

powers in respect to them. As I understand the position, the Council has the power to throw out the Bill, or to make suggestions. I cannot understand anyone arguing that we have the power to send back a Money Bill with amendments.

THE HON. J. W. HACKETT: I have listened with great attention to this discussion, and I think the committee is under an obligation to the Hon. Mr. Parker for bringing up this matter. It appears to me that we are approaching a somewhat perilous position, for we seem to have made a double mistake. In the first place, the Hon. Mr. Stone's amendments were represented as suggestions. If they are suggestions, we are in the position that we have passed the Bill, and the Governor can give his assent to it. On the other hand, if they are amendments, we are in the awkward position that we have represented to the Legislative Assembly that they are suggestions. The Hon. Mr. Stone asks us to take a course which I am sure would not be advantageous or add to the dignity of this House when he suggests that we should inform the Legislative Assembly that we have made a mistake, and ask them to rectify it. It is hardly likely that the Assembly would agree to such a course, especially as the only reason that could be given for it would be that it would place us in a better position to fight them upon the point. It seems to me that the best course is that suggested by the Hon. the Minister for Mines, namely, to refer this matter to the Standing Orders Committee for report. If we do this, and consult with the Standing Orders Committee of another place, I believe it will be the means of committing the Assembly to our view—that the Bill has not yet been passed by Parliament, and is not, therefore, fit to receive the Governor's assent. Our best course is to proceed steadily, and not take any hasty step which will enable another place to obtain a position of advantage.

THE CHAIRMAN (Hon. Sir G. Shenton): There is no fear of the Bill being passed, because the Clerk, in the circumstances, cannot put his certificate on the back.

THE HON. J. W. HACKETT: In view of the importance of the question,

and the necessity for further time in which to consider the position, I move that you do now report progress.

Motion put and passed.

Progress reported accordingly.

#### ADJOURNMENT.

The House, at 6:30 o'clock, p.m., adjourned until Wednesday, 7th October, 1896, at 4:30 o'clock, p.m.

## Legislative Assembly,

Tuesday, 6th October, 1896.

Proposed Purchase by Government of the Great Southern Railway, and approval by shareholders; also, Message from the Governor—Menzies Railway and Starting Point—Question: Extension of railway and telephone to Owen's Anchorage—Question: Excess Bill and time of introduction—Registration of Firms Bill: third reading—Colonial Passengers Bill: third reading—Evidence Amendment Bill: third reading—Waterworks Bill: re-committed—Bills of Sale Bill: re-committed—Street Watering in Perth: Legislative Council's resolution—Loans Consolidation Bill: second reading—Sale of Liquors Amendment Bill: second reading—Provident Societies Bill: second reading—Petition for Railway Platform, Thomas Street, Perth—Crown Lands Timber Bill: second reading moved—Railways Bill: order discharged—Australasian Federation Enabling Bill: in committee—Public Works Bill: order discharged—Return showing Free Railway Passes—Motion: Blocker System of Land Settlement—Want of Quorum.

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

#### PRAYERS.

#### PROPOSED PURCHASE BY GOVERNMENT OF THE GREAT SOUTHERN RAILWAY, AND APPROVAL BY SHAREHOLDERS.

THE PREMIER (Hon. Sir J. Forrest), before the commencement of business, said: I have pleasure in informing the House that the shareholders of the Western Australian Land Company, in England, have passed a resolution, yesterday, approving of the proposed sale of the Great

Southern Railway and all the property of the Company in this colony to the Government for the sum of £1,100,000; and, in accordance with the understanding arrived at between the Government and the Company, which was to the effect that the approval of this Parliament should be obtained before the Government concluded the arrangement for the purchase of the Company's railway and other interests in this colony, I beg now to give notice that, to-morrow, I will move "That this House approves of the purchase by the Government of the whole of the interests of the Western Australian Land Company in Western Australia, including the railway from Beverley to Albany, all rolling stock, unsold lands, unpaid instalments in arrear and in prospect on lands sold on deferred payments, and all other property of every description in Western Australia, and rights and interests under the contract between the Government and Anthony Hordern, dated 25th day of October, 1884, for the sum of One million one hundred thousand pounds."

MESSAGE FROM THE GOVERNOR.

The following Message, received at a later stage, was read:—

"GERARD SMITH,

"Governor.

"In accordance with the provisions of "Section 67 of the Constitution Act, "1889, the Governor recommends to the "Legislative Assembly that an appropriation be made out of the Consolidated Revenue Fund for the purpose of "An Act to provide for the purchase of "the whole of the Western Australian "Land Company's interest in Western "Australia, for the sum of One Million "One Hundred Thousand Pounds."

"Government House, Perth, 6th October, 1896."

MENZIES RAILWAY AND STARTING POINT.

THE PREMIER (Hon. Sir J. Forrest), in giving notice of intention to introduce a Bill for the construction of a railway to Menzies, said: I may inform the House that the Government, after very careful consideration and weighing all the facts and circumstances, have decided to re-

commend to this House that the railway to Menzies shall start from Kalgoorlie.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) also, by leave, laid on the table plans in connection with the proposed railway to Menzies, with a return showing the estimated cost of the railway if commenced alternatively from Southern Cross, from Coolgardie, or from Kalgoorlie.

QUESTION—EXTENSION OF RAILWAY AND TELEPHONE TO OWEN'S ANCHORAGE.

MR. HIGHAM (for Mr. Connor), in accordance with notice, asked the Director of Public Works:—1. Whether the Government, in view of the large and increasing live stock business, intended to extend the railway to Owen's Anchorage from Fremantle. 2. Whether the Minister in charge intended to have a telephone line erected to Owen's Anchorage; if so, when?

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse) replied:—1. The Government is considering the question. 2. At once.

QUESTION—EXCESS BILL AND TIME OF INTRODUCTION.

MR. COOKWORTHY (for Mr. R. F. Sholl) asked the Premier whether he intended to introduce, during the present session, the Excess Bill for the year ending 30th June, 1896.

THE PREMIER (Hon. Sir J. Forrest) replied:—As it was decided on 7th March, 1892, that the Excess Bill should not be considered without the Auditor General's Report, and as that report is not likely to be ready for placing upon the table until after Parliament has been prorogued, it will not be possible to introduce the Bill. The Treasury accounts are not due to be in the Auditor General's hands till the 1st inst., and it will probably take three months to prepare his report.

REGISTRATION OF FIRMS BILL.

THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

## COLONIAL PASSENGERS BILL.

## THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

## EVIDENCE AMENDMENT BILL.

## THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

## WATERWORKS BILL.

## RECOMMENDED.

The Bill having been recommended for amendments,

THE ATTORNEY GENERAL (Hon. S. Burt) moved—"That the following new clause, to stand as Clause 57, be added to the Bill:

*Reinstatement of Streets. Ibid., s. 20 (and see Waterworks Act, 1889, of W.A., s. 13).*

57. When the Minister shall open or break up the road or pavement of any street or bridge, or any sewer, drain, or tunnel, he shall, with all convenient speed, complete the work for which the same shall be broken up, and fill in the ground, and reinstate and make good the road or pavement, or the sewer, drain, or tunnel so opened or broken up, and carry away the rubbish occasioned thereby; and shall at all times whilst any such road or pavement shall be so open or broken up cause the same to be guarded, and shall cause a light sufficient for the warning of passengers to be set up and kept there for every night during which such road or pavement shall be continued open or broken up; and shall, after replacing and making good the road or pavement which shall have been so broken up, keep the same in good repair for six months thereafter."

Put and passed, and the new clause added to the Bill.

THE ATTORNEY GENERAL moved that the following words be added at the end of Clause 48: "but such magistrate shall not have power to decide as to the liability of the Minister to construct any accommodation works in cases where that liability is disputed.

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

Bill reported, with the further amendments.

## BILLS OF SALE BILL.

## RECOMMENDED.

The Bill having been recommended for amendments,

MR. JAMES (in charge of the Bill) moved that the following new clause, which he had modified since giving notice of it on the paper, be added to the Bill, to stand as Clause 39:—

39. Notwithstanding any rule of law or equity to the contrary, the grantee of any bill of sale by way of security may, at any time after he has demanded payment of the moneys or performance of the conditions secured by such bill of sale:

1. Bid for and purchase the whole or any part or parts of the chattels comprised in such bill of sale at any public auction thereof held under the power of sale contained or implied in such bill of sale.
2. Appoint in writing, and from time to time remove, any person as receiver and manager of the chattels comprised in any such bill of sale to obtain and hold possession thereof, and if thought fit to carry on any business in connection therewith pending the sale thereof, and such person shall have the same rights, powers, and privileges as if such person were appointed by the Supreme Court.

The remuneration of such receiver and his costs and expenses shall be paid by the mortgagor, and shall be a first charge upon the chattels comprised in the bill of sale.

He said this provision in the new clause was implied even in the old section, but the clause would make the intention clear.

Put and passed, and the new clause added to the Bill.

MR. JAMES, referring to Clause 16 (If not renewed, document void), said that in consequence of what the hon. member for the Swan (Mr. Loton) had just pointed out, he desired to move an amendment in reference to the re-registration of existing bills of sale, in order that this

measure might not injuriously affect the holders of bills of sale made before the passing of this measure. He suggested a proviso which he thought would meet the case, as follows:—"Provided that a bill of sale executed before the passing of this Act, if re-registered within five years of the last registration thereof, shall not be subject to the provisions of this section."

THE ATTORNEY GENERAL said this measure applied only to bills of sale executed after the passing of this Act.

MR. JAMES said it would be found that reference was made to bills of sale executed before the passing of this Act. He only wished to make the intention clear.

MR. LOTON said this measure was an important one, and he was rather surprised that the Government of the day, to whom the people looked for sound legislation, should not take such interest in this matter as to say that the Bill before the House was such a one as the Government could recognise, and which would not operate injuriously to the public. This measure was, in fact, on the eve of passing this House when he drew the attention of the hon. member for East Perth to a provision in it which might operate injuriously in the case of holders of bills of sale made before the passing of this measure. The Bill, as now amended, provided that any bill of sale, unless re-registered within three years, should be invalid; and the effect would be that any bill of sale running for a period of four years, and not being re-registered as required by this measure, would become invalid, and the security under it would be lost. That was the position the committee was in just now; and, in order to meet that objection, an amendment had been framed at the last moment. It seemed to him the proviso which had been suggested as an addition to the clause was not in itself good law, because in Clause 4, Sub-section 2, there was a distinct provision that this measure should not affect any bill of sale executed before the passing of this Act, except with respect to renewal of registration. But that provision for renewal would confiscate the very security which this House ought to protect. The suggested amendment did not seem to be a wise

way of laying down legislation, and he would like to see the matter further considered, so that it might be properly dealt with before the Bill passed the third reading. It would be better to re-commit the Bill and draw this clause as it should be drawn, or withdraw the Bill altogether. Was the member for East Perth satisfied that the proviso he had suggested as an amendment would put the Bill into proper form? He (Mr. Loton) was not a legal member; this was clearly a legal point; and he was not satisfied with the mode of dealing with it. The hon. member in charge of the measure appeared to be desirous of putting it in proper form; but further consideration was evidently necessary.

MR. JAMES said the member for the Swan had pointed out that this measure, if not amended, would prejudice the holders of existing bills of sale. An oversight of that character must not be looked upon as exceptional, as the framers of Bills brought before this House were not infallible. Section 16 would prevent this measure from doing any injury to holders of existing bills of sale, and he had suggested the proviso to Clause 16 simply to make the intention clearer. The time for registering bills of sale had been reduced from five years to three years, at the request of the secretary of the Perth Chamber of Commerce. However, it might be desirable to report progress and reconsider the point raised.

MR. RANDELL moved that progress be reported. When the Bill was again in committee he would move to strike out Clause 36, as considerable hardship would be inflicted on small traders if bills of sale could not be given for sums below £30. This measure, he understood, was based on the English Act, but English laws did not always suit Australian circumstances, as had been clearly shown in the working of the Bankruptcy Act in this colony.

Motion put and passed.

Progress reported, and leave given to sit again.

#### STREET WATERING IN PERTH.

#### LEGISLATIVE COUNCIL'S RESOLUTION.

The House went into committee to consider a Message from the Legislative

Council, embodying a resolution, as follows:—"The Legislative Council having this day passed the following resolution, 'That in the opinion of this House the Government should at once notify the Perth City Council that, after the 10th October and until further notice, they must cease using water from the mains for street watering purposes,' presents same to the Legislative Assembly for its concurrence."

THE PREMIER (Hon. Sir J. Forrest) said their dealing with this subject seemed to be out of place, inasmuch as the Government had already given notice to the City Council prohibiting the using of water from the mains for street watering. Since that notice was given, the control of the waterworks had passed from the Water Supply Company to a board of management, the members of which would have to manage the waterworks under the statute. That notice had been served before this matter was brought up in the Legislative Council. He did not see any objection to doing what was asked by the Legislative Council, but no resolution passed by the House would be binding on the board of management, who would use their discretion in matters of that kind. He moved that the following reply be given to the Message:—"That the Government have already notified the City Council to discontinue using the water from the mains for street watering purposes."

MR. VENN said that, since the Legislative Council passed this motion, decisive action had been taken by the Government. A board had been appointed to manage the works, and the question whether the City Council should be allowed to use the water for watering the streets was one that should be left to the board of management. It would be unwise, at this early stage of the existence of the board, for this Assembly to tamper with the board's course of action in any way.

THE PREMIER said that there would be no harm in sending the reply he had proposed.

MR. JAMES said it was really contemptible that a House of Parliament should pass a motion of the kind they had received from the Legislative Council. He supposed that, the next time, they

would have a resolution from the Legislative Council asking that the carts of the City Council should be painted red. He had never known of such a childish resolution to come from any legislative body.

MR. ILLINGWORTH said he did not consider it was necessary to give a reply to the message of the Council. He therefore moved, as an amendment, that the Chairman do leave the chair.

Amendment (Mr. Illingworth's) put and negatived, and the motion of the Premier put and passed.

Ordered, that a message be sent to the Legislative Council accordingly.

#### LOANS CONSOLIDATION BILL.

##### SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): In moving the second reading of this Bill, I would like to make one or two observations. The Government propose, as no doubt will have been noticed by the form of the recent Loan Bills, to have a general loan fund instead of keeping the loans separate. The principle adopted years ago, of having each loan separate in the accounts has worked very well; and, if a sufficient sum had been voted on the first Loan Bill and on every subsequent Loan Bill for the works contemplated, there would not be any necessity to make an alteration; but, as hon. members are aware, almost every Loan Bill contains items supplementing moneys voted on previous Loan Bills for particular works. In consequence, it is always troublesome to keep these loans distinct. For instance, in 1893, £150,000 was voted on the loan schedule for Fremantle harbour works; in the 1894 loan £200,000 more was voted; and in the 1896 loan £250,000 was voted for continuing the works. Under the system adopted hitherto, all these sums would have to be kept separate, and the whole of one loan would have to be spent before we could begin using the next. That system would be all right if we could so arrange things as to spend every penny of one loan before commencing the second; but the Works Department cannot arrange to work in that way. In addition, we might have no less than three loans for Fremantle harbour works running at the same time. We have now decided to have one loan

account, and to carry all the sums voted for the same work to one account, so that all moneys provided for Fremantle harbour works will pass into the one account and be available for use. This new system was inaugurated with the Coolgardie Water Supply Loan Bill, and it has also been applied to the Loan Bill under which we propose to borrow three and a half millions. Then, under the same system, we will be able to deal with the various balances held over in the public accounts from as far back as the loan of 1884. There are balances in connection with the works at Geraldton, from this loan of 1884, amounting to £375 4s. 11d.; and this amount, though small, will now be carried to the general loan fund. Amongst the balances, there is a small one from Fremantle harbour works, another from the Mullewa to Murchison Railway, another from the Coolgardie Railway, and so on, the total of these balances being £754,494. With a view to carrying these balances forward, and placing them in a general loan fund, we have brought in this Bill. So far as I know, there are no proposals for re-appropriation of the amounts, except in one instance. It is simply a process of carrying forward, instead of keeping these items separate as at present. I may say there is no intention on the part of the Government to reappropriate any of the items, with one exception, and that is the item "Public Buildings, Pinjarrah, £926 16s. 7d." It is now proposed that this amount shall be appropriated to roads and bridges, and for a very good reason. We built a post office at Pinjarrah last year, costing more than £1,000, and it was intended by the Government that this sum of £926 16s. 7d., which had been lying a long time as a balance, should be appropriated to that building; but through inadvertence, instead of paying for the building with this money, it was paid for out of current revenue, and there is some difficulty now in getting it back, unless we take the course of placing it in the schedule of this Bill. We considered we could very well reappropriate this amount to roads and bridges, more especially as improvements are about to be made to the bridge at Pinjarrah, and the money would therefore be spent for the benefit of the people for whom it was first voted. I do not

think there are any other items that are treated in the same way. What we propose to do is to bring all the sums for any particular work under the same heading as in the original loan. In regard to the item "Development of goldfields and mineral resources," there was a sum of £5,000 appropriated for the Kimberley goldfield and another sum of £10,000 appropriated for the Pilbarra goldfield. These sums do not find a place here; but I may explain to the members for Kimberley that the amount for Pilbarra has been expended, though the amount for the Kimberley goldfield has not been expended. This amount for Kimberley is not to be found here, because it is provided for on the Loan Estimates, so that there is no chance of its being taken from the district for which it was first voted. For the purposes of this Bill, the schedule of unexpended balances has been prepared by the Under Treasurer, with the assistance of the Public Works Department. I feel certain that, seeing the magnitude of our operations and the large number of works we always have in hand, it is desirable we should make our accounts as simple as possible. Although we propose to have a general loan fund to which all amounts voted for loan are to be carried, I may say there is no intention whatever to put them in a lump sum, to be operated upon by the Government, or even by this House, except by reappropriation. The third section of this Bill clearly provides that "all sums authorised by this Act to be paid to credit of the general loan fund shall be applied by the Colonial Treasurer to the purposes set forth in the summary in the Second Schedule to this Act." We cannot therefore appropriate the money to any other purpose than that set down in the loan schedule. In some of the other colonies, it is not so clearly laid down that loans raised and placed to the credit of a loan fund shall be appropriated on Loan Estimates, and there have been occasions when money voted for certain works has not been forthcoming, the money having been swallowed up by excess of expenditure on other works. That will not be the case under this loan fund, any more than it has been the case in the past when the loan accounts were kept separate. Under this

Bill, although the money is to be paid into a general fund, it can be applied by the Colonial Treasurer only to the purposes set forth in the Act which authorised the raising of the money. There is nothing in this Bill in any way unusual. It merely carries the unexpended balances, as I have said, to a general loan fund. Hon. members will notice that the headings are a little altered; for instance, under the Loan Act of 1891 we have "Railway—Perth to Bunbury, from Boyanup to Minninup bridge, and from Boyanup to Busselton, £667 2s. 4d.;" and we propose to give that item the heading "South-Western Railway." Another thing I must mention is that, in order to put these amounts in the same position as in the new loans, we have appropriated out of these unexpended balances a sum for departmental expenditure. For instance, £667 2s. 4d. is the amount available for the South-Western Railway, and of this amount a sum of £634 2s. 4d. is put down for construction, and £33 for departmental expenses. That will simplify the account, for we will have an amount for departmental expenditure, and this amount will not be mixed up with the sum set apart for construction. The same principle is applied throughout the whole of this schedule; an amount being set aside for construction, and a percentage being allotted for departmental expenses. We now adopt the new headings for all the loans, and those headings are in accord with, or at any rate they carry out, the same principle as was applied to the headings in the various Loan Acts that are now consolidated. I move the second reading of this Bill.

MR. VENN: I support this Bill, as I have had some experience of unexpended balances. Under the existing law, it has been almost impossible to deal with them with any degree of business-like aptitude. These matters have been surrounded with trouble, which this Bill will clear away, by enabling us to get at unexpended balances of loan moneys, which have sometimes amounted to very trifling sums, but which, nevertheless, the Auditor General has refused to allow to be spent, except in strict conformity with the terms of the loan. This Bill will enable such sums to be placed under a heading, which will enable the Govern-

ment to expend these unexpended balances. The Bill will simplify the keeping of the loan accounts, and is a step in the right direction.

MR. A. FORREST: The hon. member for Wellington, who has had five years' experience as the Ministerial head of the Railways and Public Works Departments, thinks this is a good Bill; but I have some doubt about that. There has been trouble between the Auditor General and the Public Works Department, and if the hon. member now says this is a good Bill, I have some doubt of it, because we cannot keep too tight a rein on the Public Works Department of this colony. That department has the spending of large sums of money, and I think we should pause before we pass legislation to lessen restrictions upon that expenditure.

THE PREMIER: It only deals with £754,494.

MR. A. FORREST: Only three quarters of a million. That is nothing to the Premier. It would not be opportune to oppose this Bill at the present time, but I draw attention to the fact that it is supported by my friend the member for Wellington, who we know has had trouble with the Auditor General for many years in connection with the Public Works Department, and who says this is a good Bill and a step in the right direction. No doubt it is a step in the direction of spending plenty of money, without giving the Auditor General an opportunity of inspecting every item before it is spent.

MR. LOTON: I do not know that this Bill is of the great advantage that the member for Wellington and the Premier have told us, as it merely provides for the consolidation of the unexpended balances of our several loans; that is to say, it will enable the Treasurer to keep one loan account, instead of keeping a separate account for each loan. That is really all the advantage that it is. The Premier has told us that it is not intended to use these balances for any other purposes than those for which the money was passed. The only advantage the Public Works Department will have will be that it will be able to defray its departmental expenditure out of the loan fund, without regard to particular loans. I only rose to draw attention to the fact

that there is not much in the Bill—that there is very little in it. The only other pull—if I may use the word—the Bill gives the Treasurer is that, no matter how small a balance may be, that balance must be expended, unless it is re-appropriated by this House.

Question put and passed.

Bill read a second time.

#### SALE OF LIQUORS AMENDMENT BILL.

##### SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): This amending Bill has two objects. Its first object is to repeal sections 9 to 12 inclusive of "The Wines, Beer, and Spirit Sale Amendment Act, 1884," under which a person could not be convicted for adulterating liquor unless it could be proved he was aware of the adulteration. Under this Bill, the selling of adulterated liquor is made an offence, without respect to the knowledge of the offender of the adulteration. The first part of the Bill deals with adulteration; and the second provides some amendments of the law (Section 14 of 48 Vic., No. 14) in regard to the compulsory transfer of licenses. With regard to the adulteration of liquor, the only excuse which is admitted under Clause 7 is that, where the offence is charged in respect of any spirit not adulterated otherwise than with water, it shall be a good defence to prove that such admixture has not reduced the spirit more than 25 degrees under proof for brandy, whisky, or rum, or 35 degrees under proof for gin. There is another great advantage given to the seller of alleged adulterated liquor, under this Bill, in the protection it gives to the defendant that the liquor produced in court at the hearing of a charge of adulteration shall be a portion of that which was actually sold. Any person who purchases liquor which he desires to have analysed is required by Clause 9 to notify such intention to the seller at the time the purchase is made; and he shall, under seal, leave a sample of the liquor with the seller, and forward another sealed sample to the public analyst. Under the present law, the taking of only one sample is provided for; and as it is commonly denied, when a case comes on for hearing in court, that the liquor produced in court is the same as

that which was sold, we have taken from the English Act the provision for obtaining three samples; and therefore the publican may have one sample independently analysed, and may bring into court one-third of the liquor that is said to be adulterated. In that way he is well protected against a false charge being made against him. The other clauses of the Bill are merely auxiliary to the chief provisions to which I have alluded. The second part of the Bill deals with cases in which the holder of a license shall be deemed to have "ceased to occupy" his premises within the meaning of section 14 of the Amendment Act. It is laid down that if the premises for which the license was granted have been lawfully entered and possession thereof taken, the person or company taking such possession shall be qualified to apply for a transfer of the license. In such cases, a mortgagee is to be deemed to be the "person occupying or being about lawfully to occupy the licensed premises." Section 14 of 48 Vic. provides that, when a mortgagee enters into possession of a licensed house, he shall tender to the licensee the proportion of the annual fee paid on such license, estimated with reference to the time during which such license has to run; but in this Bill these words are repealed. A mortgagee enters into possession only when the mortgagor is considerably indebted to him; consequently it would be a hardship if, when he is forced to take possession of premises for debt, a mortgagee had to hand over to the man owing him the debt the proportion of the license fee for the unexpired term which the license has to run. We therefore propose that the mortgagee shall get the license without payment of the proportion of the license fee; but it may be deemed right to give the debtor credit for that amount. I beg to move the second reading of the Bill.

MR. COOKWORTHY: I would like to ask the Attorney General whether there is any provision in this Bill for the payment of analysts. I recollect a case occurring some time ago in which samples of liquor were sent to the analyst, and it was found that no provision had been made for the payment of the analyst.

THE ATTORNEY GENERAL: Clause 6 provides for the payment of analysts.



MR. SOLOMON: I would like to ask the Attorney General whether this Bill, as in the case of the Act passed last session for ensuring the purity of manures and other merchandise, gives power to a customer to call in a constable or other officer to act in a case in which it is complained that adulterated liquor is being sold? It appears to me that, unless some provision in this respect were made, complaints might be laid against the publican out of mere spite.

MR. MOSS: I support the second reading of this Bill. At the same time, a licensee dispossessed by a mortgagee should be entitled to receive the proportion of his license fee for the unexpired portion of the term for which he is licensed. If the words entitling him to this proportion of his fee are repealed under Part 2 of this Bill, I think great hardship may be done, for a licensee may be turned out a month or two after he has paid his annual license fee. I should like to draw the attention of the Attorney General to the abuses which take place under those hotel licenses which give the holder the right to serve his lodgers with liquor at any time. I think the time has come for abolishing these licenses, which permit of very serious infringements of the liquor law, because a hotelkeeper who has the privilege of supplying his boarders has practically the privilege of selling liquor to the public at any time after hours and on Sunday. I believe there is a strong feeling, on the part of members of the licensing benches, that these licenses should not exist, and those members have set their faces against granting any more licenses of this kind. I know that, at Fremantle, the police have been trying for two or three months to get evidence of Sunday trading against the holder of one of these licenses, but it is absolutely impossible to obtain a conviction. I hope the Government will assist me to abolish this kind of license, when the Bill gets into committee, as, when that has been done, a very great amendment will have been made in the liquor laws of this country. I have much pleasure in supporting the second reading of the Bill.

MR. RANDELL: In reference to what the hon. member has said, I know that the police are very desirous that these hotel licenses, as distinct from publicans' general licenses, should be

withdrawn; and I believe it has been almost impossible to secure convictions for offences in these cases, although the police are aware that the Act is continually being broken. There have been prosecutions, and I believe in one instance a conviction did take place. Some magistrates hold the opinion that it would be better to grant a publican's general license in each case of this kind, rather than continue what are called hotel licenses. I have for a long time held the opinion that, if we could ensure the terms of the hotel licenses being carried out honestly and honourably, they would be a useful kind of license, by enabling persons who want some refreshment with their meals to get it at these places, instead of being exposed to the annoyance and uproar of a public-house. That was the intention of those who first introduced the system of hotel licenses. But the system appears not to have worked well, and there will in a short time be only one such license left in the city of Perth. While directing the attention of the Attorney General to this matter, I would like also to mention, as is pretty well known, that large sums of money — fortunes, almost — have been made in the city of Perth by the holders of publicans' general licenses. Hotel buildings are becoming of a very large character, and we may expect that men of means will mostly carry on the business of these hotels. Therefore I would suggest that the time has arrived when the license fee should be considerably raised in Perth and Fremantle; also in Coolgardie, and other large centres. It is reasonable and right, I think, to suggest that the time has now come for raising the fee to at least £100 for a publican's general license. I do not know whether the Attorney General will consider that is foreign to this Bill; but I suggest it in order that he may consider it, when dealing with other points I have mentioned.

MR. WOOD: I have much pleasure in supporting the second reading of the Bill, because it seems to me it has for its object that the public should get good sound liquor, and get what they pay for. It is not at all too soon that this Bill is introduced, and I am glad to see that, by Clause 7, any licensed person is to be held liable, under the provisions of the

Bill, in reference to adulteration; so that this section will bring in the spirit merchant, the distributing houses generally, and all who sell liquor. A great deal has often been said about publicans selling bad liquor; but I know, as a positive fact, that the publican is, in many cases, more the victim than the offender, because he goes into a public-house as the licensee, and if he be a poor man who is put there by some wholesale firm, he has to take whatever that firm likes to supply to him, whether the stuff be good or bad. The public drink that liquor, and I am afraid that in many cases they suffer. It is a step in the right direction to say that, when a man pays for a glass of liquor, he shall get it good. The provision as to taking samples ought to be very carefully administered; for, under the old Act, when samples were to be taken, I know it was pretty common for some member of the police force to go to a publican, some three or four days before the time of an expected visit, and warn him that somebody would be coming round for samples. Publicans have told me that they had had the tip, and were prepared when the sample party came round. The publican would say, "I knew So-and-so was coming, and I was ready for him." Therefore, I hope the administration of this part of the Bill will be properly attended to. My own idea is that we should start at the entrance gate of the colony when we begin to supervise the quality of liquor, for we can do it most effectually by starting at the Custom-house and dealing with the stuff as it is imported, instead of leaving it until it gets into the cellars of the wine and spirit merchant or the publican. The Government should have a certain standard for liquor, and every drop of liquor imported should be put to the test in order to see if it comes up to the standard; and, if it fails to do that, the stuff should be thrown over the end of the jetty, and not be allowed to be shipped back to Scotland or some other country from whence it came, because it would only be returned to be sent to some other country. The safest protection is to destroy the bad stuff, and by that means we shall be certain of getting good liquor, up to the right standard of quality, imported into the colony. A great part of the alcoholic liquor which comes to

this colony may not contain any of those deleterious ingredients which are mentioned in Clause 7. It may be almost pure alcohol when imported. But I know whisky has been invoiced at about 1s. 10d. a gallon, and has been sold by public auction here, and the honest traders have had to put up with a system which allows such stuff to be sold in the open market. If we can only control the quality of liquor by testing it at the entrance gate of the colony, we shall go a long way to safeguard the interests of the general public as consumers. As regards the increased licensing fee, suggested by the member for Perth, that is a matter of detail which can be considered in committee. The hotel licenses for serving boarders, which have been referred to, should also be looked into very closely, because there is no doubt that any man can go into one of these licensed places in Perth and get whatever he likes in the way of liquor, and no trouble about it. I went into such a place one day with a friend, and by way of getting a drink I suggested we should have a meal. The keeper of the place said there was no need for such a procedure as that, and he supplied us with what we wanted. I had my "lemonade" and went out.

MR. ILLINGWORTH: What was in the lemonade?

MR. GEORGE: I shall support the second reading, and, if I might be permitted to utter one regret, it is that the Bill does not, in my opinion, go far enough. The only justification for the existence of any public-house or so-called hotel is that they should be what they were originally intended to be—a place where a person could obtain refreshment, not only in the shape of liquor, but also food and sleeping accommodation. That was the original meaning of an "inn," according to the English definition as I understand it; and that should be the purpose for which hotels are licensed in the present day. But I am sorry to say that, so far as Perth is concerned, the name "hotel" simply means a multiplication of liquor bars. I know three or four hotels in Perth where it is impossible to obtain accommodation so far as a bed or even a meal is concerned, the rooms being used merely for drinking; and I have found

that, in two of these hotels, a portion formerly used as a dining-room has latterly been turned into a saloon bar for drinking purposes. If the Attorney General could introduce a clause by which hotel keepers should be compelled to make the accommodation for eating and the supply of beds the particular business of hotel keeping, instead of being "hard" drinking shops, I shall be well pleased. I do not say this as a teetotalter, for if I want my glass of liquor, I get it; but I do not believe in the legislation which permits the accommodation of an hotel to be turned from its proper use, as I conceive, and converted into drinking bars. If the Legislature will sanction that, I say we might as well have no license whatever, and just allow shopkeepers all over the city to sell brandy or gin or whisky, as they now sell a lemon squash or any kind of "soft" drink. I say this, not from the point of view of a teetotalter, but because I believe that liquor was given to us to use in moderation; and I think we ought to insist on such restrictions being placed over the liquor trade as will ensure that liquor shall be used only in moderation.

MR. ILLINGWORTH: I have watched with considerable interest the appearance of this Bill upon the Notice Paper, where it has appeared almost since Parliament opened; yet the Bill now comes up to be discussed just when the Government have given notice of that "hurry-up" business which invariably precedes prologue. A question of vast import, which cannot possibly be touched without a lengthy discussion and careful consideration, a question that needs to be dealt with in a comprehensive manner, is brought into the House just when it is hurrying to a close, and I am sure no satisfactory legislation on this question could be effected by this Parliament. So far as the first object of the Bill is concerned, that is to deal with the question of adulteration of liquor, no doubt some good may be immediately effected; but I think that if the question is dealt with by the Government at all, it should be dealt with in a comprehensive manner. We have a system in this colony that obtains in no other Australian colony—I mean the system of granting hotel licenses as distinguished from general

publicans' licenses. The hotel license is practically an evasion of the Act, and is just as much an injury to the properly licensed victualler as it is an injury to the general public; a system which simply allows persons to vend liquor practically without control, and to defy every provision in the Act which restricts the operations of the general publican. I am afraid that, if this Bill is passed, it will simply be a shelving of the larger question; and I would prefer that the Government should withdraw this Bill, and deal at length with the whole question in a comprehensive way during the recess, so as to bring before the new Parliament a well-considered Bill that will be effective in its character. I have studied this question for many years, and although, as hon. members know, I never have tasted drink in my life, I unfortunately know a great deal of its effect. I am satisfied there is only one settlement of this question, and that is State control of the liquor traffic. Until the State is prepared to deal with the whole question, and provide the general public with proper houses of accommodation, in which all that is required by travellers shall be supplied, and in which all the outside inducements now used for debasing society and degrading the people are done away with, we shall never be able to deal with this question satisfactorily. Until the people of this colony and elsewhere are prepared to face the question fairly and squarely, and buy out the existing rights of publicans, it will be utterly impossible to deal with the question in anything like a reasonable way. As far as the first portion of this Bill is concerned, I have no particular objection to its passing; but I would like an assurance from the Government that, if this portion is allowed to pass, they will deal with the whole question in a more comprehensive way. Although this Bill may be passed now, it will do no good, for it provides that a policeman or other inspector of liquors may go into a public-house and get a sample of the liquor sold. The chances are that, if he be a policeman, he will get a special sample provided, and not a sample of the liquor usually supplied to the public; but if he succeeds in obtaining an ordinary sample, such as is being vended from the bar of the hotel, he is to sub-

divide the sample into three portions. The first portion he will get analysed; a second portion will be handed to the publican to get analysed; and the third portion is to be retained for any further test. Now, what will be the result of this piece of business? The sample kept by the policeman will be analysed, and evidence of that will be given in court. Then the separate analysis made for the publican will be produced in court, and it will be an entirely different report, so that one analysis will be set against the other in court, and the case will be dismissed because there is a difference of opinion between the analysts. A provision of that kind is only a subterfuge, for it will not meet the requirements of the case. This part of the Bill will absolutely defeat itself, and be practically valueless legislation. There can be no solution of the liquor question until the Governments of the world take in hand the absolute vending of liquors, and take in hand the dealing with alcoholic liquor as a thing they recognise to have evils in it, and which therefore needs to be controlled by the State in the interests of the public at large. Some people say the only remedy is prohibition. That is simply nonsense; for so long as there is a desire and a public taste for alcoholic liquor it will have to be supplied, and the man who desires it is entitled to get it. I say that, without any hesitation. But when we know that alcohol is a power that is destructive of the first principles of our social life, it becomes the duty of every State, and the duty of Western Australia, to endeavour to grapple with it. If the Government had brought in a million loan Bill for buying up all the hotels in the colony, they would have been a great deal better investment than the Coolgardie water supply scheme, and an investment that would pay better; but until the State undertakes to buy up all the hotels and put them under proper control, and deal with the question thoroughly, until the State provides hotels where the sale of liquor shall be under its own direction, we shall never be able to deal effectually with the question. This is the result of my thinking on the question for the last 30 years. I do not object to the Bill before the House, as I have said. There is no objection to the Government

attempting to stop adulteration; but this Bill will not stop it. I would like an assurance from the Government that they will deal comprehensively with the question during the recess, and let us have an attempt to grapple with the evils which exist around us. Hon. members know what those evils are. We are suffering from them every day. Whether the Government are prepared to tackle this question or not I cannot say, but I regard the Bill before the House as so much waste of time and waste of printing.

**THE ATTORNEY GENERAL:** The Government never intended to approach this question in any new direction, but only to make amendments on the old lines. It never suggested itself to us to bring in a comprehensive scheme such as that which we know is advocated by the hon. member who has just spoken. If we went into the subject to that extent, I think we should occupy the whole time of the session; and it would be a fruitless session, for it would be a subject we could never agree upon.

**MR. ILLINGWORTH:** It would be a most fruitful session.

**THE ATTORNEY GENERAL:** I have my own view as to the way of curing drunkenness and checking intemperance, although the tendency of legislation, especially in Australia, seems to go exactly in opposition to my view; for I think the only way to cure drunkenness is to make people ashamed of it, and to discountenance it. If drunkenness is not a thing to be ashamed of, but is to be excused, it will continue to be a public evil until we make intemperance a thing to be ashamed of. I feel sure that the proper remedy is to educate people in that direction; but as to how this is to be done, none of us may agree, and the consequence is that the state of things is gradually getting worse and worse. Young people are growing up and learning to drink, and are not being impressed with any reason or necessity for restraining their disposition to drink. I say the Government on this occasion have not approached the subject on any broad lines, but simply have two objects in view: firstly, to amend the provisions as to detecting adulteration; and, secondly, extending the meaning of Section 2 of the old Act. With regard to what has

been said as to hotel licenses, I have not had much experience of them myself. I believe that system of licensing was introduced by the hon. member for Perth (Mr. Randell) some years ago, when he sat on this side of the House as a nominated member in the old Council. I know of only one hotel of this character which is situated in the part of the city where I reside, and I have every reason to believe it is now properly conducted. But I also know that at almost every sitting of the licensing bench in Perth there is an application for converting that license into a publican's general license. In our locality we have been able, so far, to keep that house fairly in order. I regret to think that, from what hon. members have said, the system of granting this kind of license has, as a rule, failed, and the desire now is to abolish such licenses altogether. The Government have no objection to that, if members think it necessary; and it can be done in a simple way, by repealing the remaining provisions of the Act 48 Victoria, c. 14; although some provision would have to be made for preserving existing licenses until they run out, and no new licenses would be granted. With regard to the increase in the amount of the licensing fee, I should like, in the first place, to have an opportunity of looking round in order to see what fees are charged elsewhere, as compared with such populous localities as we have in Perth, Fremantle, and other large towns in the colony. It would be some inducement to the Colonial Treasurer, no doubt, to double the licensing fees in Perth and other towns, and I do not think it can be any hardship in Perth and other large towns to increase the fee; for I am rather surprised that the public have been content to allow so valuable a privilege to be given to publicans for the small fee of £50 a year, in Perth. If the fee were £500 a year it would, I think, be nearer the mark than £50. I will consider the suggestion for increasing the license fee, and also the suggestion as to abolishing the license for serving alcoholic drink in refreshment houses, if it be the general wish of the House that this should be done.

Question put and passed.

Bill read a second time.

## PROVIDENT SOCIETIES BILL.

### SECOND READING.

MR. MOSS, in moving the second reading, said: This is a very necessary measure, such as exists in all the other colonies, and I may say a similar law has been in existence in South Australia for about 30 years. The present measure is modelled on the lines of the similar Act in Victoria, and I have taken that Act as a model because our Friendly Societies Act is, to a certain extent, modelled on the lines of the Victorian Friendly Societies Act, and the executive officer under their Bill is also the Registrar of Friendly Societies in this colony. There are societies existing in this colony which have been formed expressly for the purpose of carrying on certain trades and handicrafts, the profits from which are applied in the same manner as are the profits of friendly societies registered under the Friendly Societies Act. Attempts have been made to register these societies under the law which governs friendly societies, but it has been ruled by the Registrar of Friendly Societies, and I think rightly so, that these societies do not come within Section 9 of the Friendly Societies Act. Therefore, as it has been found necessary in the other colonies, it has also been deemed to be necessary here, that we should have a measure similar to this Bill, providing a simple means for the registration of these societies without any great expense attending it. This Bill incorporates many of the provisions of the Friendly Societies Act, because the working is very much modelled on that Act. Section 25 of the Bill provides a simple means by which, on the death of a member, the interest attaching to that member may devolve on a person named, without the necessity of obtaining proof of a will or of taking out letters for the administration of an estate. I have submitted the Bill to the Attorney General, and he will be able to tell the House whether he approves of the measure as being a necessary one. The Bill is practically an extension of the Friendly Societies Act, so far as those societies are concerned whose objects are the carrying on of any labour or of any trade or handicraft, and the application of the profits in the manner prescribed by the Friendly Societies Act. I move the second reading of the Bill.

THE ATTORNEY GENERAL (Hon. S. Burt): A Bill of this kind, as the hon. member says, has been passed in all the colonies. I do not know how long the Victorian measure, from which this is taken, has been in operation. [Mr. Moss: Twenty-three years.] I think that Act is rather too ancient.

MR. MOSS: I mean that in Victoria in 1890 they consolidated their Act passed in 1873, and this is a mere consolidation.

THE ATTORNEY GENERAL: I would suggest that the hon. member should consult the English legislation on the subject, which is of more recent date, because I am informed that some provisions in this Bill might be made more simple and be improved upon by reference to the English Act. I may move, in committee, some amendments which I think the hon. member will agree in, with a view to making the provisions more up to date than are the provisions in the Victorian Act, of which, as the hon. member says, this is a copy. With these remarks, I beg to support the second reading.

Question put and passed.

Bill read a second time.

#### PETITION FOR RAILWAY PLATFORM AT THOMAS STREET, PERTH.

A petition from residents of West Perth and Leederville, signed by 357 persons, and asking for the erection of a railway platform at Thomas Street, in West Perth, having been presented to the House by Mr. Wood, was now considered.

MR. WOOD moved that the prayer of the petition be granted. He did so, he said, with a full sense of the importance of the question. The petition was from residents of West Perth, and they asked that they should have a passenger platform at Thomas Street. He recognised that the petition called in question the action of a member of the Ministry; but he was impelled to present the petition in this form, for the reason that a number of the people he represented were smarting under what they considered to be an injustice. It might be regarded as an unusual proceeding for a member to endeavour to force the hands of the Government in what might be called a departmental matter, especially in a

matter in which the Government were probably acting under professional advice. He submitted, however, with all deference, that only obstacles of great magnitude should interfere with the convenience of a large section of the public. It was now some years since the first request was made for a passenger platform at Thomas Street, and the circumstances of the district had since then entirely altered, the population having multiplied four or five-fold. There had been many deputations on the question to the Minister, because the residents of the neighbourhood felt their isolation very keenly, they being separated from the central parts of the city by what might be termed a sandy desert. The people who were interested in this matter were residents of West Perth, and of that portion of Leederville that was near to the railway. The residents of Leederville on the other side of Oxford Street and Duke Street were served very well by 'buses'; but the 'bus service was of no use to people living near the railway. In 1895 the then Commissioner of Railways, Mr. Venn, made what was almost a distinct promise that provision should be made for a platform at Thomas Street when the duplication of the line was proceeded with. That duplication was now well advanced; and yet, to the surprise of the residents, they found that instead of the station being placed at Thomas Street it was to be placed at Kimberley Street. Many people who lived in that district were of the artisan class, and they had to tramp through the sand not only night and morning but also to their midday meal. The Kimberley Street station would serve Subiaco quite as well as Leederville, as it was a good way from Colin Street and Thomas Street, and persons living in that neighbourhood would have to go half a mile towards Fremantle in order to catch the train for Perth. That seemed ridiculous, and he hoped the Government would try and do something to give the residents what they asked for. He knew the Commissioner would say that professional advice was against the placing of the station at Thomas Street, and he (Mr. Wood) was not going to dispute the opinions of the professional branch of the railway service. He had the fullest confidence in the professional branch of the railway service, with this exception,

that they never studied the convenience of the public. He could point out hundreds of instances in which the professional officers employed by the Government paid no regard to public opinion. The professional members of the service did not seem to be of the same opinion as Mr. Venn was when he was Commissioner of Railways, and when he told a deputation, in the presence of the Engineer-in-Chief or of Mr. Dartnall, that the railways belonged to the people, and that if possible the people should be accommodated. Those were sentiments he liked to hear; but the professional branch of the railway service never seemed to study public opinion. When the promise was made by Mr. Venn, the grade at Thomas Street was 1 in 60, but since the duplication it had been reduced to 1 in 80, and he remembered that when the Leederville elections were on, a train heavily laden with electors stopped at Thomas Street and landed its passengers, without any trouble whatever. If that could be done once in a day, it could be done several times. He had heard it suggested that the General Traffic Manager would not support the placing of a station at Thomas Street because of the cost of maintenance, he being of opinion that the platform would not be likely to pay. But he (Mr. Wood) thought there was no platform in the colony that paid better than would a platform at Thomas Street, and he was quite certain the trains for Thomas Street would, on Saturday nights and at other times, be as crowded as the train from Fremantle to North Fremantle on Saturday night. There were now about 1,400 or 1,500 people living in Leederville and the neighbourhood, who would avail themselves of the platform asked for if it were constructed, and there need be no doubt about the platform paying the cost of maintenance. He must say he was placed in a very awkward position, because he did not see exactly how he was going to induce the House to force the Commissioner of Railways to act against the advice of the Engineer-in-Chief and the other officers of the railway; but he thought it would be a good thing if the House passed the motion, for it might induce the Government to give the matter further consideration. The people who had signed the petition were deserving

people; they owned their own plots of land and erected their own houses, and were trying to build up an important community. He trusted the members of the House would support him in his effort to bring pressure to bear on the Government in this matter. He moved that the prayer of the petition be granted.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) said the subject of the petition was very ancient history indeed. As far back as 1892 a deputation waited upon the then Commissioner of Railways, setting forth the desirability of constructing a passenger platform to Thomas Street to serve the residents of Leederville. The then Commissioner of Railways took into consideration the request of the deputationists, and also had before him a petition signed by a large number of persons. After having fully considered the subject, he sent a reply in which he said the request of the petitioners could not be granted. That reply was given in September, 1892, and no doubt before the reply was given, full enquiry was made as to whether a station could be placed at Thomas Street or not. One of the reasons given for the refusal was that it was proposed to place a station at Dyer Street, and it would be remembered that a station was placed afterwards at Dyer Street. The distance from Dyer Street to Thomas Street was 34 chains; and that, no doubt, was one of the reasons why the petition was not looked upon with such favour as otherwise it might have been. There were other objections to granting the request, including the question of risk raised by the professional advisers of the Commissioner. The late Commissioner seemed to have been in sympathy with the petitioners, just as he (Mr. Piesse) was in sympathy with them. This matter had cropped up from time to time, having apparently been kept alive by the British pluck and perseverance of the residents of Leederville, who on several occasions had formed deputations and drawn up petitions on the subject. These people, no doubt, had felt they were entitled to have a station placed at Thomas Street, which seemed so favourable a point for a station to serve that portion of the suburban districts of Perth. In reply to the subsequent deputations,

the late Commissioner seemed to have followed his decision of 1892. That decision was set forth in the following letter:—"I am directed by the hon. the Commissioner of Railways to inform you that, having given the matter his serious attention, he finds that at the junction in question a grade of 1 in 60 exists, a condition of things which renders a station in that locality out of the question; but as the question of removing the present station at Melbourne Road, in its relation to the proposed new station yard, may eventually have to be considered, a station at Dyer Street would then be very probable, which the Commissioner hopes would meet the requirements of the petitioners." In June, 1893, the General Traffic Manager, writing on this subject, said:—"I had an opportunity of expressing my views hereon some time ago, which are contained in a minute of mine dated 20th July, 1892, and I have had no reason subsequently to alter my opinion. Dyer Street will surely be sufficiently convenient to the whole of this district." As it had been stated that a promise had been made that a platform should be erected at Thomas Street, he wanted to show that the papers of the department contained no record of such a promise having been made by the late Commissioner of Railways. In 1895 another petition was sent in, and great pressure was brought to bear upon the Government in order to obtain the platform; and the late Commissioner of Railways again decided that a platform should be erected at Kimberley Street.

MR. GEORGE: Who has got land there?

THE COMMISSIONER OF RAILWAYS said the late Commissioner, on the 8th October, 1895, wrote to the General Traffic Manager saying he would like, if possible, to meet the wishes of the people; and the General Traffic Manager replied that he did not consider there was sufficient traffic to warrant the putting up of a platform at Thomas Street. On the 27th November, 1895, the Commissioner wrote a memorandum to Mr. Dartnall, Engineer of Existing Lines, as follows:—"This siding and wayside station can go in at Leederville"—will you please obtain necessary "authority." These facts were being

mentioned because the member for West Perth said it came like a thunderclap upon the people of Leederville to hear that the station was to be placed at Kimberley Street instead of Thomas Street. The date of the Minister's decision referred to was some time prior to the deputation waiting upon himself (Mr. Piesse). While he was in sympathy with the object of that deputation, the grade of 1 in 60 at Thomas Street prevented a station being made there. According to the regulations of the Board of Trade in England, no siding could be placed on a steeper grade than 1 in 269; so that if a station were to be made at Thomas Street, it would, according to those regulations, mean that a cutting probably about 23ft. or 24ft. would have to be made at the far end of the platform. It should be remembered that the Thomas Street site was only 34 chains from the West Perth station, while the Kimberley Street siding was midway between West Perth and Subiaco stations; so that the latter station would be the most central, and would serve the convenience of the larger number of people, while the grade was much easier. From personal inspection of Thomas Street, in company with the member for West Perth and the Engineer for Existing Lines, he (Mr. Piesse) could say that the neighbourhood was a very rising one, and one that demanded consideration from the Railway Department, from a population point of view; but, through engineering difficulties, the erection of a station at Thomas Street had to be set aside. After all, it was a very short distance, only 34 chains, from Thomas Street to the West Perth station; and by co-operating with the City Council in the making of roads between Leederville and the Kimberley Street station, the Government had done all in their power to assist the residents of Leederville in the matter of travelling facilities. Of the 357 persons who signed the petition asking for the station at Thomas Street, many of them no doubt lived near Havelock and Newcastle Streets, and were fairly well served by the West Perth station. They would find it just as easy to go to West Perth station as to Thomas Street; in fact, it would be easier when the new roads of which he had spoken were made by the City Council and the Government.



The member for West Perth, in order to show that the Thomas Street gradient was practicable, had stated that on one occasion a train stopped there. No doubt trains often did stop at special places for a particular purpose; but the stoppage of the train at Thomas Street, on a certain day did not show that it would be wise for the department to make a station on a grade of 1 in 60; for to do so, as they knew from experience on the Eastern line, would be dangerous. In this matter the department had done all that could be done towards granting the request of the petitioners, and had acted in the best interests of the country and of the department. If stations were to be granted at intervals of only 34 chains apart, the journey of through passengers to and from Fremantle and Perth would be unduly delayed by the frequent stopping and starting of trains. That was another very good reason why there should not be a siding at Thomas Street, within such a short distance of West Perth station; for the petitioners were no worse off than the residents of Highgate Hill, who had to walk quite as far to a railway station as the distance between Thomas Street and West Perth station. At the same time, he did not blame the Leederville people for agitating for another station, which they would no doubt continue to do; but he hoped that the prayer of the petition would not be granted.

MR. ILLINGWORTH said it was only a question of time when a railway station would be placed at Thomas Street, notwithstanding the alleged engineering difficulties, and the adverse opinion of the Engineer-in-Chief; because the interests of the people whom it was the duty of the railway department to serve would demand the station. It was impossible to resist demands of the kind contained in the petition, when it could be shown that the improvements would be of public utility, and that they would pay; and both these conditions were complied with in the case of the station which the department was asked to open at Thomas Street. As a matter of fact, there were as many people to use this station as there were to use the central station in Perth, when he came to this colony. The station, then, being of public utility, the question arose whether the railway

staff of officers existed for the purpose of raising difficulties in the way of meeting the convenience of the public, or of curing them. Surely all engineering difficulties should be trivial to an Engineer-in-Chief who was capable of conveying a river through a 3ft. 6in. pipe for a distance of 350 miles to the top of Mount Burges. The grade that was such a bugbear to the department was only a heap of sand, which could be cut down. In Melbourne when Batman's Hill interposed between the railway and the requirements of the public, that mountain of gravel and loam was removed and the spoil used for other railway works. It was only a question of cost as to the making of a safe grade at Thomas Street for a station, and the station would have to be made. Did the Commissioner of Railways think that, when the time came for 10,000 or 12,000 people to be living in the vicinity of Thomas Street, there would not be a station there? A station would be there, as sure as the sun shone. Now was the best time to put the station there, while it was proposed to spend half a million of money in bridging the line through the city, as the present grades would be annihilated. As for the objection of the Commissioner that stations at West Perth and Thomas Street would be too close together, what did that matter if they would pay? It would be a good thing for the railway department when there were platforms at short intervals all the way between Perth and Fremantle, provided that the traffic was large enough to make these stations lucrative to the department. If the department pleaded that it could not provide a station at Thomas Street because the department was not paying, he could understand that position; but he could not understand the department refusing to make an improvement that would act as an important and profitable feeder of its traffic. There was no parallel between the case of the people of Highgate Hill, cited by the Commissioner, and that of the residents in the neighbourhood of Thomas Street, as the latter had a railway running past their doors, and the former had not. Already the department was running trains to accommodate intermediate traffic; running trains to Subiaco, a place that, 18 months ago, did not exist.

Why not say it was as inconvenient to do this as to open a station at Thomas Street? Because the increase of traffic and the requirements of the public demanded the Subiaco trains; therefore the public needs would also demand a station at Thomas Street, and that station would have to be granted, in spite of the objections of the Engineer-in-Chief. The member for West Perth, from the Ministerial side of the House, had condemned in stronger terms than he (Mr. Illingworth) would care to use the action of the department in refusing to make the station; and it was to be hoped the present Commissioner, who had abolished a good deal of red tape, would cut away red tape in connection with this matter, for there were no real difficulties surrounding it. Why a platform should be made at Kimberley Street he did not know. What was the little game? Who owned the land down there? He hoped the Commissioner would look narrowly into this subject, for there was something behind it that he (Mr. Illingworth) was not aware of. There was a population large enough around Thomas Street to make it worth the while of the department to make a station there, and it was the duty of the department to, as far as possible, meet the convenience and the needs of the public. He was perfectly satisfied that the work would pay interest on its cost, and provide a sinking fund to repay that amount; and it was necessary, in order to properly provide for the growing traffic. What would it do when the whole district was filled with people, and when the roads board had done its work, and those roads which the Government were taking over were made and in good order? These would rather increase the want of a station at Thomas Street, because the population would be greater then than at present, and any additional road the Government might make would only increase the necessity for a station at that point. A large suburb which was increasing in settlement had made a demand which should be granted. As to Kimberley Street, he had no doubt that in course of time this also would be a site for a station, if it was not so now. The Government had recently proposed to put a station where it would not for the moment pay, and were refusing to put a station

at a place where it would pay immediately. The Minister had referred to the adverse reports of his professional advisers, and upon the strength of them the Government had said "No." But what real difficulty would there be in removing a quantity of sand, so as to put the duplication of the line 10 or 15 feet lower. It was a simple question of removing so much sand, and there was no engineering difficulty about that.

THE COMMISSIONER OF RAILWAYS: It is only about eight chains from Kimberley Street.

MR. ILLINGWORTH: So much the worse for Kimberley Street. The question was whether the station at Thomas Street would be a public convenience; and a further question was whether this request could be granted without loss to the department, and without danger to the working of the railway. He maintained that the request could be granted, not only without loss, but with an actual profit to the State; and that, with very little outlay, Thomas Street could be made a safe and useful station to stop at. He hoped the Government would favourably consider the petition and grant its prayer.

MR. GEORGE supported the petition, believing there was a great deal to be said in favour of it. He hoped that what had been said by hon. members in its favour would be favourably considered by the Commissioner of Railways. As to the engineering difficulties which had been spoken of, if the Engineering Department could not overcome those difficulties, the sooner those engineers died, the better; and though he had no wish to attend a funeral, yet if they could not get over such difficulties as these, he would not be sorry to put on the black. A grade of 1 in 80 was said by the Commissioner not to be permissible for a siding, but he would ask whether there was any necessity for a siding in that district at present. This platform was intended for the convenience of passengers, and not for a goods siding. Taking into consideration the fact that the locomotives of the Western Australian Government at present were hardly able to pull themselves, being in such a terrible state of disrepair, perhaps there was the more necessity for the department attaching importance to

the question of grade; but the practical question was that Leederville had a population consisting mainly of working men, who wanted a means of getting into the city and back from their work cheaply and quickly, because they were not able to pay the high rents charged for houses in the city. Therefore, working people were driven into the suburbs, and it became a necessity that the Government should provide working men's trains, morning and evening, for the convenience of people living in the suburbs, as was done in other colonies. If working men had to walk 30 or 40 chains more than would otherwise be necessary to get to a railway station, that distance became an important matter when it would be so easy to put a station in a more convenient position. Trains might call at the suburban stations alternately. Some trains could be special, and others could serve the suburban platforms. It was necessary to place a platform somewhere midway between West Perth and Subiaco, and by granting the prayer of the petition the Commissioner would be placing the station in a convenient situation at Thomas Street. He felt sure the Commissioner was anxious to do what he believed would be right and proper, in the best interests of the public.

Mr. RANDELL said that, having attended two or three deputations to the late and to the present Commissioner of Railways, he knew that both of them had expressed entire sympathy with the desire of the inhabitants of South Leederville and West Perth to have station accommodation. Both the Commissioners had looked at the question in a sympathetic manner, with the desire of granting the wishes of the people, if practicable. He (Mr. Randell) was not able to speak of a distinct and definite promise made, but was under the impression that at one interview with the late Commissioner, some kind of promise was given that a station should be made at Thomas Street. He had hoped that, in the duplication and re-grading of the line, provision would have been made for both a goods station and a platform at Thomas Street; but he realised now that it would be impossible to give a goods station at that spot, and therefore the question resolved itself into one of giving a passenger platform only. People living

in streets adjacent to Thomas Street, if they wished to go to Fremantle, had to travel back through the sand a considerable distance, in a locality where no roads had been constructed, and it was a great hardship for them to have to go so far as West Perth when they wanted to catch a train for Fremantle. He admitted that the expert reports which were behind the Commissioner were rather a hard nut to crack; but he thought that, if those experts had been so minded, they would have found no great difficulty in the way of providing a level, or nearly level, site for a station at Thomas Street. In many parts of the world, stations were made in more difficult positions, and the approaches were by steps, where necessary. He was aware that it was in the mind of the Commissioner of Railways to do a great deal for the inhabitants in other ways, realising, as the Commissioner did, the isolated state in which they had to live in that district. Those people, however, were industrious and enterprising; and, as the Commissioner had said, they had got British pluck and perseverance. It was in the exercise of these qualities that they had brought their case before this House on the present occasion. He hoped the result of this discussion would be to induce the Commissioner to re-consider the question, with a view to affording the advantages which were sought by the petitioners. If the station were placed at Kimberley Street, it would be of very little advantage to the inhabitants more immediately around the Thomas Street crossing on both sides of the line; and he could not help expressing astonishment at finding that it was proposed to take the roadway from Kimberley Street up a hill in order to come down again, instead of taking a better line available through Saunders Street, which communicated with Oxford Street, that being the main artery of Leederville itself. The inhabitants of South Leederville had some cause for complaint, inasmuch as money given by the Government for the making of roads had not benefited them in an equal degree with the people in North Leederville, for they had participated in the expenditure to only a limited extent. He trusted the Premier would bear this in mind when arranging for the distribution of grants for roads, and would see that justice was

done to these people, knowing there was some little friction between the inhabitants of South and North Leederville.

THE PREMIER said he had not heard of it.

MR. RANDELL said the Premier must have been living out of the world, or thinking too much about getting the water supply on to Mount Burges. He urgently supported the prayer of the petition, believing it would serve an enterprising and industrious people, and that to comply with the petition would be no loss to the railway, but a profit. It would be wrong and inconvenient to ask that every train should stop at Thomas Street, as a certain number of trains must go through express to and from Fremantle; but some trains might stop there and serve the suburban stations. It was rather a matter for congratulation that so many suburban stations were required, for it showed the increase in the population. He hoped the Commissioner would consider the matter, with a view to removing from the minds of the engineers the difficulties which seemed to have somewhat impressed them.

MR. HARPER said the explanation of the Commissioner of Railways did not make out a strong case, for as to a grade of 1 in 80 being inconvenient at Thomas Street, he knew that at the Clackline, on the Eastern Railway, there was a grade nearer 1 in 50 than 1 in 80, where the trains would run away for miles if the brakes were removed. The objections of the professional officers were of a kind that could be removed, if there was a disposition to do it; he therefore supported the prayer of the petition.

THE PREMIER (Hon. Sir J. Forrest) said this was a question on which hon. members should be careful not only in expressing an opinion, but also in voting. This being a departmental matter, it had never come before him; but he had no doubt the present Commissioner of Railways, as well as his predecessor in office, were adverse to the prayer of the petition because of the advice tendered by their officers. The Commissioner could have no interest except to do what was best in the matter, and he (the Premier) could not understand why the Commissioner should put a platform where there were not many

people, and refuse one where there was a large number, unless there were good reasons for doing so. Railway platforms ought to be distributed somewhat conveniently along the line, and be placed not only with a view to present requirements, but to probable future settlement. It had been said that the Perth Commonage was on one side of the railway, near Kimberley Street, and that might be a reason why settlement could not greatly increase there; but having regard to all the facts, the distance of half-a-mile was not far to walk, and everybody could not have a station near his door. Whether the station was at Kimberley Street or Thomas Street, the difference in distance would not be far to walk; and he believed people were not so unreasonable as to complain of having to walk a short distance to a station. The department would do wisely to place the stations in positions not only with regard to the present, but looking to the future, and having regard to what would be most permanent, and serve the population most conveniently. Between Subiaco and West Perth, for instance, one station appeared to be quite enough. The suburban railways of Victoria had not stations close together. The first station out of Melbourne was Richmond, and he thought that was a good mile and a half away.

MR. ILLINGWORTH said the next station was only 28 chains.

THE PREMIER said, from what he had observed in other colonies, the suburban stations were not very close, and that applied to both Adelaide and Melbourne, where the stations were placed so as to serve a considerable population. The best course would be, after hon. members had expressed their opinions, to leave the Commissioner to think over the matter, and judge of it upon a view of all the facts. He did not think the House ought to go further than that.

MR. VENN said time effected great changes, and in three years opinions might greatly change with regard to the construction of station sidings. As demands sprang up for sidings, those demands should be granted, and they would be granted. When he was Commissioner of Railways, he had held the opinion that the railways were for the

benefit of the people, and that their demands should be conceded whenever it was convenient. Any difficulties that might be in the way of granting a siding could be overcome, and all that was required was a decision that the siding should be constructed. There was some misconception as to the object of the department in placing the railway station at Kimberley Street. The object, as far as he could remember, of placing the station there was not to serve the passenger traffic, but to provide facilities for the landing of building material, for which purpose Kimberley Street was considered the most convenient place at the time. As to the placing of a siding at Thomas Street, it was considered at that time that Thomas Street would be the most convenient site for serving the passenger traffic, and a deputation which then waited on him did, no doubt, understand him to say that when the line came to be duplicated the department would do all it could to meet their wishes. He thought it was a reasonable expectation of theirs, therefore, that when the line was duplicated to Fremantle their wishes would be met in regard to the placing of a station at Thomas Street. He did not consider there was anything in the objection that the stations would be close together. There was one at Dyer Street and another at East Perth, and as the demands of the public increased there would be stations all over the place. It did not matter much how many stations there were, so long as there was a second line on which to run through express trains. He thought the difficulties would be overcome by the duplication of the line; and, in his opinion, the department would be able to meet the wishes of the people in that respect. Personally, he thought the time had arrived when those wishes could be met.

MR. LOTON said a great deal of attention had been drawn to the motion before the House, and he was inclined to think it was a matter that should, only under extraordinary circumstances, have been introduced. As a rule, questions of that kind should be settled between the people and the Government of the day. However, he assumed, from the remarks of the member for West Perth, that the people interested in the matter had done all they could to induce

the Minister to place a station at Thomas Street, and having met with a refusal, they still considered they were making a just claim. There were three points bearing on the question that he had considered. The first point was as to whether there was sufficient settlement in the neighbourhood to warrant the placing of a station or siding at that spot; and from what he had heard and from his personal knowledge, he considered there was sufficient settlement there. The next question was as to whether the nearest station was sufficiently close for the purposes of the people who were asking for a station at Thomas Street. The nearest station to Thomas Street was West Perth, which was about thirty-four chains away—certainly not a very long distance. But even if the nearest station was not more than 34 chains away, he considered the people were entitled to a siding on account of the population of the district, which was increasing rapidly. The third point was as to the engineering difficulties, and he was quite certain those difficulties could be overcome by the duplication of the line. The grade at Thomas Street would be reduced to 1 in 80, and with regard to that point, he would direct the attention of hon. members to the Lion Mill station, where although the station itself might be level, there was a grade straight-away of 1 in 50. It was for the people to make out that the Thomas Street siding was wanted immediately, but he was inclined to think the people of the locality might very well be satisfied with the road being made from Thomas street to West Perth Station. It was true, no doubt, they would have 30 chains to traverse to reach the station; but that was not more than the distance from St. George's Terrace to the central station in Perth. This was a time of agitation, the people would agitate, and they could not be blamed; but when they agitated without reason, their demands must be respectfully declined. He did not think the Government would be wrong in declining to accede to the requests of the petitioners at the present time, even after the strong speech on the subject made by the member for Nannine, who had said this station must be erected at some time. It might be true that the station would have to be constructed,

but it might not be required for five years. He was prepared to say this, that most of the people of the colony wanted more than was reasonable from the Government, and that the Government tried to give them more than they ought to give. He thought the course for the member for West Perth to take was to withdraw the proposal, and not force it on the Government. If the member carried it to a division, he (Mr. Loton) would not support it, because he was not convinced that the Government would be justified at the present time in complying with the request of the petitioners.

MR. A. FORREST said that if the member who had introduced the petition would take a suggestion, it would be that the debate be adjourned until Thursday, to give the hon. the Commissioner of Railways an opportunity of laying on the table a plan showing the grades that would be necessary for a platform at Thomas Street. It was, of course, the wish of members to give every facility to the district represented by the petitioners, and also to all the people settled along the railway; and if it were clearly shown that a platform could be safely placed at Thomas Street, he did not think any member of the House would raise objection. Thomas Street was the boundary of the City of Perth, and if a station could be given to the people who lived in the neighbourhood, it would be given by hon. members even against the opinion of those who represented the engineering abilities of the Public Works Department. Hon. members knew well that when a platform was proposed at Cottesloe, or at Bullen's, the engineers said it was impossible to put a platform there; but the fact was that platforms were in existence there now, and were a great convenience to the public. If the plan were placed on the table of the House, as he suggested, hon. members would be able to see for themselves what force there was in the objection of the engineers to the construction of a station at Thomas Street; and if hon. members considered the objection was not a sound one, they could support the petition. He formally moved that the debate be adjourned till Thursday.

Motion for adjournment of debate put, and negatived.

MR. WOOD (in reply): It was satisfactory to him to know that he had practically the unanimous support of the House. He was, however, in a rather awkward position; for although he knew he had the support of nearly every member in the House, yet if it went to a division he would be unsuccessful. He would like to have an assurance from the Government that this question would be looked at fairly and squarely, from a practical point of view, and not altogether from an engineering point of view. There was no greater obstinacy than the obstinacy of practical engineers. Under the circumstances, he had no alternative but to withdraw the petition; for if he allowed it to go to a division and was beaten on it, the interests of the district would suffer for years. He had great faith in the Government, as everybody knew, and he hoped they would do what was possible in the way of giving effect to the prayer of the petition. He, therefore, asked leave to withdraw the petition.

Petition and motion, by leave, withdrawn.

#### CROWN LANDS TIMBER BILL.

##### SECOND READING MOVED.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson): I have to move the second reading of this very important Bill. For many years it has been felt by those who were concerned about the lands of the colony, myself amongst the number, that the present timber regulations are insufficient for the purpose, and do not contain clauses enabling the department to administer them in such a way as to sufficiently protect and preserve our forests. The regulations do not enable us to control the cutting of timber, in order that our forests may not be denuded of valuable wood, and so prevent us from having an everlasting supply of marketable timber. The timber trade should be one of the mainstays of the colony, and it is in order that it should be so that we have introduced this Bill. In framing these regulations, we have had no desire to hamper the timber industry in any way. To do that is far from our wish, and at the same time we have not been too greedy for revenue; yet we wish to so protect the forests that these timbers shall be an

everlasting source of revenue. The principal change in the regulations is the difference we have endeavoured to institute in the way of fixing the rates to be paid by sawmill owners. Hitherto it has been the practice to charge one uniform fee for timber lands, whether good, bad, or indifferent, and whatever their position, whether close to a railway or 50 miles away, or whether near to Perth or 150 miles from it. One of the great objects of the Bill is to provide that timber concessions or licenses may be classed according to intrinsic value, based upon the quantity of the timber and the comparative advantages owing to conditions surrounding. It will be seen that one of the chief innovations of this measure is that the rent of timber land shall be fixed on the appraisement system. Any timber area applied for will be thoroughly inspected by the forest ranger, and an estimate of the timber contained in the area be made, and a charge be fixed at so much per load on that estimate, the charge not being less than 9d. per load. As to the licenses, in the past no difference has been made between a license to cut good timber and a license to collect dead wood, and no consideration has been given in cases where a license was given for cutting fencing material. There has always been a special license for cutting balks of timber, but that was only a license fee. Under the Bill, it is proposed to charge in accordance with the value of these balks of timber up to 30ft., and so on beyond that, the lowest charge being 10s. My personal feeling is that perhaps members will consider this charge somewhat high. I consider it might be reduced, and I did draw the attention of the Conservator to it. However, if necessary, it can be altered in committee. It will be observed that Clause 10, in which appraisement leases are described, says: "The Commissioner 'may grant leases of any Crown land, 'authorising the lessee to cut timber on 'the lands leased, paying rent on the 'footing of a valuation of the standard 'timber growing thereon.' Another clause provides that the cost of survey is to be divided between the lessee and the department. It will be observed, from Clause 13, that leases are to be granted for a term of not less than one year nor more than 15 years,

and shall not include an area of more than 20,000 acres. This is a clause with regard to which there may be a good deal of room for difference of opinion. It is also a very important matter as to the extent of the areas to be given under lease. Some people may be of opinion that these areas should be small, while others would favour the placing of no limit on the area. I am inclined to think we want to get midway between the two. We do not want the whole of our timber areas monopolised by big companies, and, at the same time, we want to meet the views of the people who desire to erect large mills and tramways and spend a great deal of capital. A big establishment of this kind cannot be started without the outlay of a considerable amount of capital; and there would be no inducement for capital to be brought into the industry, without there being a prospect of several years' cutting. At a moderate estimate, from £20,000 to £30,000 is necessary for plant and railways for a timber station, and that money would not be spent for only two or three years' cutting. We must, therefore, give some consideration in the shape of an extensive area to mill owners, and 20,000 acres is, I think, a fair thing. I hope to have from hon. members their opinions on that point. It will be noticed, in Clause 16, that, with the approval of the Commissioner, the lessee of an appraisement area may sublet or may sell his lease. Clause 17 is an important one, for it seeks to provide that no person shall be allowed to take up one of these areas unless he has a *boni fide* intention to cut the timber and place it on the market; therefore the clause requires that a mill shall be erected within 12 months, of sufficient power to cut at least 12 loads of sawn timber per week to every 1,000 acres comprised in the lease. It is further provided that a true return shall be supplied to the department at the end of the second year, showing the quantity of sawn timber actually cut in the mill. If we take six loads per acre, as a fair average, hon. members will see that in 1,000 acres there will be 10 years' cutting. The conditions are not too severe or arbitrary, and they are to be enforced simply to ensure the *bonâ fides* of the lessees. A sub-section of this clause also provides a penalty for the presentation of a false

return of the quantity of timber cut. Clause 18 authorises a lessee to make trainways and railways upon the area of his lease and through Crown lands, if such lands be available outside that area. Clause 20 indicates the mode in which payment shall be made by lessees for their timber areas. The clause provides, in the first place, that "Payment for the timber on an appraisement area shall be made half-yearly, in advance, in the manner following:—So soon as the lease is granted, and before the lessee begins to cut the timber, he shall pay to the Commissioner an amount equal to that which results from dividing the whole appraised value of the timber on the area by the number of half-years contained in the term (hereinafter called the 'ordinary rent'), and so on until the beginning of the last year of the term, when the lessee shall pay the full balance of the appraised value." That is to say, if a lessee takes his timber area for ten years, the whole amount of the appraisement of the value of the timber thereon shall be divided into half-yearly payments; but if it should appear that he is cutting timber at a greater rate than the appraisement, the lessee shall be liable, at the request of the Commissioner, to pay a rent equal to the appraised value of the timber which, according to the return that has been furnished, has been cut. If the Bill did not contain this provision, areas might be rapidly cut out without the Crown obtaining a proportionate rent. Clause 23 deals with the very troublesome question—a right within a right, so to speak—of the granting of authority to selectors to select areas which have been taken up under timber-cutting leases. The selection of timber areas is open to a certain amount of objection, and we have framed a number of restrictions to prevent any real injury being done to the holder of a timber-cutting lease. The clause provides that "Where the Commissioner is satisfied that on any portion of an appraisement area, not being a forest reserve, the quantity of standard timber does not exceed three loads per acre, he may give the lessee a month's notice, in writing, that it is intended to open such portion of the area for selection, and, unless the lessee shows cause to the contrary, may do so; in which case

"the Commissioner shall reduce the rent in proportion, or accept a surrender of the lease on the lessee paying rent and discharging his lessee's obligations to the date of the surrender." The lessees and the selector are to be given an opportunity of showing that there is, or is not, marketable timber on the ground in question. If there are more than three loads per acre of marketable timber on the ground, it will not be open for selection, as forests lands are as valuable for the timber upon them as for any other purpose. But, on the other hand, farm or garden blocks which may not be growing a single jarrah tree are not to be withheld from the cultivator. We have found—for all men are not honest—that valuable forest lands have sometimes been taken up as conditional purchases; that the timber has been removed, and then the land has been abandoned. It is necessary to provide for all these little dodges, and I hope hon. members will give this clause full consideration, so that if we find that it is not sufficiently safeguarded, then amendments having that object will be made. The House will note that Clause 27 provides that "Every person who shall cut, fell, saw, split, or bark any standard timber, wood, or tree without a license, or not being authorised thereto by a license, or shall do any act under a license but in a place not included therein, shall, on conviction, pay a fine not exceeding one hundred pounds, and shall forfeit any license he may hold." The penalty is a very heavy one, and, of course, it is the maximum fine, though perhaps it should be reduced; but in Clause 29 there is a penalty provided of £2 per day for the non-observance of the by-laws made under the Act, and this, it appears to me, should be raised. Such a penalty might not be sufficient to prevent a lessee setting the law at defiance and doing as he likes. I am inclined to think that this penalty ought to be made not less than £3 per day. The subjects upon which, under Clause 29, the Commissioner may from time to time make, revoke, or alter by-laws are:—"The felling of trees near roads, tracks, or public ways; the transfer of licenses; the production of licenses on demand; the ascertainment and payment of royalties payable under this Act; the removal of bark from trees;



"the branding of cut timber." The fees which are to be payable for the various descriptions of timber-cutting licenses are set out in the second schedule of the Bill, as follow:—"Woodcutter's license, per month, 5s.; do., per annum, £3; timber license, per month, £1; do. per annum, £6; pile and pole license, per month (exclusive of royalty), 5s.; wattle bark license, per month, 10s.; bark or gum license for other trees under Section 8, per month, 10s.; do., per annum, £5; sandalwood license, per month, 5s.; do., per annum, £3." The size of the respective kinds of timber which is to be cut is described in the first schedule of the Bill, and the minimum circumference of tree allowed to be felled is as follows:—Jarrah, south of the Blackwood River, 45in.; do., elsewhere, 72in.; karri, 90in.; wandoo, 36in.; yate, 54in.; blackbutt, 60in.; tuart, 60in.; sandalwood, 15in. These measurements are to be taken at 4 feet from the ground. The cutting of timber smaller than that set out in the schedule is provided for in Clause 7, which permits of the issue of pole and pile licenses on payment of special fees. The protection we propose to give to small timber has been found very necessary, as a great deal of valuable young timber has been destroyed. In the present land regulations there is no restriction as to the size of timber which the holder of a cutter's license shall fell, and we have been able to protect young timber only in some cases, by proclaiming certain areas to be State forests; but now that we have appointed forest rangers, we hope to be able to prevent such destruction of trees that are little more than saplings. It has been the practice for hewers to cut down young trees in the Darling Ranges, in order to obtain "hewn sleepers"; and to get these sleepers, which have been sold for one shilling each, a tree that, if it had been allowed to grow, would have been worth £1, has been sacrificed. We have now put a stop to this ruthless waste, but not before a great deal of mischief has been done. This Bill is very much needed, and I hope it will be placed on our statute book. I now place it before hon. members for their consideration, and beg to move the second reading.

MR. A. FORREST: The Commissioner of Crown Lands has introduced to-night a most important Bill, for the timber trade is the second important industry in this colony; but as no member has had a chance of seeing the Bill until now, I think it is too late to pass the measure this session. There are so many new clauses in the Bill, so much that we have not been accustomed to in the last 50 years, that I consider it would be in the interests of the country to postpone the Bill until next session. I do not consider we are competent to properly deal with it towards the close of the present session, although there are many good points about the Bill. The Commissioner takes a great interest in the subject of legislation upon the subject of timber areas, and I have often asked him to introduce a Bill of this kind. It is absolutely necessary that, in the interests of the timber of the colony, such a Bill should be introduced; but the interests involved are so large that we should not deal with this Bill without due consideration. As the Commissioner has told us, the hewers have been very wasteful of the timber, without much profit to themselves, especially along the railway lines; but there are so many interests and so many conflicting interests at stake, that the House would not be justified in passing this Bill at the present stage of the session. I therefore suggest that a copy of the Bill should be sent to everyone who is interested in the timber trade in the colony; and, when Parliament meets again, we can have this Bill re-introduced, and have before us the opinions of those who are engaged in the trade as to the best legislation for the development of the timber industry. As one who is interested in a small way in the timber industry, I shall be prepared, if the Bill goes further, to criticise it in detail; but at this stage I only wish to say that it contains so many alterations of the present law that it will be well to let it stand over until the next session of Parliament.

MR. GEORGE: I do not think such an important Bill as this should have been introduced at such a late stage of the session. The Bill will have the effect of increasing the value of lands held by concessionaries throughout the country, and will give large mill-owners almost a

controlling power, for the small capitalist will not be wanted in the timber trade. If the Commissioner of Crown Lands wishes to stop the destruction of young timber, let the use of hewn sleepers on the railways be prohibited, and that object will be effected. The fees which it is proposed to charge for pole and pile licenses are too high, and would deprive a large number of men of a livelihood. While I want to see immature timber protected, I consider the timber industry is one that should be fostered. It is not so long since it was complained that too little jarrah and too much oregon were used in the colony, and yet we have here a Bill that will have the effect of literally killing the small mill-owners of the colony. The people engaged in the timber trade have a right to be consulted in anything that affects their interest, and there is scarcely a clause in the Bill that does not seriously affect them. I will tell the Commissioner that a timber area of 1,000 acres is not sufficient to induce a man to expend several thousands of pounds in laying down a mill plant, for the sake of cutting a few hundred loads of timber. Coming down to Clause 18 (lessee may make railways and tramways), the Commissioner of Crown Lands begins inadvertently to tread on the corns of the Commissioner of Railways; and I ask what would the Commissioner of Railways be likely to say, if the Commissioner of Crown Lands were to give permission to a lessee, as may be done under this clause, to intersect a public railway with a private railway outside the area of the timber concession? In clause 19 (Commissioner's lien on mills, railways, &c.), we come to the question of the Commissioner being able to take a preferent lien, with power of sale, over all saw-mills and machinery and plant on the land, and over all railways, tramways, and the rolling stock thereof. That seems to be an extraordinary power to grant. Then in clause 24 (sale of part of appraisement area), it is provided that if the land applied for is less than 40 chains distant from any sawmill on the area, no application for the purchase of any part of an appraisement area shall be granted; therefore, I assume that if it were 41 chains distant, the Commissioner would grant it. I ask

where, in any part of the Jarrahdale forests, say north of Pinjarrah, can you get spots where you will not cut out within six months; yet you sell the land immediately outside the half-mile radius.

**THE COMMISSIONER OF CROWN LANDS:** We are not bound to sell it.

**MR. GEORGE:** No; but you have permission to sell it in this Bill. Coming to the schedule, we find this regulation about the size of jarrah timber that may be felled:—Minimum circumference of tree allowed to be felled, south of the Blackwood River, 45 inches; ditto elsewhere, 72 inches. But what is the use of fixing that? I can assure the Commissioner that he need not be afraid that any saw-mill owner will bring in immature trees; and, if he does so, there is this simple way of checking it, that the Commissioner of Railways has only to say he will not have any hewn sleepers, made from immature jarrah, put into his lines. That will stop the cutting of immature trees.

**THE COMMISSIONER OF CROWN LANDS:** That will not stop the cutting of balk timber.

**MR. GEORGE:** The Commissioner is putting a prohibitive tax, in many instances, on our export timber by these regulations. That is my opinion, and I have had some experience in the business. If this Bill goes any further, I shall move, in reference to timber licenses in the second schedule, that the amounts charged be reduced, for they are too much altogether.

**THE COMMISSIONER OF CROWN LANDS:** You can do that in committee.

**MR. GEORGE:** I am not so anxious to get into committee with this Bill, because I know that, with the obedient majority which usually follow the Government, they can do whatever they like in committee. I think this Bill should be carefully considered by the sawmill owners, and time should be allowed for that purpose. Last week, when visiting amongst my constituents, I asked for opinions upon various clauses of this Bill; and though I may not be allowed, in this House to repeat the language used —

**THE COMMISSIONER OF CROWN LANDS:** The language of your constituents!

**MR. GEORGE:** Well, I can assure the Premier and the Commissioner that it was language I should be sorry to use,

in this House, though some of my constituents, like myself, when they have strong opinions to express, use rough Saxon. I have spoken more recently to two large sawmill owners, and one of them, who has invested many thousands of pounds in the business, said to me this morning: "What is the use of my spending all that money, if the Government are going to stick these regulations on to me?" Another owner said: "This Bill will throw all the timber-cutting business into the hands of two companies, if these regulations are enforced."

**THE COMMISSIONER OF CROWN LANDS:** Oh, well, we can all do a bit of "barracking."

**MR. GEORGE:** That word, whatever it means, is outside my vocabulary.

**MR. ILLINGWORTH:** I think the Government will be satisfied now that they have no chance of passing this Bill during the present session. It would be unwise to press the matter any further at present, and I therefore move that the debate be adjourned till this day week.

**THE COMMISSIONER OF CROWN LANDS:** I rise to explain that I desire this debate may be adjourned, in order that the Bill may be more fully considered by members; so that when we get into committee on the clauses, they will be able to express definite opinions. If, at that stage, it is not then considered desirable to proceed further, we need not go on. I do not think it is wise to shelve the measure right away; and even if it is to stand over to next session, I think it should at least be thoroughly debated, and that we should go into committee on it in order to see what are the opinions of members upon the main provisions of the Bill. With these remarks, I have no objection to the debate being adjourned till this day week.

Motion—that the debate be adjourned for a week—put and passed, and the debate adjourned accordingly.

#### RAILWAYS BILL.

##### ORDER DISCHARGED.

The Order of the Day for the second reading of this Bill having been read,

**THE ATTORNEY GENERAL** (Hon. S. Burt) said: I intended to move that

this order be discharged. This is rather an important Bill, and the Government have no wish to hurry it. As a matter of fact, the department mostly concerned would prefer that the consideration be deferred to another session. As the Public Works Bill, also before the House, is a brother of this Bill, and they interlock in some respects, it is my intention, when we come to that order, to move that it also be discharged. I now move that this order be discharged.

Question put and passed, and the order discharged accordingly.

#### AUSTRALASIAN FEDERATION ENABLING BILL.

The House went into committee to consider the Bill.

##### IN COMMITTEE.

The Bill passed through committee without debate, and was reported without amendment.

Report adopted.

#### PUBLIC WORKS BILL.

##### ORDER DISCHARGED.

The Order of the Day, for the further consideration of this Bill in committee, having been read,

**THE ATTORNEY GENERAL** (Hon. S. Burt) moved that the Order of the Day be discharged, for reasons already explained.

Question put and passed, and the order discharged accordingly.

#### MOTION—RETURN SHOWING FREE PASSES ON RAILWAYS.

**MR. JAMES,** in accordance with notice, moved—"That there be laid upon the table of the House a return of all free railway passes granted since 30th June, 1895, excluding free passes granted to the officers of the Railway Department." He said a similar motion had been passed during the last two sessions of Parliament, and he believed there was no objection to the present motion.

Question put and passed.

#### MOTION—BLOCKER SYSTEM OF LAND SETTLEMENT.

**MR. THROSSELL,** in accordance with notice, moved, "That, in the opinion of this House, the best interests of the

country would be served by the adoption of the blocker system of land settlement, as existing in South Australia, or by some other improved system that would enable artisans and labourers to secure suitable residence areas in the vicinity of their labour." He said: In dealing with this motion, I wish to point out that this is not the first time I have moved with regard to the small-block system. I do not wish hon. members to confuse the blocker system with the village settlement system. When in South Australia I had occasion to enquire into the success of the blocker system, and I have found that in eight years this system has been the means of placing 13,000 people upon the suburban lands of the cities and large towns. Since this motion has been before the House, I have had the pleasure of receiving from Mr. Cotton, son of the originator of the system, a letter urging that the blocker system should be introduced into this colony, and endorsing some remarks I had made with regard to it. It seems to me that hon. members only need to be made acquainted with the principles of this system to give it their support. A Bill on the lines of this motion would empower the Commissioner of Crown Lands to set aside Crown lands, or, where there are no Crown lands, to purchase land for subdivision, for the purpose of allowing artisans and labourers to acquire land upon easy terms of payment. No free gifts are in the question. It should be provided that lands around townships are to be set apart for men who have to get their living by the sweat of their brow, so that they may purchase blocks at such rates and under such conditions as the Commissioner of Crown Lands may determine. It seems to me this system is absolutely necessary. It is the Premier's boast that every man who lands on the shores of Western Australia knows there is a block of 160 acres of land available for him; that there is also financial assistance to settle on the land; and that he may obtain other land at 10s. per acre. This is a very proud boast; and I simply want the same principle applied in favour of the labourer and the artisan that now obtains in favour of the farmer. The member for Beverley brought a motion before the House the other evening, which seemed to emphasise

entirely the object I have in bringing this matter forward. He drew attention to the necessity of securing agricultural labourers for the country districts; and it was wisely objected that it would be of no use to introduce agricultural labourers, because the goldfields attractions would prevent them from settling in the farming districts. That is absolutely correct; but if we carry this motion in favour of the blocker system, and if we set aside lands round the towns and townships for the artisan and labourer, and especially the farm labourer, these blockers would become a fixed labour supply for the outlying farmers, and the best results would accrue. We have all the machinery in existence for the carrying out of this idea. We have the Lands Purchase Bill, which provides £200,000 for the purpose of resuming land for settlement. We have, therefore, the money to acquire the lands we need; and if we acquire them at fair rates—and I assume they would be acquired at fair rates—any objection to the system would be overcome. The necessity for this motion will thus be apparent. What do we see around our cities at the present time? I notice that, in one case of subdividing lands, there are thirty-nine subdivisions in seven acres. What is to be the future of the people planted round our cities under such conditions? We see, say, a large block of land purchased for £50,000, because the speculator sees £50,000 profit sticking out. What made that profit? That profit was made by the policy of the Government. If that were so, why should not the Government, through the Commissioner of Crown Lands, utilise a portion of the £200,000 available for acquiring lands round cities and towns, and cut it up into blocks for the use of artisans and labourers, and thereby create a happy and contented people? We have another argument in favour of it, for it is said that £70,000 of Savings Bank money was remitted to the colonies last month, to the wives and families of labourers whose permanent homes should be in West Australia; and it should be our aim to make it possible and easy for them to acquire land for the purpose. I may mention that the people in my own district of Northam pay no less than £3,000 per month into

the Savings Bank, much of which will find its way to the colonies. To show that people require land for settlement near towns, I may mention that an estate which was cut up near Northam in small blocks realised £17 per acre. This shows there is a desire for settling on suburban lands. These blocks must be within walking distance, or within cheap rail or tram distance of the scene of daily labour.

#### WANT OF A QUORUM.

MR. LOTON called attention to the state of the House, and said it was not fair that the hon. member should proceed with such an important speech, when so few members were present.

THE SPEAKER, after the bells had been rung and the usual interval had elapsed, finding there was not a quorum of members present, adjourned the House till the next day.

## Legislative Council.

Wednesday, 7th October, 1896.

New Houses of Parliament: erection of—Goldfields Act: amendments to—Stamp Duty on Transfers of Goldmining Leases—Goldfields returns: statistics as to—Bastardy Laws Act Amendment Bill: first reading—Jetty construction on Swan River—Boating fatalities on Swan River: prevention of—Mines Regulation Act Amendment Bill: second reading: committee—Judges Pensions Bill: committee—Criminal Evidence Bill: third reading—Registration of Firms Bill: second reading: Bill laid aside—Evidence Amendment Bill: second reading—Colonial Passengers Bill: second reading: committee—Agricultural Lands Purchase Bill: Legislative Council's suggestions—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the Chair at 4:30 o'clock p.m.

#### NEW HOUSES OF PARLIAMENT—ERECTION OF.

THE HON. C. A. PIESSE: I desire to ask the hon. the Minister for Mines, without notice, whether any steps have been taken in reference to the promise he

made to this House some time ago that he would place a communication before us on the subject of additional accommodation for hon. members.

THE PRESIDENT (Hon. Sir G. Shenton): The hon. member means in reference to New Parliament houses?

THE HON. C. A. PIESSE: Yes.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I shall have much pleasure in giving the information as soon as the Director of Public Works puts me in possession of it.

#### GOLDFIELDS ACT—AMENDMENTS TO.

THE HON. S. H. PARKER: I desire to ask, without notice, whether the Government propose to introduce any amendments to the Goldfields Act during the present session.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): A small amendment is now being prepared, and, if the Bill can be got ready in time, it will be introduced this session.

#### STAMP DUTY ON TRANSFERS OF GOLD MINING LEASES.

THE HON. F. M. STONE asked the Minister for Mines—If his attention has been drawn to a paragraph which appeared in the *Financial News*, to the effect that the Government had decided that stamp duty, in respect of transfer of gold-mining leases, would only be enforced on the cash consideration, and not on the value of shares, where such shares were the consideration or part thereof; and, if so, is such paragraph correct.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): The answer is a brief one. Yes; no.

#### GOLDFIELDS RETURNS—STATISTICS AS TO.

THE HON. R. S. HAYNES: I beg to move—"That a return be laid upon the table showing—1. The amount of money expended by the Public Works Department since October 21st, 1890, north of the 30th parallel: a. Upon the Murchison, Pilbarra, and Kimberley goldfields; b. The remaining goldfields. 2. The amount expended in each year. 3. The estimated population of the same districts for the years 1890 to 1896. 4. The values of the gold returns for the