thing may be at Kensington Lane. Near the railway station, since this new drain has been put down, I know one man who has to pump his cellar for six hours a day, and this he is obliged to do at the instance of the health officer. Of course a heavy expense is thrown upon him, and it seems to me that before we pass such a Bill as this we should have some guaran-