

would be composed of the best men available. As to the fee of £2 2s., if the payment were forced, the result would be that the companies would dodge the law by employing engineers as drivers only when the inspector was about.

MR. LOTON said the Government had promised to look into the matter. It was desirable that the men who drove engines should be examined and certified, and this would cost them a certain amount of money. If the fee was too high, it could be reduced; but they should not do away with the examination and with the certificate.

Vote put and passed.

Progress was reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10:36, p.m., until next day.

Legislative Assembly,

Wednesday, 16th September, 1896.

Question: Reported influx of Asiatics in the North—
Question: Gingen Government Reserve—Questions:
Carnarvon Jetty Site—Motions: Leave of Absence
—Motion: Payment of Members—Motion: Fore-
closure by Government over Midland Railway—
Motion: Starting Point of Greenhills Railway—
Western Australian Bank (private) Bill: second
reading—Fencing Bill: in committee—Customs
Duties Repeal Bill: in committee—Adjournment.

THE SPEAKER took the chair at 4:30 o'clock, p.m.

PRAYERS.

QUESTION—REPORTED INFLUX OF ASIATICS IN THE NORTH.

MR. SOLOMON, by leave and without notice, asked the Premier whether he had heard anything about the reported influx of Chinese or Asiatics in the North of this colony, and whether the Government intended doing anything with regard to

stopping any large immigration of Asiatics.

THE PREMIER (Hon. Sir J. Forrest) replied: I have not heard anything about it officially. I saw a notice in a newspaper to the effect that a large number of Asiatics had come down in the steamer *Saladin*, then at a Northern port. I expect they must be Japanese, or at any rate they cannot be Chinese, because only one Chinaman can be brought for every 500 tons of ship's burthen at one time. I must admit I was rather startled when I saw the report of the number who had arrived in that steamer, and I may say the matter has not been lost sight of. As hon. members know, the other colonies are now dealing with the question, and there seems to be a great deal of difficulty in arranging as to what is best to be done for excluding undesirable immigrants. The matter is now under the consideration of the Government.

QUESTION—GINGIN GOVERNMENT RESERVE.

MR. LEFROY, in accordance with notice, asked the Commissioner of Crown Lands:—1. What was the acreage of the Government reserve adjoining the township of Gingen? 2. For what purpose the reserve was used? 3. Whether there was any good reason why this land, or the greater portion of it, should not be thrown open for selection for garden and orchard purposes?

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) replied:—I have already had under my notice the desirability or otherwise of cutting up into garden and orchard blocks a portion of this reserve, but have not yet had time to make exhaustive inquiries in order to decide whether all this land is required as a public reserve, but I hope to do so shortly; and if such a large reserve is not actually required in this locality, I will take into consideration some scheme of cutting up which would result in a good portion of it being turned to more profitable account.

QUESTION—CARNARVON JETTY SITE.

MR. R. F. SHOLL, in accordance with notice, asked the Director of Public Works when the Government proposed

to proceed with the construction of harbour works at Carnarvon, for which the sum of £8,000 was voted last session under the heading "Carnarvon jetty and approaches," and why the work had been so long delayed?

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse) replied that the surveys now being conducted by Commander Dawson of the alternative sites for a jetty a few miles North of the town were being awaited. When they were received, and had been considered, the jetty, &c., would be proceeded with at the site which was then deemed most suitable. The reason of the delay was that the Government desired to avail itself of the opinion of Captain Dawson.

MR. A. FORREST, by leave and without notice, asked whether it was not a fact that Commander Dawson had condemned the proposal to construct a jetty at a site 10 miles Northward of Carnarvon.

THE PREMIER (Hon. Sir J. Forrest) replied: Commander Dawson does not approve of the site 10 miles Northward of Carnarvon, on account of its exposed situation.

MR. A. FORREST: Why don't you go on with the other jetty?

THE PREMIER: Where do you want us to go on with it? Perhaps you will tell us.

MOTIONS—LEAVE OF ABSENCE.

On the motion of the **PREMIER**, further leave of absence for one fortnight was granted to the members for the Murchison (Mr. Hooley), and Northam (Mr. Throssell).

On the motion of **MR. ILLINGWORTH**, further leave of absence for one fortnight was granted to the members for Albany (Mr. Leake), and Pilbarra (Mr. Keep).

MOTION—PAYMENT OF MEMBERS.

MR. SIMPSON, in accordance with notice, moved "That, in the opinion of this House, it is desirable, in order to secure the best interests of the country and the fullest representation of the people's will, to adopt the system of payment of members, by making provision for reasonable compensation for travelling expenses and costs of attendance at the sessions of Parliament." He said:

It will be observed that, in submitting this motion, I merely ask this Chamber to affirm the principle. It is a principle, I suppose it is fair to say, pretty well world-wide in its acceptance. The two exceptions at present in existence where any form of representative government holds are the United Kingdom and Western Australia. As to the United Kingdom, the principle has been affirmed in the House of Commons, and the details of administration possibly, or the inexpediency of immediate action, have deferred the carrying out of the principle so affirmed. Here I seek the assistance of the House to affirm that the principle of the motion is a sound one. My contention, in connection with this matter, is that we have affirmed it already—that we have affirmed it in our Constitution Act, for it provides that our Ministers shall be paid for their services; so that there is but one conclusion to draw, namely, that the reason why Ministers of the Crown are paid is that they render services, and deprive themselves of opportunities of private advancement, in the interest of the country, and that the country considers it a reasonable thing to compensate them for these services and this sacrifice. Of course I know it will be said the payment of Ministers is in order that they may devote the whole of their time to the administration of public affairs, as well as their attendance in Parliament as representatives of the people. Our Constitution Act having thus affirmed the principle, there is left open this question: What rate of payment should be given to ordinary members of the Legislative Assembly, as distinct from those who, as Ministers, have to carry out the administration of the country's affairs, as well as to perform legislative duties? The difference, therefore, is simply one of degree, one of proportion. But I say we have gone further than that, for the distinguished position of Speaker of the Legislative Assembly, in every part of the world, is a paid position, and the Chairmanship of Committees is also a paid position. It is reasonably contended that, in order to secure to the public the widest possible opportunity of selection in returning representatives to Parliament, the principle of payment of members should be affirmed. The idea

is that there may be men of ability, men of capacity, whose experience, whose intellectual capabilities will prove of great value in dealing with measures which might be placed before this House for adoption as the laws of the country. In this Assembly I know, or I believe, there is a very strong opposition to this principle. I do not suppose this motion will be carried; but, believing in the principle as I do, I will ask the opponents of it to suggest anything more than prejudice against it. I appeal to them to put forward anything more than prejudice, if they can do so. I shall be told that, in the neighbouring colonies, the principle has been a failure; but I say the principle has not been a failure, though its administration may not have worked well. If the principle is sound, it cannot fail; but the details in connection with it have been a failure elsewhere, I admit, and that has always been my opinion. I have said before to-day that I could never find a solid reason against the adoption of this principle. I have said in this House recently that, since its adoption in Australia, the principle has been an abject failure. I hold, at the same time, that the principle is sound and good; and I say that, with the experience of the other colonies before us to show what we should avoid, I think we can affirm the principle in this colony, and then so arrange the details that a failure may not occur in the legislation of Western Australia. I have said that I consider the failure, which I have admitted, is not due to any weakness in the principle, but is due simply to the means that have been adopted for securing to individual members of Parliament a means of subsistence. I have been informed by a trustworthy authority that the effect of payment of members elsewhere is to show on how slender a thread a man's independence hangs, whose subsistence is dependent on his position as a member of Parliament. But without payment of members we are thrown on the opposite principle, which treats a seat in Parliament as the appanage, the domain, the natural heritage of the rich, and which affirms that the power to make laws for the country shall belong only to the rich. It will also be said that the great jobs in connection with political railways in Australasia are the result of

payment of members — [MR. R. F. SHOLL: Hear, hear] — but I challenge the hon. member, or anyone else, to prove a single instance of a political railway in Australia having been promoted as the result of payment of members, or as being directly due to the operation of that principle. It is not the poor members of the House who control the construction of political railways. The sinews of war come from the capitalists, and not from the poor men. I do say that here is a principle which is adopted in every part of the world that has representative institutions, with the exception of Western Australia and the United Kingdom; and, as to England, the principle has been affirmed in the House of Commons. [MR. HARPER: Honourable exceptions.] But we have the great legislative power of the House of Commons in support of the principle, for that House has distinctly affirmed it, and we may expect that effect will be given to that affirmation. In asking this House to adopt the principle in a careful and cautious way, I will point to New Zealand as having made a wise provision, for there the members are paid according to their attendance in the Legislature, and are not paid a salary for the session. The method there is to pay so much per sitting for attendance, and not to pay an annual salary at all. The emoluments for attendance amounted for one session to £91, as representing the time which members absolutely devoted to the work of legislation. I think it will be agreed that it is consonant with our institutions, and is part of our institutions, that the electors should have the widest possible area of choice in sending representatives to this Assembly, and that the mere matter of trespass on the time of the representatives should not put the electors in a position that they cannot have their views represented in the Parliament of the country. It is said that, since the system has ruled elsewhere, the best men of the country have failed or declined to seek seats in Parliament. Well, that is a statement to which I am thoroughly opposed. I have heard so much talk about those best men, who won't seek election because they object to be associated with members who are paid, that I have grown tired of it; and I say that, if they were the best men,

they would be prepared to make a sacrifice for their patriotism. They raise the objection that they will not seek a seat in Parliament because of the rough-and-tumble of a contested election. Such a plea is all bunkum. The man who will not sacrifice some of his inclinations, and go in for a bit of self-denial, has no true patriotism in him. The way in which this principle would be elaborated would, of course, be a matter for later consideration. I suggest to the House that it is expedient to affirm the principle; and, if I may put it with deference, I say this is the time and this is the hour to deal with the question. It is a sound old axiom, "Be wise in time;" because payment of members is coming in this colony, as sure as to-morrow's sun will rise. [MR. A. FORREST: A long time off.] That is my conviction, and I feel sure the next election will show that the principle is very largely affirmed by the electorates. The question for this House is: Will it be wise for us to deal with the principle in a careful and cautious way, that will prohibit the abuse of the details of administration? It has been suggested, though of course no one would couple it with the names of the present Ministry, that we may suppose there may be, at some time, a corrupt Ministry in power, and that an important question being under consideration, and there being an absolute majority of opinion against it, we may suppose that a corrupt Premier may say to a certain number of needy members of the House, who are absolutely dependent on their political salary: "Of course if you are compelled to vote against us on this question, we shall have to demand a dissolution, and we have the power to get a dissolution, so that you will have to go to the country, and you will risk your salary and be out of pocket for your election expenses even if you are returned, and if you are not returned you will lose your salary as well as your expenses; so you had better vote with us." While I say that is a dangerous power to put into the hands of an unscrupulous Premier, supposing we ever get one, and while admitting the objection is a serious one, I say we can deal with this principle cautiously and carefully, that we can put payment of members on such a sound and equitable basis that a danger like that will be avoided. I would suggest to

the House that this is a fitting time to deal with the question. We know perfectly well that our political area is widening, that political principles are beginning to be more discussed in our community; we know that this principle is in operation in every other Australian community; and we know that the bulk of our population is made up of people who come from those communities; that between 50 and 60 per cent. of our population come from the other colonies, and not more than 35 per cent. of our people are natives of this colony. Therefore, between 50 and 60 per cent. of our population are people who have been used to and have lived in communities where this principle has ruled. [MR. CLARKSON: They do not like it.] I should scarcely accept the statement of the hon. member for Toodyay, that the men who have come from other colonies do not approve of the principle, and I have not heard that the hon. member himself is so closely in touch with the political thought of the other colonies as to be able to speak as an exponent of political thought in those colonies. I suggest that now is a fitting time to affirm the principle, and that, having affirmed it, the House can further consider the means of giving effect to the principle in a careful, cautious, and wise manner. I cannot imagine any harm that can accrue to the country by affirming a principle which is accepted in nearly every representative country in the world—a principle that is admitted to be sound in itself, the only objection being as to the means of carrying it into operation. We shall thus be giving to the people of this colony the widest possible area of selection, when they have the opportunity of returning representatives to this Chamber. I beg to move the motion.

MR. ILLINGWORTH: I second the motion.

MR. LEFROY (after a pause): Hon. members seem rather disinclined to speak to this motion, so I will take the present opportunity of doing so. I know that in certain quarters a member of Parliament, or anyone else, who speaks in opposition to payment of members, is called many bad names. He is called a Conservative, and all sorts of vituperative expressions are used in regard to him. [MR. SIMPSON: I do not call names.] No; the hon.

member for Geraldton does not attempt anything of that kind, and I notice that in the course of his address he seemed rather half-hearted about the question. I am opposed to the principle of payment of members, and I have no objection to stand up in this House and express my opposition in the same manner that the hon. member approves of it. This motion seems to me to be the thin end of the wedge, and nothing more. If you have a living tree, say strong and healthy, so long as you leave the tree unmolested it may continue healthy, and if you lay a wedge alongside the tree but do not use it, no harm will happen to the tree so long as the wedge remains unused. But supposing someone comes along and inserts the thin end of the wedge into the living tree: there are other people who will come afterwards and drive the wedge further in, and so you may soon smash up a healthy and strong tree. In like manner, I say that if the thin end of the wedge is put into our Constitution by this motion with regard to payment of members, there will be plenty of men hereafter who would be prepared to come along and drive that wedge in, so as to get the full payment of members, such as prevails in other parts of Australia. It is the principle itself, rather than its operation, that the hon. member appears to approve of; and he tells us he is not prepared to adopt the payment of members in its entirety, as it has been adopted in other countries of Australasia. The hon. member proposes to allow a certain salary for loss of time. That is all very well in its place; and, as I say, if you can go no further than that, well and good; but this thin end of the wedge having been inserted, I am sure other persons will afterwards attempt to bring in the full principle, and will try to do it in a short time; and that principle I object to. I cannot see, at the present moment, that we should adopt the system, for we always find men ready and willing to come forward and serve the country in Parliament. There seems to be plenty of aspirants for political honours in this country; and though it was said at one time we could not find sufficient members, yet there appears to be no difficulty now, and in the future there is not likely to be so much difficulty as in the past. In

theory, the payment of members is well and good; but as long as human nature remains what it is, the theory will not work out as we wish. My opinion is that the best member of Parliament is the man who is independent of Parliament, and who, when he loses his seat, is also independent of the salary attaching to the position there. In all countries where payment of members has been adopted, members have been too anxious to retain the position simply for the salary and nothing else. We have seen it, and we have heard of it in every country; and I say we do not want to see that practice creep into this colony. On that ground alone I object to the system of payment of members, as I think a man should be independent of Parliament, and when he goes into Parliament he should go there with certain convictions, and be prepared to stand or fall by his political opinions; instead of his having to consider that, by losing his position, he would be perhaps losing his livelihood. That is the reason why I consider payment of members has been a failure. It has been said by the mover that in nearly all British countries payment of members has been adopted. It may be so; but we have a splendid exception in the British House of Commons, and that one exception is quite enough to lead us to oppose the principle of payment of members. Though in the House of Commons there is no payment of members, I have never heard a word said against the integrity of the members of that house; whereas that cannot be said of other legislatures, where payment of members has been adopted. I came into Parliament opposed to the principle of payment of members, and as long as I remain in this House I shall still raise my voice in opposition to this thin end of the wedge being inserted into our Constitution Act, because it would break down the fabric as it now exists.

THE PREMIER (Hon. Sir J. Forrest): I do not propose to say much on this motion; but I must express my surprise at the hon. member bringing it forward, after his declaration the other night. I do not remember his exact words, but they were to the effect that he had been a believer in the principle of payment of members all his life, but he must say it was a complete failure in Australia, and

that his idea was that if the constituencies wished to have their members paid, they should pay them themselves. He expressed himself in that way, with very great regret, because it was against the view he desired to hold. Yet now, notwithstanding that his experience has shown him that the practice of payment of members has been a great failure in Australia, the hon. member has moved this motion in favour of payment of members. Probably he will tell us that what he means by the motion is that the constituencies themselves will pay their members. I have always been somewhat in accord with that view of the hon. member. The principle seems an excellent one, as I know it is a considerable tax upon representatives who live in the country and have to attend the sessions of Parliament, paying for hotel accommodation and other expenses. I know it has an influence in preventing men coming into Parliament; but, at the same time, I am not prepared to admit, with all the disadvantages which are apparent, that it would be a good thing to adopt the payment of members at the present time. I am inclined to agree with what the hon. member said a few days ago, that the system has worked badly in the Australian colonies, and has raised up a class of what may be called professional politicians—men who make their living out of agitation.

MR. ILLINGWORTH: How many of them?

THE PREMIER: I think a good many.

MR. ILLINGWORTH: You cannot count five.

THE PREMIER: I believe there are hundreds of them. I know that when they get out of Parliament, the poor fellows do not know what to do. I have received a great many applications in this colony for employment from ex-members of Parliament. I need not mention names, but I know many of them, and some of them have been in Parliament five years, and some as long as 20 years. Their occupation as professional politicians is gone, and they cannot go back to the occupation they had before for making a living in the country where they have, for a time, occupied this high and honourable position. In this condition they came to this new country seeking a fortune,

and they want billets from the Government. I do not think that, at the present time, there has been any considerable demand for this great change in the constitution of the country. The same proposal was brought forward when the Constitution Act was under consideration, and some one moved that the principle should be adopted; but it was defeated, and why the hon. member should bring the matter forward a second time I am at a loss to understand. The hon. member has not explained why he is bringing it forward.

MR. SIMPSON: Let the hon. member alone, and deal with the principle.

THE PREMIER: I said the principle in the abstract was not so bad, but in practice it does not seem to work out well. I regret to inform the hon. member that I cannot give him any support, and shall have to vote against the motion.

MR. ILLINGWORTH: It may not, perhaps, be wise for me to occupy much time in this discussion. I expressed myself pretty fully when the matter was under discussion a few weeks ago; and I regret that the House was not then in a mood to entertain what every member of the House will admit is a just and equitable principle. There is no reason in the argument which first admits that a thing is good in principle, and then rejects it because of the weakness of the persons who work out that principle. I think the world is suffering, and has suffered a long time, from the failure of humanity to work out good principles that are existent in the world as acknowledged facts. If we have any force of character at all, it should be our duty to endeavour to work out good principles, and we should be prepared to learn by the failures of others who have attempted to work out these principles, and should omit their mistakes while we endeavour to establish the goodness of the principle. On a former occasion, I stated that unless we are prepared for all time practically, in this country of magnificent distances, to select our representatives from Perth city, or almost entirely from Perth city, and to admit that the only men who are competent or privileged to govern the nation shall be those who reside in Perth or within easy access to Perth, we must adopt the principle of payment of members. Reference has been made to Great

Britain, but I would like hon. members to remember that Great Britain is a country of very small area, and has perhaps the most developed means of transit the world possesses. Great Britain also possesses a very large leisured class, who are located all over Great Britain. They are not confined to London or any other centre, and in every portion of Great Britain it is possible to secure a large leisured class, cultured and including men of birth, who are in sympathy with their own districts, in sympathy with the large movements, and with the whole mass of the people. Therefore it is possible in Great Britain, without any payment whatever, to obtain a most efficient House of Commons, which could be twice the size if necessary. Members of this House must recollect that, when transit was not so easy in Great Britain as now, payment of members was an actual fact. Some members may perhaps have forgotten that much of history; but it is a fact, nevertheless. From a democratic standpoint, the same principle has been lately discussed at length in the House of Commons, and has been affirmed from a democratic point of view alone. If it is admitted that all men have a right to vote, there is no possible escape from the issue that all men have a right to sit; and if men have a right to sit, and if they possess the ability, and their fellow men desire they should be elected as representatives, I ask, is the mere accident of wealth to be a difficulty in the way of choosing representatives? The question reduces itself to this, that money rules the nation, and the influence of money has been a curse all over the world. Even West Australia, with all its high dignity, its wonderful resources, and its glorious patriotism, is not free from the taint to which I refer.

MR. HARPER: Speak for your own side.

MR. ILLINGWORTH: I am sorry it has been said, by the hon. member who proposed the motion, that payment of members has been a failure in the other colonies. I think I know a little about it, and I emphatically state it has not been a failure in Victoria, but a complete success. I know that in Victoria you find men who will differ from you, but the proof is that you could not to-day,

nor since the first vote was cast in favour of payment of members, get a majority returned against the principle. If the people of Victoria considered the principle had been a failure, it is within their power to dispose of the question altogether, and they could, at the next election, return a majority opposed to the principle; but I say no man would venture before the constituencies and expect to be returned if he declared himself opposed to the system. This is proof that the system has not been a failure. I am prepared to admit that no principle that has to be administered by men will be free from some failure, because men are necessarily subject to human weakness, and I have heard recently from a high authority in this colony that humanity has a great deal of selfishness in it. The great country of France was never better governed than when her legislators were paid.

MR. LEFROY: What about the Panama scandals? We have heard of them.

MR. SIMPSON: What about the South Sea Bubble, and the House of Commons?

MR. ILLINGWORTH: In Italy, Germany, and Spain, not to speak of Spanish America, there has been ten times more corruption in the representative House, belonging to the so-called aristocracy of the nation, than ever took place with payment of members; but hon. members know that is no argument on either side, as the existence of abuses is no proof either for or against a principle, because good government should be the expression of the public will and mind, and I contend that the public mind can best be reached by giving a wide scope for representation. Therefore, in order to make the conditions such as we desire, payment of members is absolutely necessary. Here all of us are engaged in the daily toil of life, and we have pretty nearly as much as we can do to mind our own business; there are numbers of others around us who would find it impossible to give even the time we give to public business, and it would be impossible for them to come from the north, south, east, and west to Parliament, unless they were paid. One word as to the principle underlying this question. I say it is a democratic principle that the people should have the fullest choice of

representation in the Parliament of the nation. Many people in London desired that John Burns should represent them in Parliament, and he has graced the Parliament House of the great nation to which we belong. It may be said that those London people put their hands in their pockets to pay that man to represent them. At once they placed him in an invidious and unequal position, in which he could be pointed out as the paid man of the House: they placed him in a position in which he was charged with being the paid delegate of the people. But such invidiousness is unjust to the representative and wholly unjust to the constituents, for if the principle is to be availed of, it must be universal, and all members should take the pay allotted as a right, which comes to them by virtue of their position and the work they are expected to perform as representatives. Suppose we carried out this principle as suggested, and paid the Premier, but declined to pay the Minister of Crown Lands, perhaps the latter might not like it. Thus we at once see an inequality on the Ministerial benches, which would prevent the proper fulfilment of the duties. We pay the Ministers, not because of their neediness, but on the broad principle that they give a certain amount of time and their best skill to the service of the public; and if the public want that skill, they should be prepared to pay for it. So it should be in reference to the representation in Parliament, for as the people want in Parliament the best men they can secure, they are prepared to pay the men they select; and if the taxpayers are prepared to pay their representatives, why should the House object. The principle of payment gives the fullest possible scope for selection. For these reasons, I am strongly in favour of the principle now before the House; and, while I am also disposed to go further than the hon. member, I am prepared to stand by him and support the motion as now tabled. I was going to say I hope members would vote for it; but looking at the members opposite, and knowing something of their predilections in this direction, I can scarcely hope they will, though I think they ought. Having said that, I leave the question for their own consciences, as to whether they will

support what they admit is a just and equitable principle.

MR. HASSELL: I am sorry the member for Nannine has changed his opinion on this question. Not long ago, while he was on his first visit to this colony, and while travelling in a railway carriage, he assured me and another member of Parliament that we should be doing wrong to admit payment of members into this House. The hon. member spoke of the evils of the system in Victoria; but now I suppose he has been so long away from Victoria that he has forgotten the principles he then held. I am sorry indeed to hear him advocate payment of members, for I have adopted the advice he gave before—not that which he has given to-night—and I shall resist payment of members as long as I live.

MR. ILLINGWORTH: You must have been dreaming.

MR. HASSELL: Sometimes I do, but on that occasion I was not dreaming.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson): I am much surprised to hear the question of payment of members being again debated this session, and I think it is a great waste of time. The word "principle" has been used many times in the course of the discussion, but in my opinion there is no principle about it, for the question is simply one of expediency as to whether members shall be paid or not, and the question never reaches the height of a principle, either good or bad. In my view of political life and political integrity, members should legislate and vote without gain or profit. When members are paid, there will be a distinct inducement, or a distinct temptation, to vote and legislate for purposes of gain; and therefore I say that payment of members would be a very dangerous thing to bring into our political life.

MR. SIMPSON: You are in a different position as a paid Minister.

THE COMMISSIONER OF CROWN LANDS: A Minister is paid for work which he does outside the House, and when he comes into the House he is not working for his salary. The hon. member for Nannine has told us that money should not rule nations; and therefore I say we should keep the question of money out of political life as much as possible.

MR. SIMPSON (in reply) : I did not anticipate there would be much debate on this question, as I understand the attitude of members who have a difficulty in finding reasons to support their opposition to this motion. That is their unhappy position. The Premier admits that the principle of payment of members is a good one; and I say this simple motion asks the House to affirm that principle—practically to follow the course which the Premier took in this House, of approving of the motion. The Premier says, “I believe in the motion;” and the motion simply says this House believes in the principle which it contains. The member for the Moore eulogises the purity of the House of Commons, and the absence of payment of members in that House; but what of the House of Commons in Walpole’s time, than which there was no more corrupt Assembly, as far as bribery is concerned, when men were bought and votes were sold to the highest bidder? What, then, becomes of the statement of the Commissioner of Crown Lands, that payment of members makes a Parliament impure? I did not anticipate that this motion would be carried during the present session, but I think it is well to put it before the people of the colony for their consideration at the election of the new Parliament. It has been suggested that I am half-hearted on this question, but that is not the case. I intend to persevere with it, as I did with another question which I began to raise some years ago. I am very whole-hearted about it, and we shall have an opportunity, on going to a division, of ascertaining who are opposed to it. I have no doubt there will be an overwhelming majority against the motion; but the majority will not overwhelm the principle. There is not an intelligent organ of the press in the country that has not, for a number of years, supported the principle of payment of members. We have a growing electorate, and have the prospect of having this matter discussed in the House within 12 months, so that this will give us an opportunity of further considering the question.

THE PREMIER : Why have you changed your opinion so quickly?

MR. SIMPSON : I have never changed my opinion. I quoted the exact words I used on the former occasion, and I have

not changed my opinion. Eight years ago I supported the principle at the Town Hall in Perth, before I had the honour of a seat in this House; and now I have an opportunity of supporting it again. I will suggest another matter bearing upon it. We pay the delegates to the Federal Council their expenses. Do we render them impure by doing that?

THE COMMISSIONER OF RAILWAYS : They do not support a Government.

MR. SIMPSON : I notice that, as a rule, they are supporters of a Government. Do we render them impure by simply reimbursing their expenses? It is only reimbursement, and I do not look upon it as salary. Practically, that is what I ask shall be given to the members of this House. There is in this matter no thin end of the wedge, such as was spoken of by the hon. member for the Moore, who draws his illustrations from arboriculture and similar pursuits. The motion simply asks the House to affirm a principle which, with two exceptions, is carried out in representative institutions wherever the people are really represented. The Premier also said there was no demand for payment of members; but the best answer to that argument is that there was no demand for the abolition of slavery on the part of the slaves in America. The Premier also admits that the absence of this principle, in which he is a believer, prevents men from being elected as representatives; and yet he is going to vote against this motion, the object of which is to enable the elected choice of the people to enter Parliament. But the question will not be defeated, but only deferred, by an adverse vote this evening; and the principle will ultimately become a vital part of our representative institutions, supported by the voice of the majority of the electors, who are convinced that it is likely to secure the best interests of the country and the fullest representation of the people’s will.

MR. VENN : I should like to draw attention to the fact that the motion says nothing about affirming a principle. It sets out “That, in the opinion of this House, it is desirable, in order to secure the best interests of the country and the fullest representation of the people’s will, to adopt the system of payment of mem-

bers, by making provision for reasonable compensation for travelling expenses and cost of attendance at the sessions of Parliament." That is not a question of principle. It is a proposal to adopt a new course of action. A question of principle is one thing; to adopt it is another. I think it is a difficult matter to speak of an abstract question, as far as a principle is concerned. No one, for example, would say that a man ought not to be paid for time expended in rendering service to the country—as a principle, no one would argue against that; but when you come to apply the principle at once, and say the time has arrived when members of Parliament shall be paid, the principle then becomes a matter of fact upon which there is room for a difference of opinion. If the member for Geraldton had made his proposal an abstract motion, I should have supported it; but I shall have to vote against it, because it goes on to ask that provision shall be made for payment of members at the present time.

MR. GEORGE: I do not intend to support this motion, as I do not believe in payment of members. I believe this country will always produce sufficient public-spirited men to represent it in Parliament at their own expense. I do not believe there is a purer house of legislature in the world than the House of Commons, and I do not think payment of members will ever be introduced there. I do not think the freedom of the people of this colony stands in need of being vindicated by the introduction of the system of payment of members, and I am going to oppose it.

THE ATTORNEY GENERAL (Hon. S. Burt): I did not intend to say anything on this question, but I am really most pleased that the member for the Murray has seen fit to get up in his place and express the opinion that he expresses. For my part, I hope that every present member of the House will, on the hustings, oppose payment of members in this country. It is the last straw that breaks the camel's back, and payment of members would destroy the respect that we have built up during the last 20 or 30 years that we have sat here. The members for Geraldton and Nannine want to drag our Parliament down to the level of payment of members.

MR. ILLINGWORTH: We want to drag you up, not down.

THE ATTORNEY GENERAL: The hon. member knows that it will not do anything else than drag us down. We know that, from day to day, the politicians from the other colonies warn us that payment of members would be our ruin and our disgrace. I have heard it from their own lips, that payment of members has caused men to throw up their business, and everything they held dear in the world, in order to enter Parliament on a salary of £200 or £300 a year; and when they have been afterwards thrown out of Parliament, they have been ashamed to resume their old occupation. While they were in Parliament, they moved in a higher sphere compared to that in which they had been brought up; and when they could move there no longer they have gone to ruin. There are many cases of that sort. We also know that in a neighbouring colony there have been, in recent years, two instances in which a Premier has threatened his paid supporters with a dissolution, if they did not vote at his bidding. That occurred in Victoria, and the hon. member for Nannine knows it. In fact, he is the one who told us about it. Where is there such a picture as that, where members are not paid? I say that such a system tends to the ruin of the community, and of political life altogether. It appears to me, and it always has appeared to me, that if on the hustings men expressed their convictions against proposals that are against the public welfare, they would be supported. But, unfortunately, it is too common to hear candidates declare they are in favour of payment of members, at the bidding of the first Radical who shouts in the hall. I implore any member of this House, who hopes to return here after the general election, to stem the current a little, and he will gain the support of the public. Members give themselves away for nothing—I feel confident of it, for the votes do not lie that way—when they say that they are in favour of payment of members, because they are asked the question. You will find that the member for the Murray will be returned for any constituency for which he may offer himself, because of the stand which he takes on this question. It is a great mistake to suppose the

general body of electors are in favour of payment of members. There are too many examples in the other colonies to warn them against it. I have profited by what I have been told on this subject by the member for Nannine himself. What did he tell the member for Plantagenet? He cannot deny that. He knows enough to be able to warn this country against the system; and I want to emphasise what he said, when he was fresh from Victoria, against the payment of members. He knew then that if we took that step, down we should go. It is known throughout the colonies that this is one of the best Legislatures to be found in Australia. They all admit it, and say, "Avoid payment of members." I ask, in the face of the teachings of history, are you going to give yourselves away? for that is what we should do if we adopted this motion. I hope hon. members, wherever they may be, will strongly oppose this suggestion. I shall oppose it as long as I live. What is the use of supporting a principle that produces such evil results. A tree is known by its fruits; and, no matter how you look at payment of members, nothing but evil comes of it. It is bad and detestable in principle. It does not matter what the newspapers say. The House should try to lead the press, and teach them; and as long as there is someone to lead the people on this question, I believe there will be a majority against such a motion as that of the member for Geraldton. But if everyone is running away from the question, and stating he is in favour of it because he thinks other people are, who will there be to educate the people? Let us try to lead the people and tell them what we know. The people in the country districts do not know the results of this system in other places, and it may seem an attractive thing to some of them to be able to enter Parliament and have their expenses paid and something to live on as well. It is our duty to tell them that it is nothing of the sort—that payment of members has led to evil in two other colonies. We can tell them that, if they fail to obtain a seat a second time, they will have to begin life over again; to go back to the sphere in which they were before they were elected; that they will be between heaven and earth, and that

they may go to the devil. That is where rejected professional politicians do go, as hon. members know perfectly well. At the places where the Federal Council, which has been mentioned by someone, has held sittings, I have met plenty of these men. The advice which the member for Nannine gave to the member for Plantagenet, to have nothing to do with payment of members, is the advice I prefer to follow, instead of the view he has expressed to-night, because it coincides with the advice which was formerly given by the member for Geraldton on the same subject. [MR. SIMPSON: Quote.] It is no use the hon. member saying that, because I remember saying, when the question was previously discussed, that we should hear no more of payment of members this session, because the member for Geraldton did not agree with the member for Nannine on the subject; therefore I was astounded when I saw the motion which is now before the House appearing on the notice-paper in his name. In the face of the opinions which have previously been expressed by the members for Nannine and Geraldton, every member sitting in the House to-night knows that the system of payment of members is iniquitous, and I hope every hon. member will oppose it. I have much pleasure in doing so.

Question put, and a division being called for, it was taken as follows:—

Ayes	...	...	...	5
Noes	...	...	...	18

Majority against ... 13

AYES.
Mr. Higham
Mr. Illingworth
Mr. Solomon
Mr. Wood
Mr. Simpson (Teller).

NOES.
Mr. Burt
Mr. Clarkson
Mr. Cookworthy
Sir John Forrest
Mr. A. Forrest
Mr. George
Mr. Harper
Mr. Lefroy
Mr. Loton
Mr. Monger
Mr. Phillips
Mr. Piesse
Mr. Randell
Mr. Richardson
Mr. R. F. Sholl
Mr. Traylen
Mr. Veau
Mr. Hassell (Teller).

Motion negatived.

MOTION—FORECLOSURE BY GOVERNMENT OVER MIDLAND RAILWAY.

MR. LEFROY: I have to move the motion standing in my name on the

notice paper, as follows:—"That, in the opinion of this House, it is desirable that the Government should exercise the rights of foreclosure over the Midland Railway immediately they are in a position to do so by the agreement made under 'The Midland Railway Loan Act, 1893,' and that the holders of the company's debentures should be paid such sum as Parliament may decide to be a fair consideration for their interests." My reason for bringing forward the motion is that a large quantity of land between Perth and Geraldton is locked up from settlement, through being in the hands of the Midland Railway Company. I have no other reason for the motion than to see this land thrown open for selection. I wish it to be understood that, in dealing with this subject, I have no persons in my mind, but that I deal with it simply as a business matter, and in no other way. The history of this Midland Railway Company is well known to all members, and I have no desire to go back very far into it. Six years ago this concession was granted to Mr. Waddington, who sold it afterwards to a company, and Mr. Herbert Bond came out here as managing director of that company. Mr. Bond shone here like a meteor, and then disappeared, and evidently has not been heard of since. We all know this company has been in difficulties, and that some years ago it came to this House and asked us to help it to complete the construction of this railway. Parliament granted assistance, and a Bill was passed empowering the Government to enter into an agreement with the company whereby the Government guaranteed interest on bonds to a certain amount. It was a condition of the agreement that, in the event of the company failing to pay interest on these bonds, and the Government being called upon to pay that interest, the Government could, at a certain point, foreclose and take possession of the railway and the company's lands. My object in moving this motion is to ascertain the feeling of Parliament with regard to this question; to ascertain whether it is the desire of Parliament that the Government should foreclose immediately they are in a position to do so. In the year 1886, when this concession was granted, it was understood that it was granted for

the purpose of opening up the lands of the Midland district. It was granted for no other purpose but that of encouraging settlement, to improve the national estate; but up to the present time the company have done nothing whatever in the direction of settling those lands. The whole belt of 80 miles, stretching from Perth to Geraldton, has been virtually locked up for eleven years, there having been no settlement whatever except on a very small piece of country retained by the Government, and not selected by the company when it selected its grant. The company, to my knowledge, has not sold a single acre of land for people to settle on since it has been in possession. To my mind, this is a sad state of affairs, and it is a question worthy of the attention of this House whether it should continue. We are building railways at the present moment into what are called agricultural districts—one to the Blackwood, another is proposed to Greenhills and Meckering, and others are suggested to every conceivable agricultural spot in the colony; yet here, between Perth and Geraldton, we have a considerable extent of country served by a railway, and not an acre of it is open to selection.

THE COMMISSIONER OF CROWN LANDS: People can select in the Government areas.

MR. LEFROY: Yes; but the Commissioner knows what the land is like that is left in the hands of the Government, although I have no desire to stand up in this House and speak disparagingly of the lands of Western Australia. There is a small extent of country taken up, out of what has been left to the Government; but that is beside the question. Here we have a company having in its possession 2,400,000 acres of what is undoubtedly the best land between Perth and Geraldton; and the company will not do anything with it. Surely, that is a dog-in-the-manger policy. It was generally understood, when the scheme for this railway was approved by Parliament, that the building of the railway was going to open the country to settlement. I do not think Parliament would have granted that concession, if the members could have foreseen what was to be the condition of affairs at the present moment—if they could have foreseen that this company was not going to do anything

in the direction of settlement. We are needing people to settle on our lands, in order that the agricultural population shall, as nearly as possible, keep pace with the mining population; and yet in the country between Perth and Geraldton there has been scarcely any settlement for the last 10 years. There are a number of farmers along the Midland Railway who have wanted to extend their operations; but, if they go to the company for a block of land, they are asked a price that is entirely out of the question, especially when it is compared with the terms upon which Government land can be obtained. It will not pay to purchase land at from £2 to £3 an acre for the growing of cereals, when similar land can be obtained from the Government on the other side of the line for nothing. The people between Perth and Geraldton are more interested in this question of the locking up of the lands than in any other that can be placed before them; and if members of this House were to travel through that country, they would find this question uppermost in the minds of the people. Those people do not care about payment of members, but are thinking of something more practical, for they want to see the land settled and improved, and they also desire to increase their own holdings. As a leaseholder, holding a large area of land, it might be supposed that I have no need to take an interest in this subject. It may be said to me, "What does it matter to you whether the railway is purchased or not?" It is not, however, on these grounds that I was elected to Parliament. I came here to represent the people, and not myself; and it is in the interests of the people, not only in the district I represent, but in the whole colony, that something should be done to open up the land between Perth and Geraldton. I may point out that the company can sell the land mortgaged to the Government, on getting the consent of the Government; but the money derived from the sale of that land has to go into the Treasury, until such time as the guaranteed loan of £500,000, with interest, is paid. Well, I asked last session how much money had been received by the Government on account of land held by the company, and I was told that none had been sold. I believe that up to the present moment

—the Premier will be able to tell us about this—no money has been handed over to the Treasury on account of sales of land by the company, because it has not sold any lands. The company has not sold any lands, because it will not sell except at exorbitant prices, at which it would not pay people to buy the land and settle on it afterwards. If it is desired that this land should be locked up and made no use of, well and good; but when we are wanting settlement, and asking for it, that cannot be the desire of this House, or the desire of the people of this colony. When this concession was first granted, the company led the people of this colony to suppose they were going to encourage settlement, and, in fact, there was a clause in the contract by which the company bound itself to introduce 5,000 immigrants. That immigration clause was erased in some way or other; but still the principle sticking out from every part of the arrangement, from the very outset, was that this railway was to be built for the benefit of Western Australia, and not alone for the benefit of the people who built it. We were to get people on the land who were to become producers and tax-payers, and who were to help to pay the interest on the money we had to borrow. Up to the present time we have got none of these people as a result of the granting of this concession. There are plenty of young men anxious to settle on the land. Some will say that people will not settle on the land now on account of the attractions of the goldfields; but I believe there are plenty of men, not attracted by the goldfields, who will settle on the land if they are only able to obtain it. The reason why they do not settle between Perth and Geraldton is that they are not able to obtain the land. A small area of country has been marked out as an agricultural area, by the Government; and, to show that people will acquire land there, I desire to state that nearly the whole of that area has been taken up. That area lies along the Midland Railway, south of the Moore River. This is a proof that if the Midland Company was trying to dispose of its land, the company would soon get a great deal of it settled; but, in that case, the company would have to part with it on terms very much lower than it is asking at present. I suppose

the company has not made any serious effort to settle its lands on account of its inability to compete with the Government as to terms. Here we have a certain agreement made, and if it does not carry out that agreement, the country is in a position to foreclose and take possession of the line, with the land mortgaged to the Government. My desire is that this House should give an expression of opinion as to whether the Government should take advantage of the forfeiture clause in the agreement immediately they are in a position to do so. I say they should do so. It was well understood by the House that they would do so, and I do not believe this House would have approved of the proposals of the Government, a few years ago, if it had not been an understood thing that the agreement was to have been carried out in its integrity. In fact, the Government told us the agreement would be carried out in its integrity; they told us that, if the contract was broken, they would foreclose. I believe the Government are in a position to foreclose, and I wish this House to strengthen their hands in any action they may take, by passing this motion. In 1893 the Premier, when he brought these proposals before the House, told us the whole aspect of the country between Perth and Geraldton would be changed directly this line was completed. This was one of the reasons why we agreed to the proposal then brought forward.

MR. SIMPSON: The Premier forgets that.

MR. LEFROY: The Premier told us that the aspect of the country would be changed; that we had seen it in the case of another railway, and we would see it along the Midland. The Premier also told us we were not completing the railway for foreigners, but were building it for ourselves. I feel certain the Premier, at that moment, felt confident the company would do something with the land and settle people on it. Members of this House were influenced by the remarks made by the Premier, and agreed to the proposals; but the whole thing has been a failure from the very commencement, and is a failure still. This was, I say, a national undertaking intended to improve the country, and it has not been a success one whit. The position of the settlers along the Midland Railway is different from

that occupied by the other people of the colony. People who hold leases under the company have to relinquish their lands on receiving one month's notice to quit. They may lease land from the company, and may stock it with 10,000 or 20,000 head, and then receive notice to quit, and have to sell their stock at a great loss in a forced sale. In conditions like these a leaseholder might be ruined. It is, I am sure, not the desire of Parliament that any of our people should be subject to conditions of this sort. It is all very well to say that similar conditions apply under the Land Regulations; but there is greater safety under the Land Regulations, administered by a Government responsible to the country and to Parliament. A Government could not do anything harsh or arbitrary, and yet private companies might do those very things, and be within their rights. I am not saying that a thing of this sort is likely to take place in the case of any leaseholder under the company; but the fact remains that this is the position in which the leaseholder stands. A few years ago, when these proposals were agreed to, it was hoped the land would be sold, and that the people taking it up would be in a secure and safe position for the future. Such is not the position up to the present time, and for that reason I bring forward this motion. Last year, when I asked a question on this subject, the Premier informed me the Government had then to pay £7,000 out of the Consolidated Fund on account of interest due to the debenture holders. Since then, 12 months has elapsed, and I really think the time has nearly arrived when the Government will be in a position to give notice of foreclosure. I fancy they must be in a position very near to that, at the present moment; for, as is well known to this House, directly the Government are called upon to pay interest to the extent of £20,000, they can give three months' notice of foreclosure, and, in the event of the company still remaining in default, can take possession of the railway and lands. I hope the Government will take up that position, and will see that this agreement is carried out in its integrity. My reason for adding these words, "and that the holders of the company's debentures should be paid such sum as Parliament

may decide to be a fair consideration for their interests," is that if this Parliament considers the concession worth more than £500,000 and the interest due, it may be inclined to show some consideration to the debenture holders. It may be considered worth while to give the company fair value for the railway and the lands, or rather, I should say, that the debenture holders should be so far protected as to receive the difference between the sum of £500,000 and the price agreed upon as an equitable arrangement by the Government. That is my position. I am not an expert with regard to the value of railways; but if this House does consider the Midland Railway worth more than £520,000, the Government ought to be placed in a position to offer the debenture holders a certain sum in consideration of losing their interest in the concern. I think it is well to let the debenture holders, whoever they may be, know that if they want to deal with this matter they had better deal with the Parliament of this country, than with the representatives of the company in London. The debenture holders should know that Parliament and the country are prepared to deal fairly and equitably with them, and it would be well for them to know it by means of the House passing this motion. It is all very well for someone to say the Government can foreclose; but there may be somebody behind the scenes ready to step in and take over the concern at a low price. There are people of that kind in the world, and perhaps somebody, somewhere—I do not say where—may be waiting for a chance to turn up for acquiring this railway at a low figure. I therefore wish the debenture holders to feel that the best friends they can look to in this matter are the members of the Government and the members of this House. As I have said, someone may be prepared to say to the debenture holders, "You are in a bad position; you people will get no money if this railway is taken over by the Government: I will give you £100,000 for your interest." I put this for the sake of argument, and it can easily be seen that the debenture holders will accept that offer, rather than allow the Government to foreclose and get nothing for themselves. Rather than the line should get into the hands of speculators of this character, we should

let the debenture holders know that this country is prepared to place them in a fair and equitable position. It is a crying shame that this country should be locked up all this time, and I think this matter should interest the whole of the people of the colony. The settlers of this part of the country have felt that, in Parliament, they have a fartherly care extended towards them, and they have considered that Parliament could not help them more, or endeavour more thoroughly to develop the natural resources of the country, than by getting possession of the Midland Railway and the locked-up lands alongside.

At 6:30 p.m. the SPEAKER left the chair.

At 7:30 p.m. the SPEAKER resumed the chair.

THE PREMIER (Hon. Sir J. Forrest): With regard to this motion of the hon. member for the Moore, I do not think any great good will result from a discussion on it at the present time. The conditions existing between the Government of this colony and the Midland Company are very well defined, being based on statute, and on a very precise agreement; and I do not see what we can do at present in the direction desired by the hon. member. We are bound, of course, to adhere to the conditions of the agreement and the contract; and while I fully recognise and appreciate all that the hon. member has said as to this company having done nothing in the way of opening up and developing its land, as the company was required to do under the contract, still it is impossible, as far as I can see, to interfere with the operations of the company under the agreement, and under the law as it stands. I fully sympathise with the hon. member and his constituents in the position in which they have been placed during so many years, through not being able to acquire any of the company's land on the easy terms on which the lands of the Government can be acquired; but it should not be altogether forgotten that the people in that district have some advantages, at any rate, from the operations of the company, for they have means of transit provided by the railway for carrying stock, and also to some extent for other produce, which were not available before the

railway was constructed. Of course hon. members are aware that one-half the frontage along this railway was reserved to the Government; but, under the terms of the contract, it was possible for the company to acquire most of the best land along the railway, and they were able to acquire the whole of what is known as the Victoria Plains, to the east of the railway; so that, as we have found, the poorer portions of the land generally were left to the Government, as their portion of the frontage to the railway. However, I am glad to say there has been some settlement; that across the Moore River there is some settlement along by Koojan, and up towards the southern end; but I regret to have to admit that, as a rule, there has been very little settlement, and that there has been no settlement at all as far as the company is concerned on the 2,400,000 acres which are mortgaged to the Government under the contract for completing the construction of the railway. I believe the railway construction itself has been carried out fairly well, and that the railway is being run with fair punctuality, and in that respect I think the contract is being carried out. A daily train runs from Walkaway at the one end and from Guildford at the other end, so that there is daily communication between Perth and Geraldton, and access is thus given to the Murchison goldfields. The railway, therefore, has been some benefit to the colony, and we cannot deny that this is so, however much we may declare that the land of the company along the railway has not been utilised to the extent we all had hoped for, and which we so much desire. If there is one thing more than another that has been proved to the satisfaction of all of us, in regard to these English companies which undertake the settlement of land in this colony, it is that they seem unable to develop the lands which they hold here. I think their land settlement has been a complete failure, in regard to both the Great Southern and the Midland Railway Companies; but when we consider the construction of the line, there is every reason for the colony to be satisfied, and I think it is fairly satisfied, so far as the construction is concerned; still, with regard to their land settlement, we are bound to admit that both these

companies have been complete failures. It has not been altogether an evil to the colony, because these lessons will have taught us to be very careful in regard to handing over great enterprises to private individuals. As I said the other evening, our experience of these companies has not been good; but the giving away of large tracts of country to English companies years ago has been of use in this way, that it may operate as a warning and a benefit to the colony in the future. With regard to this agreement with the Midland Company, we have the power of purchasing the railway upon valuation, and that course is open to us, I believe, under the contract. We have also the power of foreclosure in the event of the company owing to the Government a sum of £20,000. At the present time the company owe us more than £20,000 under the contract; but we have a sum of about £9,000, being part of the loan money that was placed in our hands in trust for the purpose of completing the construction of the railway. Therefore the sum actually due at this moment is scarcely £20,000. In a few days we hope to pay this loan money to the contractor, as the balance due for the construction of the line; and then there will be more than £20,000 due to the Government under the contract and under the agreement. Notice will be given to the company as soon as more than £20,000 is due, and we will see what the company will do. I have no doubt they will pay up, because I do not think it is at all likely that those persons in England who represent the large interests which are involved will permit a foreclosure to take place in default of payment. They will at any rate have to find the money for the interest. Seeing that these are the circumstances, that our connection with the company is thoroughly well defined both by the Act and by the agreement, I cannot see myself that there is any use in our discussing this question at the present time, unless we are prepared to buy the company out. I do not take it that the hon. member for the Moore goes so far as to say we should buy the railway, and submit it to arbitration for ascertaining what price we should pay. But unless he is prepared to do that, it seems to me our best course is to abide by the agreement which, even if we

desired, we cannot get away from, and that we should let things take their course for a little while. I see no other course open to the Government or to this House, in regard to the matter at present, and I do not see that it is of any use for us to discuss it now. We have the power to acquire the railway, if we choose to do so; but, speaking under correction, I do not think we have the power to take the company's land. We can take the railway, but we do not want it, because the railway is doing good work. What we have to complain of is that the land held by the company is not being utilised. Seeing, therefore, that we are pretty well powerless in the matter, I do not see the use of discussing it upon this motion. [MR. LORON: Put a land tax on.] It is competent to do that, if this House desires it, but I do not see what good is to be got by discussing the motion. If we encourage the idea in the minds of the company that we are most anxious to purchase this railway and to possess this land, I do not think that will help us; therefore I do not see that any good can result from a debate on this motion. If I had had an opportunity of speaking to the hon. member in regard to this motion, before he brought it on—and I did not know until a little while ago that it was coming on to-night—I should certainly have advised him to withdraw it, and have pointed out that I thought it unwise to bring the motion forward at the present time. The fact is, we may talk, but cannot get away from our bargain; and, as I said, the connection between the Government and the company is so well defined by law and by the agreement, that really I cannot see any good in discussing the question. I hope, therefore, the hon. member will not pursue it. If I could see any good from the discussion, I should be the first to support the hon. member; and if I could do anything to encourage the occupation and cultivation of the large extent of country held by this company, on the Victoria Plains and elsewhere, I should be only too glad to do so, and assist the hon. member in every way possible. I hope he will see fit to withdraw the motion.

MR. PHILLIPS: In rising to support the motion, I should like an assurance from the Premier that, on the first

opportunity, there shall be no further advantage given to this company.

THE PREMIER: We will not give them any advantage, but will carry out the law.

MR. PHILLIPS: We have now waited some ten long years for the settlement of the company's land; and, speaking for the people of the Irwin district, which I represent, it has been a terrible blow to that district, through the land being locked up so long. We have lost the bone and sinew of the place, as the farmers' sons have had to go elsewhere and find a living, because they could not obtain land in their own district. I can see that the Government cannot do anything until the agreement expires, and I should like to know when it does expire.

THE PREMIER: When there is £20,000 due.

MR. R. F. SHOLL: There is that due now.

THE PREMIER: There will be in a few days.

MR. PHILLIPS: If we can get some assurance from the Government that steps will be taken for exercising the rights of the Government under the agreement, I shall be glad to hear it; for I can say, as an old settler in the district, that we are in a worse position now than we were in before the railway was made, for although we have now the advantage of the line being open, still we are not reaping our share of the prosperity which obtains in other parts of the colony.

THE PREMIER: I may say the Government will carry out the law precisely. There is no doubt of that.

MR. R. F. SHOLL: That is all that the motion before the House asks the Government to do, namely, that in the event of this company not complying with the terms of its agreement—that is if the company should be in default to the extent of £20,000—then the Government should exercise their right under the law to foreclose on the railway. This has been an unfortunate business altogether. This railway company has been in difficulties from the time of its inception, and while I do not wish to say anything harsh about the promoters of it, or those who undertook to carry out the work of construction and entered into agreement with the Government, still I say that when we compare the way in which this

Midland Company has carried out its work of construction with the way in which the other land-grant railway company has performed its undertaking, I say the proprietors of the Midland Railway deserve very little sympathy. The Great Southern Company has carried out its engagements, and has given us a good railway service; but the Midland Company has tried to shuffle out of its engagements in every way, and at last it came to the Government and tried to borrow £500,000 under an agreement by which, if the company gets into default to the extent of £20,000, the Government may foreclose. But if the Government give notice to the company that £20,000 is due, what will the company do? It will simply reduce the amount to £19,999 19s. 11½d., so that it may not actually be in default, and the colony will lose the interest on £20,000 for the benefit of that company.

THE PREMIER: We charge the interest against the company.

MR. R. F. SHOLL: Yes, but you do not get it. I do say it is nearly time that, if the Government will not do it, this House should express a strong opinion as to what the Government should do in the event of this company not acting up to its obligations. It is all very well to talk about there being a lot of land lying idle belonging to this company, but there is some reason for a grievance on the part of both the land-grant companies in this respect, that when they obtained their land from the Government, it was supposed to be worth, on the average, ten shillings an acre at the least; but the Government have since broken faith with the companies by altering their land regulations, and not only giving away the Government land, but also advancing money to settlers to induce them to cultivate it. [**THE PREMIER:** You voted for that.] I do not know that I did. These companies have a grievance in that respect, because the land policy of the Government has depreciated the value of the companies' lands, making them practically worth nothing. The companies' lands are unsaleable, because the Government have land alongside which they are giving away to people who will occupy it, and are advancing money to enable them to cultivate it, and, of course, private companies

cannot do that. This motion only asks the Government to do what they say they will do.

MR. ILLINGWORTH: Then it is not necessary to ask them.

THE PREMIER: The hon. member had better read the terms of the motion.

MR. R. F. SHOLL: I have read the motion, and am not particularly fond of the latter part of it, for I do not see why we should pledge the colony to consider the debenture holders.

THE ATTORNEY GENERAL: The debenture holders have agreed.

MR. R. F. SHOLL: I think it would do no harm if the hands of the Government were strengthened by an expression of opinion from this House that, in the event of the company being in default in the payment of interest or by breach of agreement, the Government should exercise their right to foreclose.

MR. CLARKSON: I am pleased to hear the Government have decided to adhere to the terms of the agreement with the Midland Company. That this company has been a great drawback to the colony, by the failure to settle its lands, is a fact beyond dispute. For more than ten years most of the best land of the district I represent has been locked up by this company. I believe there has not been a single acre sold by the company, though I do not know why, but the people who might be buyers seem to have a dislike to deal with the company. I believe the company has tried to sell land at a fairly reasonable price; but the people who might buy it seem to think they would not be secure in their title if they purchased from the company. I have heard several persons say that. In any case it is time something definite was done with regard to the company's land, for there is a great amount of good land locked up and lying idle. The company has clearly broken faith with the colony in not introducing immigrants for settling their lands, as the company undertook to do. It was generally considered that this was part of the agreement; but the company got out of that condition in some way, as it seems to get out of almost any condition that was intended for the advantage of the colony. The company has been able to select all the best land on either side of the line, and it was never intended that the com-

pany should have that privilege. I think the member for the Moore deserves the thanks of this House and of the people of the colony for bringing this matter forward. I am pleased to hear the Premier say the Government do not intend to make any further concession to the company, but to act strictly up to the contract; and with that assurance I think we ought to be satisfied at present.

MR. HASSELL: The member for the Gascoyne forgets that the two land-grant railway companies have had their opportunity for settling their lands, and they have not done it effectually; so it cannot be said that Parliament or this country has dealt hardly with either of these companies. I have nothing to say against them with regard to the construction of the railways; but, as to their land settlement, it has been a total failure. In regard to what has been done by the Great Southern Company, I must say the land settlement of that company has been a complete failure, and I think the member for the Moore deserves the thanks of this House and the country for bringing forward this motion. I hope the Government will take the matter in hand as soon as possible, and settle the question once for all.

MR. VENN: It is possible we may forget the bridge that carried us over the stream, and more particularly the stream that lay between here and Geraldton; and if members would go back a few years, and ask themselves what chance there was of the country at that time building the railway through the Midland district, they would say there was no chance, and that it was only by adopting the land-grant system that the country was enabled to have that railway built at the time by foreign capital. [MR. R. F. SHOLL: And finished by the Government.] That may be so; but the responsibility rests with the debenture holders, and depends on the time they will redeem the debentures. We have no reason, in the days of our prosperity, to blame them for not settling the land; for many of us who have been settled here a number of years have had difficulty in getting people to buy our land; therefore how much more difficult must it have been to sell millions of acres. In fact, the country was not ripe for close settlement then, but it is

becoming riper daily, and I have no doubt that both companies will be able to sell their land to better advantage than in the past. The action of Parliament in reducing the price of all Crown lands has militated against the companies selling their land, because if the Government land was equally as good as the company's land, those seeking settlement would go on the Government land, preferentially, on account of the terms. I do not say the Legislature did wrong in lowering the price of land for the purpose of encouraging settlement, as that was a just thing to do; but we must remember these companies based their calculations on the then price of Government land, and they could not reasonably have expected that, as the country became more settled, the land would get cheaper. That being so, the companies' lands are not of the same value as they were years ago. It is not a wise thing to use the word "foreclosure," as it sounds bad in dealing with English financiers. As a matter of fact, we know the Government and the company are under a special agreement, and I have no doubt that when, in the terms of that agreement, matters are brought to a point, the company will get proper notice from the Government, and it will then be for the Government to take advantage of the position, or to make the best terms in the interests of the country and of the company. But it is a grave thing for a Government to talk of repudiation or foreclosure. The country is progressing at the present time, and there is no doubt we are able to deal generously with the Midland Company, who are desirous of doing the best they can with the interests they have at the present moment. In the immediate future, the company will have a better opportunity of dealing with their lands than they have had in the past; and if the Government do foreclose, what better position will they be in twelve months hence. They will have the same railway service, and the country will have to pay for it, allowing that the Government can get the land back, of which I am doubtful.

MR. SIMPSON: They hold two million acres as security.

MR. VENN: Even if that is so, we have not heard that there is a vast deal of settlement of agricultural land taking

place, and I know most of the land. With the assurance of the Government that they intend to carry out the agreement between the Company and the Government, the hon. member should be satisfied that it will be done; and I hope there will be no hard things said with regard to the debenture holders and the Midland Railway Company itself.

THE ATTORNEY GENERAL (Hon. S. Burt): I ask the hon. member who moved this motion if he will strike out all the words after the figures "1893," as the debenture holders are parties to this arrangement, and they signed the agreement with the Government.

THE SPEAKER: The hon. member cannot amend his own motion.

THE ATTORNEY GENERAL: I move that those words be struck out.

Amendment put and passed.

MR. LEFROY: I should have liked to say a few words as to striking out these words, and I thought the Speaker would have given some little time before putting the question. I have no objection, if it is desired by the Government, that these words should be struck out, as in my position I cannot endeavour to drive anything down the throats of the Government that they disapprove of. I did not consult the Premier with regard to this question, as I wished to get an independent discussion on the matter; and I did not wish to hamper the Government in any way regarding the question, which is not a party question, but one affecting the whole country. The Premier has stated that the motion is an unwise one at present; but I do not think so. We are all inclined to think that ideas which we do not altogether follow, when brought forward by other people, are unwise; but I do not see that any harm is likely to accrue from this motion, but, on the contrary, that much good might result if the whole of the motion were adopted. The Attorney General said the debenture holders were parties to the agreement. I know that, and the agreement would not have been signed unless the debenture holders had agreed to it; but the Government will soon be in a position to foreclose. The member for Wellington does not like the word "foreclose;" but I can not see that there is anything bad-sounding in the word. I do not think the word "spade" sounds worse than the

words "agricultural implement;" and I think "foreclose" is the only word you can adopt, in this case. A hard and fast agreement has been made between the country and the company, and I cannot see why that agreement cannot be carried out like any other agreement. I feel certain the Government will see that agreement is carried out; and when the time comes for foreclosing, I suppose they will do so under the agreement; but the position I take is that they are not going to let this concession drop out of their hands, and I do not like the idea of this railway and this land falling into the hands of perhaps one man in the old country, and that is what I am afraid of.

MR. SIMPSON: What difference will it make to us?

MR. LEFROY: It will make a difference to the people living on the land, as we do not want a czar ruling the destinies of all the people between here and Geraldton; and that is the reason I put in the words at the end of the motion. I know we have the right of purchase, and the words at the end of the motion really mean that we should exercise that right; and we should be willing to give to the company whatever the line is worth. There is no doubt the company's property will change hands, and if it comes into the hands of anyone else, we will have to start afresh with a new body of people. If it changes hands at all, I say it should come into the hands of the Government of the country, as then the people who settle on the land will become taxpayers through the Customs and the railways, and, in that sense, every man who comes here to settle is estimated to be worth £200 in hard cash to the country. I should have preferred to leave those additional words in the motion, as I think that, if the railway changes hands, it should come into the hands of the Government, and that the debenture holders should be informed the Government are willing to offer terms as good as, if not better than, anyone else. It would pay the Government better than any private individual to own the railway, as the country would then derive a benefit from the people settling on this land. As the Government do not wish the motion to go through in its present form, I have no option in the matter now. I have no desire to press the

motion at all, as I know, from the assurance given, that the Government will exercise the right of foreclosure; but there is something to come after that, and I wish the railway to go into the hands of no one but the Government. I feel sure that is the desire of the whole country. With the permission of the House, as the motion has been somutilated, I desire to withdraw it.

Motion, by leave, withdrawn.

MOTION—STARTING POINT OF GREENHILLS RAILWAY.

MR. HARPER, in accordance with notice, moved "That the question of the starting point of the proposed railway to connect Greenhills with the Eastern Railway be referred to a select committee; such committee to inquire into and report upon the best route for a railway to open up the agricultural lands lying eastward of the York-Beverley section of the Eastern Railway, with the view of an ultimate connection with the Northam-Yilgarn Railway." He said: I am in a little dilemma, as my desire was to move this as an amendment on the motion for going into committee on the Bill, authorising the construction of this railway; but inasmuch as there is a certain portion of the ordinary revenue to be set apart for the construction of this railway, it appeared to me the question might be prejudiced before the Bill came into the House; and, so as to be clear, I thought it well to put this motion on the notice paper before that vote in the annual Estimates was taken. I should be prepared to leave this motion to the usual period, if the Premier would give an undertaking that he would not attempt to pass the particular vote in the Estimates before this Railway Bill was introduced.

THE PREMIER: We must have the money voted before introducing the Bill. How would that affect the case?

MR. HARPER: Because you would have pledged the country, by vote, to appropriate that money for the construction of this railway.

THE PREMIER: Could we not have a discussion on the vote?

MR. HARPER: It is not, I think, competent to move for a select committee, while the House is sitting in committee.

THE SPEAKER: Certainly not. The committee cannot appoint a select committee.

MR. HARPER: The question would be complicated if, when the Bill came before us for the third reading, you moved for a select committee, because the House would not then be in possession of the information I wish them to have, and the absence of it might prejudice my position. Are the Government prepared to strike out the word "York" from the item in the Estimates? Perhaps it is better for me to move this motion. The principle that has been adopted with regard to railways is that, when there is a difference of opinion regarding the route, the matter should go to a select committee, so that all the surrounding circumstances can be examined into, and the House obtain information that it might not otherwise be in possession of. All the people southward of Beverley are strongly of opinion that this railway, if constructed, should start from Beverley; and I have no doubt that, when the Eastern goldfields are more strongly represented in this House, they will join with the Southern part of the colony in the desire that the distance between the goldfields and Albany should be shortened to the greatest possible extent. More than that, it is desirable that if the railway is built for agricultural purposes, it should accommodate the largest possible area of land available in that direction; and therefore I urge that this question should be more thoroughly examined than it has been hitherto. There is a considerable area of country not directly tapped by the line proposed by the Government that would be tapped by taking the line from Beverley; and, in the interests of the country, the people residing there should be considered. The people residing on the Great Southern Railway have a very large interest in this question, as the whole of their agricultural lands are to some extent prejudiced in competing in the metropolitan markets by the long distance of transit to those markets; and, as they would obtain a very considerable advantage by having a shorter route open to the other great market on the goldfields, it is a matter for very grave consideration whether the interests of the residents in the country should not be carefully guarded in considering a railway of this kind. If the railway is con-

structed from York to Greenhills, I have no doubt the ultimate object will be to continue on from Greenhills and strike the Eastern goldfields line. When that is done, it will leave only a short piece necessary to connect Beverley with that line; therefore, if it is desirable that, sooner or later, this connection with the main line at Beverley should be made, what will be the value to the country of the short piece of line between York and Greenhills? It would be right on the main trunk line, and of little use indeed; and, in the interests of the country, all these points should be carefully considered before this matter is finally decided. I have no desire to aggravate any local jealousies, but this question should be fairly looked at, and the line that offers the most satisfactory solution of the difficulties should be adopted. That is the stand I take, and I hope the House will accept this motion.

THE PREMIER (Hon. Sir J. Forrest) : It seems to me this motion is not quite in order, that it is not quite where we want it; because no vote has been taken for the construction of the railway in question, and there is no Bill on the subject before the House, although an item appears on the annual Estimates in regard to this railway. The line is supposed to be taken a few miles south of York, to the Mackay River and to Greenhills—the same route, in fact, which it was first proposed to take on the York route to Southern Cross, when the goldfields railway was first brought in. I may say now I think this is the best route, although I should be only too glad, if I could possibly do it, to agree with the hon. member for Beverley in his desire to assist his constituents. I commend him for it. At the same time, I think it would need a little persuasion on his part to convince me, or to convince the members of this House, that the best way to get to the port of shipment, to Fremantle as the principal port of the colony, from Greenhills, is to go down the country to Beverley, and then come back to York. In fact, taking York as the starting point, you would have to go about 40 miles instead of 20.

MR. ILLINGWORTH : Why go to Fremantle? We want to go to Coolgardie.

THE PREMIER : I do not know about that. Anyone wanting to go to Coolgardie

will go by the present route, unless you make another line. I do not think the member for Nannine knows the place as well as I do, or he would not interject that remark. Whichever way you go, unless you want to go to Albany, the York route is the shorter one; and I think the desire of this House has been to build railways in the direction of centres of population, to the metropolis and the port. There is no doubt about the way the Greenhills people themselves would like the line to go. I do not think there can be any difference of opinion upon that. Surely they would prefer to go by the direct road to York, rather than go to Beverley and then back along the main line to York. I have a strong opinion that the route by which we should build this railway is the direct road to York, and not down by Beverley, which is too far round unless one wants to go on to Albany. If the Greenhills people want to get to Coolgardie or Perth, they can do so in one-half the distance by the route proposed by the Government, as compared with the route round by Beverley. That being the case, I am bound to support the York-to-Greenhills route, as we are confident it is the best way of serving the Greenhills people. Notwithstanding the desire of the people of York to have what they call a loop line, I think we shall have to wait some time before we get a loop line, because the direction in which we must go, in regard to giving increased means of transit to the goldfields, is by duplicating the present line. To put another loop line in would, it seems to me, be foolish, as it would not give the facilities we want. You would have one line going to another town, and if you wanted to go to York by a loop line you would never get there, because the trains would all be running one way. If the line were duplicated, it would serve everyone; whereas unless you were prepared to duplicate both lines, and run the trains both ways, as they are run at the present time, I do not think that a loop line would meet the requirements of the traffic. I should have thought the wisest course for us to pursue would be to allow the Bill providing for the York-Greenhills line to be introduced, and, after the second reading, to refer the schedule to a select committee to deal with and alter in any shape they might desire. But,

while the Bill is not before us, it seems to me to be premature to have the motion of the member for Beverley before the House.

MR. ILLINGWORTH: Strike the word "York" out of the item in the Estimates.

THE PREMIER: I do not think there would be much harm in doing that—speaking off-hand and without consulting my colleagues. I do not wish to take any advantage of the House, if the House desires that the route shall be left an open question. I see no difficulty in agreeing to that. At the same time, I must inform the member for Beverley that, feeling as I do that the York-Greenhills route is the right one, the cheapest, the shortest, and the one that would suit the people of Greenhills best, I must use all my endeavours to try and carry it. I think I can meet the hon. member on the question of omitting the word "York," when we get to that portion of the Estimates. It will then be competent for the member for Beverley to move for a select committee to consider the route, and we can thresh the matter out. I may tell the member for York that there is no advantage in retaining the word "York" in the item on the Estimates, because if, acting on the report of the select committee, it were the wish of the House to alter the route, that could be done when a Supply Bill came before us; so we can lose nothing by taking this course, and I think it will be the most convenient course to adopt.

MR. MONGER: I have no objection whatever to the motion of the member for Beverley, because I am sure that, after hearing the evidence, the House will adopt the route which the Government propose. While I do not oppose the appointment of a select committee, I am convinced that, when the bill for the construction of the line comes before the House, such an expression of opinion will be given in favour of the York route that the member for Beverley will be convinced there will be very little chance of a select committee coming to any other conclusion than that of approving of the route chosen by the Government, as it will afford so many advantages to the people of Perth, Fremantle, and the goldfields. The proposal submitted by the Government is one that

will serve the best interests of Western Australia, and I have no objection to the member for Beverley being a member of the select committee which he desires shall consider the question, although it seems to me that the reference of the Bill to a select committee will lose a lot of time. The member for Beverley is somewhat inclined to refer everything to a select committee—perhaps he has more time to spare than most of us for attending the sittings of those bodies; but I do not know that there are any advantages in being a member of them. For my part, I have no wish to go touring round the country hearing evidence before a select committee on a question like this. I hope to have the pleasure shortly of seeing many members of this House visiting the neighbourhood where it is proposed the line shall run, and I am quite certain that, if the member for Beverley—putting aside all party feeling and local jealousy—will come with us, he will arrive at the conclusion that the railway route, as proposed by the Government in framing the annual Estimates, is the one that is best calculated to serve the interests of Western Australia.

MR. HARPER: After hearing the assurance of the Premier, that the Government will remove the word "York" from the item on the Estimates which refers to this line, I beg to withdraw the motion.

Motion, by leave, withdrawn.

WESTERN AUSTRALIAN BANK BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): This Bill repeals the present statute under which the Western Australian Bank is incorporated, and re-enacts the whole of the provisions of that Act, with very slight alterations. The articles of association, which were framed when the bank obtained its first incorporation under the Act (42 Victoria, No. 33), which it is now proposed to repeal, were somewhat inapplicable to the circumstances of an incorporated company. The life of the bank was limited by those articles of association to 21 years, and that term will expire next year. It is therefore necessary for the bank to provide itself with fresh articles, and these have been drawn more nearly akin to the conditions of an incorporated body than

the original articles were. The Act of Incorporation (42 Victoria, No. 33) dealt with the bank as a joint-stock company; and the period for which that statute was passed having nearly expired, the directors now ask Parliament to re-enact the Act of Incorporation, with this great difference, that whereas the old Act was limited to a term of 21 years, the bank under this Bill is to go on for ever, unless it is dissolved by the shareholders, under certain conditions specified in the articles of association, or what is termed in this Bill the deed of settlement. One of the few alterations made by this Bill is to make the note issue in circulation a first charge upon the assets of the bank, in the event of its stopping payment, after the debts due to the Crown are paid. Hon. members know that the English courts have decided, in connection with the liquidation of banks in some of the other colonies, that Crown debts take precedence of other debts when a bank suspends payment; but that, subject to the claim of the Crown, the notes of the bank in circulation at the time of its suspension are made a first charge upon the assets. The note issue of this bank will be found to be limited by section 13. Provision is made in section 14 that the value of the notes in circulation at any one time shall not "exceed the amount of the capital stock of the said corporation actually paid up, and such further amount in excess of such capital as shall equal one-third of the coin and gold bullion held by the said corporation, separate and apart from the coin and gold bullion used in the ordinary operations of the said corporation; and a reserve of specie shall always be maintained by the said corporation equal to one-third of the notes at any time in circulation." This is a provision that is not to be found in the Acts regulating the banks of other colonies of New South Wales or Victoria. I do not think any of the colonies provide a reserve of coin in proportion to the notes in circulation; therefore this provision is an extreme protection given to the customers of the Western Australian Bank. This Bill, in which some of the phraseology has been altered as compared with the old Act, has been before a select committee; and I now ask the House to read the Bill a second time.

MR. R. F. SHOLL: Would it not be as well, while the Federal Council is being asked to make the system of banking uniform throughout Australasia, to defer the consideration of this Bill until we see whether action is to be taken in that direction?

THE ATTORNEY GENERAL: What will the bank do in the meantime?

MR. R. F. SHOLL: I do not see why the bank cannot go on the present lines.

THE ATTORNEY GENERAL: There are no lines; they expire.

Question put and passed.

Bill read a second time.

FENCING BILL.

The Order of the Day for going into committee having been read,

MR. ILLINGWORTH asked the member for the Moore (in charge of the Bill) to postpone the consideration of the Bill for a fortnight, as the member for Northam, who was not now in good health, had some important amendments to propose.

MR. LEFROY said that he desired to see the Bill dealt with by the House, without further delay.

IN COMMITTEE.

Clause 1—Agreed to.

Clause 2—Interpretation of terms:

MR. ILLINGWORTH moved, as an amendment, that the definition of the word "Crown," which was made to include the Midland Railway Company of Western Australia Limited and the West Australian Land Corporation Limited, should be struck out. He objected to the association of these two corporations with the Crown, as not befitting the dignity of the Crown. Moreover, he objected to the principle underlying the definition, which was to place the lands belonging to those companies on as privileged a footing as those belonging to the State.

MR. LEFROY expressed a hope that the amendment would not be pressed. The only object of the definition was to place the lands of the companies in the same category as those held under pastoral lease from the Crown. Of course, when the land in question became freehold, it would be dealt with the same as any other freehold land in the colony.

Mr. LOTON said that, after the previous remarks of the member for the Moore with regard to the Midland Railway Company not utilising their lands for so many years, he was rather surprised at his showing so much interest in favouring the land-grant companies. The fencing laws would be one of the best means that could be used for making these companies utilise their lands. He agreed with the proposal for striking out the definition clause.

Mr. SIMPSON said it would be in the memory of the House that the Attorney General, who occupied a great position in that Chamber, had warned hon. members to be very careful how they dealt with that provision. The Attorney General being now absent from the Chamber, and there being no member of the legal profession present, this was not a time to pass this definition of the word "Crown" so as to make it include the land-grant companies. He moved that the Chairman do leave the chair.

The committee divided on the motion, with the following result:—

Ayes ...	...	...	5
Noes ...	...	...	12

Majority against ... 7

AYES.	NOES.
Mr. Illingworth	Sir John Forrest
Mr. Loton	Mr. A. Forrest
Mr. Simpson	Mr. Harper
Mr. Venn	Mr. Higham
Mr. Randell (Teller).	Mr. Lefroy
	Mr. Monger
	Mr. Phillips
	Mr. Piesse
	Mr. Richardson
	Mr. R. F. Sholl
	Mr. Throssell
	Mr. Clarkson (Teller).

Motion negatived.

Mr. SIMPSON said he still thought the House should have some legal advice on this matter, before proceeding further. The Attorney General had previously drawn particular attention to this clause, and had spoken of it as unprecedented that such a provision should be included in the measure; and yet they were asked to go on with it, in the absence of the legal adviser of the Crown, and in the absence of any other member of the legal profession. Surely they should postpone the consideration of this matter until they could have further opportunity of considering it.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) said all the danger there was in the definition of the word "Crown," by including the two land-grant companies, was that the companies might remain as they were now. The Midland Company would come under those other clauses of the Bill, which provided that when a fence was availed of the adjoining owner so using it would have to pay his proportion.

Mr. SIMPSON said the Commissioner of Crown Lands would excuse him, but he preferred to follow the advice of the Attorney General in a matter of that kind. The Attorney General was a safe and careful man, and he had advised the House not to proceed with that definition of the word "Crown." He (Mr. Simpson) therefore moved, as an amendment, that the word "Crown" be struck out of the clause.

The Committee divided on the amendment, with the following result:—

Ayes ...	...	...	5
Noes ...	...	...	10

Majority against ... 5

AYES.	NOES.
Mr. Illingworth	Mr. Clarkson
Mr. Loton	Sir John Forrest
Mr. Randell	Mr. A. Forrest
Mr. Venn	Mr. Harper
Mr. Simpson (Teller).	Mr. Higham
	Mr. Lefroy
	Mr. Phillips
	Mr. Richardson
	Mr. Throssell
	Mr. Piesse (Teller).

Amendment negatived.

Mr. SIMPSON said he would again urge on the hon. member in charge of the Bill the necessity for seeking skilled advice with regard to the definition of the word "Crown." The House had had the spectacle of the Attorney General walking out of the House, so soon as this Bill had to be dealt with. The Attorney General had deliberately walked out of the House, instead of taking part in the division; and, in these circumstances, they ought to postpone the matter until they could have something satisfactory with regard to it. They should not deliberately put on the statute book anything that was likely to cause harm. If the principle of the Bill was so good, and its intrinsic value was so sound, it would lose nothing by delay.

MR. LEFROY said the member for Geraldton had told the House that the Attorney General had departed because this question came under discussion. He (Mr. Lefroy) really could not believe that. If the dangers of the measure were so great as the hon. member seemed to assume they were, the Attorney General would not have left the House, but would have remained to prevent the clause being passed.

MR. SIMPSON asked if it was not a fact that the Attorney General had walked out of the House when this Bill came on.

MR. LEFROY said if it were the case that the Attorney General had left the House, it might be taken to indicate there was no danger in the clause; for if there had been danger in the clause, the Attorney General would, doubtless, have remained to look after the Bill. The Attorney General had said he would assist in any way he could in putting the Bill into shape, if it were necessary to make it more shapely.

MR. SIMPSON: He said it could not be put into shape. It was a shapeless thing.

MR. LEFROY said he did not know whether the Attorney General had said anything of the sort. It was decided, last session, that a Commission should be appointed to enquire into this matter, and the members of the Commission had done their duty and spent much time in considering the question. The Bill before the House contained the results of the deliberations of that Commission. He was sorry to see the member for East Perth was not in his place while the Bill was under discussion, because there was not the slightest doubt that, if questions arose with regard to legal phraseology in the Bill, that hon. member would be able to answer them. The members of the Commission had spent considerable time in formulating the measure, and they were not going to let it drop at the first sign of opposition. That was the position he took on this question; but if any hon. member could stand up in his place and show where the Bill would be harmful, it would be a different thing. Nothing of that sort had been shown.

MR. SIMPSON said he would point out that the word "Crown" was defined

to include the Midland Railway Company, and the member for the Moore had, in a previous discussion, told them that the Midland Company might shortly be an individual, who might make regulations that would ruin the settlers. That was the way in which the member for the Moore had spoken of the Midland Company within the last few minutes; and yet he asked the House for leave to include this company in the definition of the word "Crown." The member for the Moore really asked them to place the Midland Company exactly in the same position as the Government. It would be ridiculous for the House to do that, on the information now available. The Attorney General had advised the House that, in its present form, this definition of the word "Crown" was unprecedented.

MR. LEFROY asked the member for Geraldton whether he had read the Bill right through.

MR. SIMPSON said the fact that he objected to the inclusion of the land-grant companies in this definition was a sufficient refutation of the insinuation that he had not read the Bill. It occurred to him, however, that the member for the Moore was not himself aware of the dangerous element in that clause. He again asked the members connected with that measure to postpone its consideration, and he could really see no harm in delay. The member of the House (Mr. James) who had been selected to act on the Commission as one having legal knowledge was absent on this occasion, and hon. members were unable to obtain his advice.

MR. LEFROY: His advice is in the Bill.

MR. SIMPSON said the House wanted the reasons for the various parts of the Bill, and the mere fact of the Commissioner of Crown Lands tapping the table and saying "It is so," did not make the matter in dispute self-evident.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse) proposed, as an amendment in the 3rd line of the clause, that the word "corporation" be struck out and the word "company" be inserted in lieu thereof. Unless this correction were made, there would be confusion, for the W.A. Land Corporation was a body that took up poison leases, while it was intended, in the

interpretation clause, to refer to the West Australian Land Company, which owned the Great Southern Railway.

MR. ILLINGWORTH said he wished to move a prior amendment. Whatever might be said of the efforts of the W.A. Land Company to settle people on their land, nothing could be said in favour of the Midland Company. He therefore moved, as an amendment, that all the words after "include," in the first line, to the word "and" in the second line, be struck out, thus striking out all reference to the Midland Company of Western Australia, in the definition of the word "Crown."

MR. RANDELL said the other amendment suggested by the Commissioner of Railways seemed to indicate the necessity for skilled advice on the Bill. The framers of the Bill had apparently not had legal advice, and it was necessary that the Bill should be carefully framed, as it affected a number of important interests. There were several clauses in the Bill under which it was probable that litigation would arise; and if any clauses were badly constructed, there might be disastrous effects on many interests. At any rate, from what the Attorney General had said, it was evident the Bill was not framed in the manner in which bills were framed that passed through this House and stood the test of the courts. He therefore appealed to the hon. member to allow progress to be reported. He moved that progress be reported, and leave asked to sit again.

Motion put and passed.

Progress reported, and leave given to sit again.

CUSTOMS DUTIES REPEAL BILL.

The House resolved itself into committee to consider the Bill.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—Commencement of Act:

On the suggestion of the PREMIER, the first day of October was inserted in the blank, as the date for the coming into operation of the Act, and the clause passed.

Schedule:

Agricultural, horticultural (not garden rollers), and viticultural implements and machinery, and parts of same:

MR. GEORGE said there were manufacturers in the colony who had been struggling for years to attain success in the making of ploughs and other agricultural machinery, and, if the Government wanted to reduce the taxation down to a question of revenue, they should not take off the 5 per cent. duty which had hitherto been charged on these articles; for although, as a protective duty, this was of little value, yet as a revenue duty it was of material value. He moved that the item be struck out.

THE PREMIER (Hon. Sir J. Forrest) opposed the amendment, and said that, as the Government and the House as a whole were most anxious to encourage agricultural operations, it would be foolish to place any obstacle in the way of doing so, if it were only sixpence on the value of an implement. While sympathising with the manufacturers of these articles, yet the great agricultural industry must not be impeded.

MR. GEORGE said that, after the touching appeal of the Premier, he must withdraw the amendment.

Amendment, by leave, withdrawn, and the item passed.

Bellows:

THE PREMIER moved that the word "blacksmiths" be added after "bellows."

MR. GEORGE moved, as a further amendment, that the words "and moulders" be added after "blacksmiths'."

THE PREMIER assented to the addition.

Amendments agreed to, and the item, as amended, passed.

Bench screws:

MR. GEORGE moved that the words "iron and wood" be added.

Put and passed.

Blocks and sheaves:

MR. GEORGE moved that the words "and lifting tackle" be added.

Put and passed.

Candlemakers' materials, &c.:

THE PREMIER moved that the letters "N.O.E" be added.

Agreed to.

MR. GEORGE further moved that the words "of all kinds" be added after the words "engine packing."

Agreed to, and the item, as amended, passed.

New item:

THE PREMIER moved that the item "Engines, steam, and parts of, N.O.E." be inserted in the schedule.

MR. GEORGE objected to the letters "N.O.E." (not otherwise enumerated), because they would prevent the duplicate parts of an engine from coming in free.

MR. ILLINGWORTH supported the objection.

THE PREMIER consented to withdraw the letters "N.O.E." from the item, and the letters were withdrawn, by leave.

Question put and passed, and the item added to the schedule, without the letters "N.O.E."

Grindery (shoemakers'):

MR. HIGHAM said there were many other articles used by shoemakers which should be duty free, and he moved that the words "and materials for" be inserted after "grindery."

Amendment agreed to, and the item passed.

New item:

THE PREMIER said he had thought that the item "Machinery, and parts of, N.O.E." would include all the parts of a machine; but he had received a communication regarding ice-making machinery which seemed to show this was not so. Hence he moved that a new item, "Ice-making machinery and parts thereof," be inserted. This would make the matter clear.

Amendment agreed to, and the new item inserted.

Machinery and parts of:

MR. GEORGE suggested that it would be well to alter the item to this form: "Machinery of every shape and form, and parts thereof."

MR. LOTON said bicycles and parts thereof were now charged 50 per cent. duty; but, under the suggested amendment, bicycles would be included as machinery.

THE PREMIER said that case was provided for by the letters "N.O.E."

MR. GEORGE said the Government had stated their wish to assist the industries of the colony, and yet they would not now allow domestic machinery used in every household to come in free. He proposed, as an amendment, that the words "of all kinds" be inserted after "and parts thereof," so as to read,

"Machinery of all kinds, and parts thereof, N.O.E."

Amendment put and division taken, with the following result:—

Ayes ..	...	...	4
Noes ...	...	...	15

Majority against	11
------------------	----

AYES.
Mr. George
Mr. James
Mr. Simpson
Mr. R. F. Sholl (Teller).

NOES.
Mr. Burt
Mr. Clarkson
Sir John Forrest
Mr. A. Forrest
Mr. Hassell
Mr. Higham
Mr. Lefroy
Mr. Loton
Mr. Phillips
Mr. Piessé
Mr. Randell
Mr. Richardson
Mr. Throssell
Mr. Venn
Mr. Illingworth (Teller).

Amendment negatived, and item passed.

Oil—cod, in bulk, fish, vegetable, and turpentine:

THE PREMIER wished to transpose the words "in bulk" to the end of the item.

MR. ILLINGWORTH said the Premier would not be doing what he intended, as bulk oil, according to the Customs definition, meant oil in casks; therefore the Collector would not admit drum oil and castor oil free, under this item.

MR. GEORGE suggested that a way out of the difficulty would be to insert the words, "of not less than five gallons per package, except in bottles."

MR. RANDELL asked what was included in the item "vegetable oil."

THE PREMIER said any oil produced from vegetables was included.

THE PREMIER moved, as an amendment, that the words "in bulk" be struck out.

Agreed to.

THE PREMIER further moved that the words "other than in bottles" be added to the item.

Agreed to.

MR. GEORGE asked whether the Premier refused to put in the words "machinery oil."

THE PREMIER said he did not think it necessary.

MR. GEORGE said he did think it necessary, and that as soon as the Bill came into operation he would bring a test case, and report the result to the House.

MR. HIGHAM said the schedule included fish, mineral, and vegetable oils, and the member for the Murray would have to go a long way to find another kind of oil.

Item, as amended, put and passed.

Resin :

MR. RANDELL suggested that the words "and pitch" be added.

THE PREMIER moved, as an amendment, that the words "pitch and tar" be added after "resin."

Put and passed, and the item, as amended, agreed to.

Saddlers' material, furniture, and ironmongery :

On the motion of the PREMIER, the letters "N.O.E." were added.

Soapmakers' materials, &c. :

On the motion of the PREMIER, the letters "N.O.E." were added.

Soda crystals :

On the motion of the PREMIER, the item was struck out, the reason being that this article was now manufactured in the colony.

Telegraph and telephone materials, including instruments :

MR. GEORGE asked why these materials appeared in the free schedule, seeing that no one imported them except the Government.

THE PREMIER said private persons could obtain permission to have telephones or telegraphs of their own.

Tin, block and foil :

MR. ILLINGWORTH : moved, as an amendment, that the word "block" be struck out, and that the words "ingot, stream, strip" be inserted in lieu thereof.

Put and passed, and the item, as amended, agreed to.

New items :

MR. GEORGE said he had seen a duty charged on iron hoops, yet he believed hoops had been placed in the free list.

THE PREMIER said iron hoops were placed in the free list in the Tariff Act of 1893, but, by inadvertence, these articles were left on the 5 per cent. list as well.

MR. GEORGE suggested that metals not otherwise enumerated, such as bismuth, aluminium, and antimony, which were used in hardening steel, should be added to the schedule. Eventually he moved that a new item "Metals, N.O.E." be added to the schedule.

Agreed to.

MR. GEORGE asked that "tubing" should be added to the schedule.

THE PREMIER said tubing yielded £500 per annum duty, and he could not forego this amount of revenue at present.

MR. GEORGE said brassware should be in the free list, "not otherwise enumerated."

THE PREMIER said that, in his opinion, brassware should not be altered.

MR. GEORGE moved that "asphaltum" be added to the schedule. He said this material would be required for the packing of the joints of pipes required for the Coolgardie water supply, and that it would be unwise for the Government to add to the cost of that scheme by imposing a duty on a material required in the construction.

Agreed to.

MR. GEORGE asked for the remission of the duty on poultry.

THE PREMIER said poultry were raised in the colony.

MR. RANDELL moved that new items "Kindergarten materials," "Prepared chalks," and "Slate pencils," be added in alphabetical order. The duty on these articles was a tax on education, and therefore ought to be removed.

Agreed to.

MR. ILLINGWORTH asked the Government to accept one of the recommendations of the Select Committee on Meat Supply, by taking the duty off tinned meat. The House had acted on the wish of the Government in appointing that committee, and therefore the decision at which the committee had arrived ought to be carried out. He moved that a new item "tinned meat" be added to the schedule.

THE PREMIER said the proposed remission would mean a loss of £10,000 a year to the revenue, and the Treasury could not afford that. The miner was being dealt with very liberally, for he now had sugar and tea and coffee and cocoa, and even molasses, free of duty; therefore, for a time, at any rate, he ought to pay a little duty on imported tinned meat. The prospector, no doubt, was a noble fellow, going into the wilds to seek his fortune, and he (the Premier) would like to allow him tinned meat free of duty; but £10,000 was too big a remission at present.

MR. ILLINGWORTH said he could assure the Premier that the miner did want his tinned meat free of duty, and would not be happy till he got it. For two years in succession the Premier had been £300,000 under his estimate of revenue, and for the current year he would be £400,000 under it, and surely out of that £400,000 he could well afford to remit this £10,000 in the interests of the industry which was making the country.

THE PREMIER: The miner must pay some duty. We cannot give everything for nothing.

MR. ILLINGWORTH said he could prove to the Premier that the revenue still owed to the goldfields £300,000; he could prove it by the Treasury figures. The charge on tinned meat amounted to fully 3d. per pound by the time it reached the consumer. This tax on tinned meat was a distinct grievance, and the country did not require this item of revenue. He would like further to suggest that, if this duty on tinned meat was taken off, the money thus saved to the consumers would probably go in whisky, and would therefore still return something to the revenue.

MR. CLARKSON said the majority of members of the House would not agree with the member for Nannine. He (Mr. Clarkson) regretted the Government had gone so far in reducing taxation. The present was not an opportune time for reducing taxation, and nobody grumbled at the duty on tinned meat. He lived in a large consuming district, and had heard no complaint about this duty. It was an inopportune time to reduce taxation when they were spending large sums of money in trying to develop the resources of the colony, particularly on the goldfields. They were doing everything that any reasonable man could expect in the interests of the goldfields, and he did not think there was any demand from the goldfields for a reduction of this duty.

MR. GEORGE said he was entirely in accord with the member for Toodyay, and as to the member for Nannine, if he desired to remove this duty from tinned meat, all that was necessary was for the hon. member to form a little company to start a poor struggling factory for the

turning out of tinned meat, and the Premier would then promptly take off the duty, in order to crush the factory.

MR. SIMPSON said the Government were proposing to assist the miner by giving him cheap water, but this water would not reach the miner for three years yet, and if, in the meantime, the duty on tinned meat were removed, it might help the miner along until he got the cheap water. The Premier knew he had largely under-estimated the revenue. This tax on tinned meat was a distinct grievance, and it was a burden on the pioneer. Nobody would eat tinned meat if he could get fresh; and, in fact, tinned meat was used chiefly by men exploring the back country. Public opinion had demanded this remission for a number of years, and if the member for Yilgarn had been in his place, he would have strongly supported the proposed remission on behalf of his constituents.

Motion put—that a new item “Tinned meats” be added to the schedule—and division taken, with the following result:—

Ayes ...	...	...	5
Noes . . .	...	...	13

Majority against ... 8

AYES.	NOES.
Mr. Higham	Mr. Burt
Mr. Randell	Mr. Clarkson
Mr. Simpson	Sir John Forrest
Mr. Venn	Mr. A. Forrest
Mr. Illingworth (Teller).	Mr. George
	Mr. Hassell
	Mr. Lefroy
	Mr. Loton
	Mr. Piesse
	Mr. Richardson
	Mr. R. F. Sholl
	Mr. Throssell
	Mr. Phillips (Teller).

Motion negatived.

MR. SIMPSON moved that the item “Cheese” be added to the schedule. He said the duty on cheese amounted to about 60 per cent., and the total revenue from the duty was £9,552. Not an ounce of cheese was made in the country. [MR. CLARKSON: Oh, yes there is.] There was no duty so thoroughly indefensible as the duty on cheese. This article was used all over the land, and he knew the abolition of the duty had supporters on both sides of the House.

THE PREMIER said he had explained on the previous night that the present was not a suitable time to revise the tariff. The Bill before the House was one for abolishing duty, and he did not suppose the member for Geraldton desired that the duty on cheese should be entirely remitted. This sum of nearly £10,000 was too much for the Government to let go, especially when the balance on the Estimates was shown to be only £16,000. If members went on interfering with the tariff by adding to the free list, the estimates of expenditure would have to be revised, and the member for Geraldton would not like some of the items in which he was interested to be struck out. The present was not a time to materially alter the tariff, and he must resist the hon. member's proposal.

MR. LOTON said he trusted the member for Geraldton would not press his motion. He (Mr. Loton) considered the duty was excessive, but he was not prepared to go for a complete remission.

MR. RANDELL said he should be glad to support the member for Geraldton, as this was an indefensible duty. Cheese was not made, at any rate largely, in the colony, and yet the tax on cheese was the enormous amount of 60 per cent. Members, doubtless, were not prepared to abolish the duty, but there was no doubt the House was favourable to a reduction. If the member for Geraldton went to a vote, he (Mr. Randell) would support him, even in a demand for a remission.

MR. SIMPSON asked if he correctly understood the Premier to say this duty would be taken into consideration when an opportunity offered?

THE PREMIER said if he had an opportunity of revising the whole tariff, he certainly would take this duty into consideration.

MR. SIMPSON said he supposed he would have to agree to rely on the Government to revise this indefensible duty at the first opportunity, and no doubt they would continue to collect it for a little time longer, drawing, by its means, £10,000 a year out of the pockets of the people. He would withdraw the motion.

Motion, by leave, withdrawn.

Other items in the schedule (not specifically referred to in the discussion) agreed to.

Schedule, as amended, put and passed.

Preamble and title—agreed to.

Bill reported, with amendments.

ADJOURNMENT.

The House adjourned at 10:53, p.m., until next day.

Legislative Assembly,

Thursday, 17th September, 1896.

Judges' Pensions Bill: Message requesting return of Bill from Legislative Council—Motion: Bunbury Harbour Plans and Estimates—Western Australian Bank (private) Bill: in committee—Annual Estimates, 1896-7: further considered in committee—Tobacco (unmanufactured) Duty Bill: second reading; in committee—Transfer of Land Act Amendment Bill: second reading—Fencing Bill: in committee—Adjournment.

THE SPEAKER took the chair at 4:30 o'clock, p.m.

PRAYERS.

JUDGES' PENSIONS BILL.

MESSAGE REQUESTING RETURN OF BILL FROM LEGISLATIVE COUNCIL.

THE PREMIER (Hon. Sir J. Forrest,) in accordance with notice, moved that the following Message be sent to the Legislative Council:—"The Legislative Assembly acquaints the Legislative Council that the Act providing for the pensions of the Judges of the Supreme Court was inadvertently passed by the Legislative Assembly and transmitted to the Legislative Council, without having been recommended by Message of the Governor, as required by Section 67 of the Constitution Act; and the Legislative Assembly requests that the Bill may be returned to it, in order that it may be dealt with in