

Mr. SHENTON then moved that progress be reported, and leave given the committee to sit again on Tuesday, July 20th.

Agreed to.

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

LEGISLATIVE COUNCIL,

Friday, 16th July, 1886.

Mandurah Breakwater—New Land Regulations (Message No. 3) : adjourned debate—Adjournment.

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

PRAYERS.

MANDURAH BREAKWATER.

CAPTAIN FAWCETT moved, "That an humble address be presented to His Excellency the Governor, praying that he would be pleased that, out of the money at present voted on the Loan Estimates for the Mandurah breakwater, a party of men be immediately engaged to repair the present Mandurah breakwater, and to quarry stone ready for the extension of that work, as recommended by Sir John Coode, as soon as the Director of Public Works has had time to complete his specifications." The hon. member said the bar at Mandurah was then perfectly dry, and boats had to be dragged over it, and he believed that with a very small expenditure at the present time some improvement could be made. A small breakwater had been constructed there some years ago, which for a long time had the result of preventing the bar from being silted; but this breakwater had seen the best of its days and was now of little or no use, and it required to be

extended. He thought that in the interests of the district, which had many industries, something ought to be done at once to enable boats to cross the bar. It was no use waiting any longer for Sir John Coode's report, and the best thing that could be done was to spend the money already voted for this purpose.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said he must apologise to the hon. and gallant member, and to all hon. members, if he did not make himself sufficiently clear when he answered the hon. and gallant member's question on this same subject the other day. He then said that the result of touching the present breakwater, without having a sufficient sum of money to carry out the necessary improvements, would simply be disastrous. As he then said, the question of the Mandurah breakwater was a difficult one to solve. The amount placed on the Loan Estimates, 1884, of £1,300, was totally inadequate for the purpose, and, were it commenced with that sum in view, it would, as he had said in his report, more probably lead to permanent harm to the estuary than to any good. Sir John Coode was asked for an opinion on this subject, and Sir John quite agreed with him in what he had stated. He would, however, have a proper survey, soundings, etc., made, so as to arrive at the total amount required to finish this work, in order that in a future loan the amount they now had may be supplemented by the requisite amount to carry the work to completion. In his opinion, despite what had fallen from the hon. member for the district, if they were to begin this work, and attempted to tinker with this breakwater without sufficient means to make a proper thing of it, the result would be to permanently close the river. He himself at any rate—and, he believed, the Government—would oppose the expenditure of this small amount of loan money to no practical use. If what the hon. and gallant member really wished was that the money should be spent in the district—if that was all he wanted—it would be better that he should say so plainly, and have it expended upon some really useful work, where it might do some good.

The motion upon being put was negatived.

NEW LAND REGULATIONS (MESSAGE
No. 3).

ADJOURNED DEBATE.

On the order of the day for the resumption of the debate upon the draft Land Regulations sent down to the House by His Excellency the Governor,

MR. SCOTT said that when he moved the adjournment of the debate on Wednesday, he did so not so much with the object of speaking on the subject himself as to encourage other hon. members to give further attention to this most important question. He thought it would have been a great pity that the debate should have been prolonged, when hon. members were jaded and weary, and disinclined to address themselves to the subject. This land question was a very serious question, for the regulations that would now be adopted would bind down the country for a long period of years, and he thought, if any member had any views to express on the subject, that he should give expression to those views. He thought it was a course to be deprecated that hon. members should give a silent vote on such a subject as this, and shelter themselves hereafter by saying that they had expressed no opinion one way or the other, and therefore were not bound by anything that other members might have said or done. He thought every member who had formed an opinion on the subject should place that opinion on record, so that it might be available for reference, if necessary, in the future. Having said so much as to his reasons for having moved the adjournment of the debate, he should now proceed to say a few words—and he promised hon. members he would not weary them—with reference to these land regulations. With reference to the alienation of land, he thought that the Government should be very careful how they alienated the public estate, if they alienated any of it at all. It might seem hard that failing the fulfilment of the conditions imposed under the alienation clause in special areas—failing the balance of the purchase money being paid within one month, or the fencing not being performed within three years—the land should revert to the Crown. But he thought that the main object of letting our lands go on such easy terms was with the view of enforcing improvements, and so enhancing the value of the na-

tional estate; and if no provisions were made that the land should revert to the Crown, failing the fulfilment of these improvements, he thought it became a difficult question to say how to deal with it. It might seem rather hard, as he had already said, that the land should revert to the State, but he thought that the conditions imposed would induce people, before they took up land, to see that they had the necessary capital to start with. He knew that at home, years ago, if what we called a cockatoo farmer took up land without capital, the man was considered to be almost a curse to himself and to his neighbors. He was calculating the other day about what amount of capital a man should possess before he would be in a position to take up land in this colony with any prospect of success, and the conclusion he came to was that the man who purchased 100 acres of Crown land under the conditions of improvement here insisted upon would require a capital of at least £300 to start upon. If he had that money and he used it prudently and economically he might be able to support himself out of the land, with what assistance he might get from others, outside the Government. He thought it was only fair that, if a man took up land, with his eyes open, knowing that part of his bargain with the Crown was that he should improve the land and spend so much money upon it within a given time—he thought it was only fair to the Crown, as the guardian of the public estate, that, if that man did not carry out his bargain, the land should revert to the Crown. He thought the same remark would apply to the question of direct purchase under these regulations. With regard to the 48th clause, which provided that not more than twenty acres of land should be granted to any one person for vineyards, he thought with the hon. member, Mr. Loton, that there should be no such limit placed upon the maximum of land that a man might take up for that purpose. He looked upon viticulture as a great possibility, in the future of Western Australia; as the vine would thrive here on land that would carry nothing else. But, in order to prosecute the industry on a profitable scale, it required a considerable amount of capital, and a considerable area of land, which it ap-

peared to him would be a legitimate undertaking for a syndicate or a company. And to limit the quantity of land which anybody could take up and cultivate as a vineyard, as here proposed, to twenty acres, was in his opinion unsound policy. With regard to the conditional purchase regulations, he could not help feeling that the clause making residence compulsory was a somewhat undesirable one. He agreed here again with the hon. member, Mr. Loton, that so long as we got the land improved and money was expended upon it, thus enhancing its value as a portion of the public estate—it appeared to him that this must necessarily entail residence upon the land. With reference to the regulations affecting pastoral lessees, he must say he was somewhat in accord with the hon. member for Geraldton, that land situated a long distance from a port of shipment, or from a market, should not pay as much rent as land close to the coast and a shipping port. It had occurred to him that it was almost a pity that the Government could not have areas available within reasonable distance of the coast to enable those whose runs were a long way off to bring their sheep upon those areas for the purposes of shearing. That, however, he was afraid, was impracticable, and he thought that what was required, and what we should aim at, was improved facilities for the conveyance of wool and other produce from the spot where they were produced to the nearest port or the nearest market. Of course pastoral leaseholders considered it very hard that their rents should be raised, in view of the present low price of wool; and, although he sympathised with them, he thought at the same time that the residents of the towns should be borne in mind, with their increasing burdens in the shape of local rates, and the higher prices they were called upon to pay for meat and other necessities of daily consumption, and especially meat. Although on one hand the price of wool was low, and the grower suffered accordingly, still, on the other hand, the price of meat was very high, and the consumer had to put up with it. People here had to pay dearer for their meat than they had in the other colonies, because our towns were growing and the demand for meat was increasing, whereas the supply

was not increasing correspondingly. This seemed to point out that our sheep farmers, notwithstanding the low price of wool, found it paid better to grow wool than to grow meat.

Mr. VENN said he had not intended to have spoken at all at this stage, but the last speaker had thrown a sort of challenge to the pastoralists to defend themselves, that he therefore felt constrained to say a few words, otherwise he would have reserved what he had to say upon these regulations until they went into committee upon them, for, personally, he failed to see what possible good would result from hon. members airing their individual views just now. It would not alter the opinion of any other member, and he did not think there was anything to be gained at this stage from any flourish of oratorical trumpets. It would be much better, he thought, if hon. members would reserve their energies until they got into committee, when they might perhaps be able to do some practicable good. Last year he was one of the unfortunate ten who had about six weeks of it in discussing the land regulations, in select committee, and he certainly did not wish to pass through another six weeks of the same work, with the same result. He and one or two other members of that committee found themselves in a minority, and there was considerable difference of opinion amongst them; but they agreed to differ, with the result that a set of regulations was at last submitted to the House. But it was thought very desirable, and also necessary, that the public should have an opportunity of discussing those regulations before they became law. What had been the result? There was some little satisfaction at any rate in knowing that, although he and a few others on that committee found themselves in a minority, still, in the only four districts of the colony where those regulations had been discussed at all, the views expressed by himself and others had met with general approval, so far as they went, and the public generally—so far as the public had expressed any opinion on the subject—were more satisfied with the existing land regulations, with a slight modification of them, than with the proposed innovation. He was therefore glad to find himself backed in his opin-

ion that the proposed new regulations were not equal to the old regulations; and he had seen no reason, since, to alter that opinion, in any way. The Surveyor General, the other evening, gave a very good digest of the draft regulations now before them, and he had been complimented, and deservedly, upon the speech which he had made on the occasion; but he (Mr. Venn) did not altogether go with the hon. gentleman,—he did not at all go with him that the regulations now in force had proved a complete failure. He maintained that whatever progress this colony had made up to the present—and he thought it had made very considerable progress during the last few years—had been made under those land regulations. If they had failed at all, it was only as regards one or two items, and he thought if those one or two items were amended we should have a better code of regulations than we were likely to have evolved out of the regulations now before the House. He thought the present discussion somewhat supported him in that view. Every hon. member who had spoken on the subject had some fault to find with them, and some suggestion to make for improving them. They had twenty-four different manufacturers of land regulations, each having his own improvements to suggest, and what would be the result? They had no party in the House that could force its policy upon it, and the consequence was they would have amendments in galore placed before them, and they would have to fight their way through them the best way they could. It would have been better for the colony, he thought, if they had stuck to the old regulations, and contented themselves with simply amending them here and there, by the light of past experience. He would say this of the proposed new regulations—their tendency, if passed, would be to snuff out entirely all hope or probability of capital coming into the colony. The hon. member, Mr. Loton, he thought, struck the right nail on the head when he addressed himself to this question the other evening, and he had been very glad indeed to hear the hon. member speak as he did on that occasion; and he hoped they would hear another gentleman, of equally independent views, ex-

pressing himself very possibly much to the same effect that evening. He would say again that the tendency of these regulations was to snuff out capital and investment in land. They distinctly provided that no one shall invest his capital in land in this colony; they said to the man of means and the man of enterprise, "We don't want you here: we shall limit you to five thousand acres: we want none of your capital expended here in improving the land; you are not the man we want at all; we want the man with small means and crippled resources." That, in effect, was what these regulations said. He thought himself that what Western Australia wanted above all things was capital, and capital backed by energy; but if we expected to get capital introduced, and capital backed by energy, we must have very different land regulations from these. With regard to the price proposed to be asked for the land in the Northern districts, he would ask the representatives of those districts, or anybody else who objected to the proposed increase—from whence came our fat stock at present? From the North. Whence came our fat sheep? From the North. Yet the settlers of those districts complained even of the present price of land, at 10s. per thousand acres; although the settlers in our Southern districts, without any security of tenure, had for years past to pay double that amount of rent, notwithstanding that they were unable to supply any fat stock for the market. He had been connected with land both in the South and in the North, and he thought that if the lessees in the Southern portions of the colony could afford to pay £1, the Northern lessees could afford to pay £2 for their land. Of that he was satisfied. Therefore he thought the tendency of any amended regulations should be to reduce, if possible, the price of land in the South. He thought it was rather hard upon the southern settlers to have to pay double the rent which the northern settlers paid, and at the same time have no security of tenure, and their runs open for selection at any moment, with the prospect of losing the best portions of them. He would not at present dilate upon the subject. He did not think any good would be gained by prolonging the discussion at the present stage; but he

should have some amendments to propose in committee, with the view of making the existing regulations the basis and ground work of future land laws.

MR. SHOLL said he had listened with great interest to the able and very practical speech with which the Commissioner of Crown Lands introduced the regulations, and also to the discussion that had followed. There were several things, however, which he took exception to, both in the Surveyor General's remarks and those that had fallen from some other hon. members. They had been told by the Commissioner of Crown Lands that, in putting forward the regulations now under consideration, the Government had almost entirely adopted the recommendations of the select committee of last year. On the contrary, he thought himself that the principle of the regulations now before them differed altogether from the select committee's regulations. In the present regulations there was no security of tenure provided for the settlers of the Gascoyne, North-West, and Kimberley districts, while at the same time it was proposed to increase their rents, and otherwise alter their position for the worse. The hon. member for Wellington, when he spoke about fat cattle and fat sheep coming from the North, forgot to tell the House that the lessees there had to take up blocks of 20,000 acres, while southern lessees only took up comparatively small blocks. [Mr. VENN: They cannot afford to pay for more.] He maintained—and he defied any one to contradict it—that in taking up a block of 20,000 acres in the North the lessees were compelled to take up a very considerable quantity of very poor country; and, when we took into consideration that fact, and that a large proportion of the land for which they paid 10s. was utterly useless, the price they really had to pay was very little less, if anything, than what the southern lessees had to pay. The hon. member also forgot to mention the difference in the cost of bringing stock into the market from the North. While fat bullocks could be put on the market in these Southern districts at a cost of about 10s., it cost £5 or £6 to have a fat bullock delivered in Perth from the North district. He knew of an instance where £7 or £8 had been paid for a fat bullock, and by the time it was

brought down here nothing had been made out of it. So that it was not such a racy thing as the hon. member would make it out. With regard to the proposed regulation dealing with the payment of rents (clause 79), he rather objected to giving any man 120 days grace within which to pay up his rent. If a man did not pay his rent in less than four months after it became due, the probability was that he never intended taking it up. The regulation was a very good one for purposes of speculation, and affording the lessee an opportunity of making money out of it; but, on the other hand, it would prevent the Commissioner from dealing with the land for a period of four months after the rent became due, and after it was virtually forfeited, although there might be applications for it. He thought one month's grace was quite long enough to keep land open. With regard to the conditional purchase regulations, and especially the clause providing that not more than 1,000 acres could be held by any one person—it had been said that these land regulations would keep out capitalists, and that they were only intended for the small man; but he thought this condition would effectually snuff out the small man as well as the capitalist, for it would prevent the occupier from borrowing any money upon his land for improvements, as, under these regulations, no bank or any other financial institution would be able to hold more than 1000 acres, even under transfer. The hon. member opposite (Mr. Loton) told them the other evening that the pastoral lessees in the Northern districts had a very good security of tenure in the fact that their land was unfit for agricultural purposes, and fit for nothing but pasture. He (Mr. Sholl)—in his ignorance perhaps—failed to see where the security came in, seeing that the Governor had the right to set apart special areas for selection within the lessee's 20,000 acres. If the quality of the land afforded any security of tenure, it certainly was no security upon which a man could borrow any money. To cut the matter short, he thought that in these Northern districts 10s. per thousand was quite sufficient to charge for the land, and that the lessees ought to have absolute security of tenure—a security that was mortgageable; and

that the proposed duration of the leases was quite short enough.

Mr. BROCKMAN said the hon. member for Wellington had said pretty much what he himself had intended to say, and he went with the hon. member in pretty nearly all he had said. He considered that the draft regulations which they had now before them were not so good as the regulations at present in force. He thought that if we had the existing regulations, with a few amendments, they would make far better land laws for Western Australia than we were likely to make out of the regulations now under discussion. In proposing a code of land regulations for this colony he thought they ought to bear in mind what the objects were which they desired to attain. In his opinion the objects they wished to attain were these: the settlement of a numerous population on the soil, and such security of tenure, both for freeholders and leaseholders, as would induce them to expend capital in the development and improvement of their land, so as to make it yield as much as it possibly could of marketable produce. To his mind the draft regulations now before them completely debarred from coming to Western Australia the man above all others we wanted to see here, and that was the man possessed of capital, and who was prepared to invest his capital in acquiring and developing the landed resources of the colony. He believed one reason why Western Australia had not advanced more than it had done up to the present time was that she had offered little or no encouragement for large capitalists to invest their money in utilising her lands. What little capital had been invested in land, in this colony, had been expended in acquiring a certain number of areas, as much in self-defence as anything else. He thought the proposed regulations dealing with direct purchase, and also conditional purchase, altogether debarred the man of means from investing in land. But, while he was opposed to the limitation of the quantity of land that might be held by one person, at the same time he was strongly opposed to any regulation being passed that would enable capitalists to acquire large blocks of land and make no use of them. He was in favor of giving leaseholders every security that could be given to them, provided that the agriculturist was

not shut out; and he thought we had sufficient land in Western Australia to enable us to accommodate both classes without their interfering or clashing with one another. He thought that by setting apart special areas—call them agricultural areas if they liked—for purchase, direct or conditional, and outside those areas selling no land at all, we should keep the two classes from interfering with one another, and at the same time be able to give both a security of tenure. He was in favor of survey before selection; blocks of land to be surveyed, within areas, of from 100 to 1,000 acres, with conditions of improvement attached to every individual block. He would allow a man, if he had capital, to take up as many of these blocks as he liked, but he would have to carry out the conditions, upon every separate block. He maintained that the man with capital, placing occupiers upon these blocks, would do so with far better prospect of the occupiers making a good thing for themselves and for the country than the Government could hope to do, for these occupiers would have capital at their backs to assist them in improving and making good use of the land. We should then get what the framers of these regulations wished to get—a thriving population upon the land—just as well, and, he contended, better than we were likely to do by excluding, as was here proposed, large capitalists from investing in our lands. We should then have our agriculturists concentrated together, instead of having them scattered all over the country, to their own disadvantage and of everybody else's. That was about the only thing in the existing regulations which he objected to—free selection. With regard to the North-West and Gascoyne districts, it was stated by many that the lands in those districts were perfectly useless for any other purpose than to run sheep, or cattle, and horses upon them, in their present natural state. Before he could bring himself to accept that statement as being perfectly correct, he must know that the experiment had been made, of endeavoring to improve these lands and make them fit for agricultural purposes, and that the experiment had failed. The only instance that he had ever heard of, of agricultural pursuits being attempted in those districts, was in the shape of a little corn

growing; and, from what he could make out, the only reason why the attempt proved a failure was owing to the insufficiency of the fence,—the stock got in and devoured what promised to be a fair crop. He had never been there himself, and consequently never tried the experiment; but he thought it would be a great mistake to lock up these Northern districts and place them entirely in the hands of pastoral leaseholders, without giving the agriculturist a chance of trying his luck there, in some portion of the country. He should be in favor of areas being declared in these districts as well as in other districts of the colony, but would only sell the land within those areas, leaving all outside such areas for the pastoral leaseholder, with perfect security of tenure.

MR. MARMION said he felt a certain degree of diffidence in rising to speak to this most important subject, because he felt that it was a question of the gravest importance to the colony, and one that ought to be approached perhaps with more matured consideration than he had been able, at all events during the present session, to give it, though as a member of the select committee on the subject last year he had given a great deal of time and attention to the preparation of that scheme. The scheme had now been brought forward with the Government seal (so to speak) upon it, and, as it seemed to differ so slightly from that recommended by the select committee last session, they might fairly assume that the views that were put forward by that committee were such as had met with favor, at the hands of His Excellency at any rate and the members of the Executive. When they also observed the slight amount of hostile criticism that had been passed upon the select committee's work during the period that had elapsed since last session, by the colonists generally, he thought they might very fairly flatter themselves that the prolonged deliberations of the committee had resulted in the production of a measure which at any rate possessed some virtues; indeed, if one might judge from the absence of any serious hostile criticism, it had many virtues and few faults. This question of the sale and leasing of land was one that in all these Australian colonies had given possibly

more trouble to the colonial Legislatures and to the wisest statesmen than any other question, and in the other colonies it had given rise to much strife and dissension and to a great deal of strong and bitter language within the walls of their legislative assemblies, because in those colonies conflicting class interests had generally given rise to a good deal of acrimony in the debates upon the subject, which, happily, had not found place in that House. In the other colonies there were so much more available areas suited for agriculture than we had here, that the interests of the agriculturist very often trod so closely upon the interests of the pastoralist that a strong feeling of antagonism had been engendered between the two classes—a feeling which up to the present time had hardly existed in Western Australia. The enormous extent of our territory, its various interests, its diversity of soil, its differing climatic conditions, the patchy character of its agricultural lands—all these had contributed to make this subject of land legislation even more difficult here than it was in the other colonies. While some portions of the colony suffered from the want of a regular rainfall, and much of the country was consequently not of the most fertile character; on the other hand there was country farther North, where the climate was almost tropical in its character, which it was believed was suitable for tropical or semi-tropical culture. Unfortunately but little was known of this territory as yet—he was alluding now to our northernmost country—but there was a supposition in the minds of many hon. members and of many others that in this more northern portion of the colony a great deal of land existed suitable for the growth of tropical and semi-tropical products. At the present time, however, this was only an idea, and no one could say that it was an idea that would very shortly become an accomplished fact, or that tropical cultivation would be carried on there to any great extent. Looking South again we had an enormous territory, extending to the distant Eucla district, on the eastern border of South Australia—a district which judging from the character of its vegetation would be a most suitable one for pastoral purposes, but for one import-

ant drawback—the want of water, which made it difficult to carry on pastoral pursuits there, while, on the other hand, the uncertainty of the rainfall made the district unfit for the prosecution of agricultural pursuits. Coming to the Central District of the colony, which perhaps might be termed the garden of Western Australia, they came upon some portions of land of a superior character; but, unfortunately, even in this “garden” of the colony there was a vast amount of poor miserable country, which was unadapted for agricultural purposes. Scattered over this wide area there might be found productive spots—oases in the desert—small patches which had been proved to be generally adapted for agriculture—but other portions, as he had already said, were utterly unfit for any kind of cultivation. It was this patchy character of our lands, and the enormous preponderance of poor country, that made it so difficult for them to legislate upon the subject, and to frame regulations which would give satisfaction to themselves or to the various classes of the community concerned. When they went farther North than the South-West division of the colony they arrived at the Gascoyne, Ashburton, North-West, and Kimberley divisions. Dealing with the Gascoyne and the North-West as districts which in their characteristics were virtually very similar, he might say that up to the present time there had been no attempt at agriculture in those districts—or, whatever attempts had been made, had proved a failure—and there was a feeling, and a very widespread feeling, that these districts were altogether unadapted for the growth of cereals, or for the cultivation of tropical or semi-tropical products of any description. Owing to the irregularity of the rainfall and the long periods of drought, there was very little doubt in his mind at all events that this large area of country, unless our population became very dense, was not likely, within the next fifty or a hundred years, to be used for purposes of agriculture, which would entail an enormous outlay in irrigation and other improvements. Having made these few remarks on the general character of our lands and pointed the difficulties with which land legislation was surrounded, he would endeavor, as briefly as possible, to deal with the regu-

lations now before the House. In the first place, he thought the proposed division of the colony was in accordance with the select committee's recommendation, and he did not think that much improvement could be made upon it. With regard to the next part of the regulations, that dealing with the alienation of Crown land, this question it seemed to him was likely to be the *pièce de résistance* of the controversy over these land regulations. With reference to that particular portion of the country which was known or generally considered to be unadapted for purposes of agriculture, he should much prefer to see the principle of non-alienation adopted by the Council. He said that, because in his opinion it would be for the benefit of the community generally. It might be said that it would be for the benefit of the squatter particularly, but he submitted that if it was for the benefit of the squatter particularly and also for the benefit of the community generally, the argument that it was for the benefit of one class did not hold; for what benefited the individual and at the same time benefited the whole community must be good all round. The hon. member for Wellington, in the course of his remarks, alluded to the southern portion of the colony, and drew a most glowing picture of the superior advantages of holding land in the northern portion as against holding land in this part of the colony. The hon. member appeared to think that those who were in favor of non-alienation at the North wanted to get something which at the same time could not be given to the South, and which they would not give to the South if they could. It seemed to him that the hon. member's argument went to show that he would desire to have the principle of non-alienation applied to the South, and that one of the greatest blots upon these regulations was that they did not extend that principle to the South, rather than because it was proposed to apply it to other parts of the colony. If that was the case—if, because in the southern portion of the colony it was not considered advisable to introduce the principle of non-alienation, inasmuch as in that portion of the colony there happened to be to some extent, and to a much greater extent than elsewhere, land

adapted for purposes of agriculture, surely that was no argument why the principle of non-alienation should not be introduced in another portion of the colony, where the conditions were altogether different. It seemed to him that the hon. member was taking a rather selfish view of the question,—something of the dog-in-the-manger view; because a certain principle could not be applied to the South neither should it be applied to the North. If it should be asked what they would benefit thereby, he would say it would give lessees security of tenure, and, in doing so, would enable the country to be improved for that particular kind of industry for which it was solely adapted, namely, the prosecution of pastoral pursuits, and enable the holder of the land to make some satisfactory financial arrangement whereby he might improve its carrying capabilities. In this way the lessee, while adding to his own prosperity, would at the same time be enhancing the value of the public estate, and be able to hand it back to the Crown in an improved condition. [Mr. VENN: There is no improvement condition in a pastoral lease.] It would enable the lessee to do what the proposed regulations now before the House would preclude him from doing; he would be able to go to a bank or some financial institution and obtain money to assist him in improving his run on the security of his lease, whereas, without that security, he would be unable to do so. That was the argument in favor of extending this principle to the Northern lessee. It might be said, and it had been said, that virtually they had security of tenure at the present time, because why? Because the land was unadapted for agriculture, and, therefore, the pastoralist was not likely to be interfered with. Possibly so; but that was not the sort of security which a bank would want, or any other monetary institution. Before anyone would advance money upon the security of a lease he must be satisfied that the leaseholder would remain in the undisturbed occupation of the land for a certain term of years. He was quite well aware that it looked bad and seemed wrong in principle to shut up so large a portion of the public estate for a considerable period of time; but he would draw attention to the fact that for

all purposes of public utility the Government would still have the right of resumption, and of reserving land in all parts of the colony, as they now had. Failing the principle of security of tenure being granted over the whole of these portions of our territory, he would be inclined to grant it over a certain area. He should be inclined to draw a line embracing a strip of country within a certain distance from the coast, within which strip alienation should be allowed, something in accordance with the provisions of the 40th clause, but not outside that strip. He would not have these called special areas for the purposes of that clause, but areas set apart for cultivation. He would not allow a man to come on the pastoral lessee's run for the purpose of levying black mail upon him, by forcing him to sell a portion of his run or to buy it up himself, unless that man proposed to cultivate the land. He would have the 40th clause amended something to this effect: that the Governor-in-Council should be empowered to define and set apart any Crown land in the Kimberley, North-West, Gascoyne, Eastern, and Eucla divisions, as a special area, and might declare any such area as open to selection "for purposes of cultivation only." He would be inclined, however, not to allow a man to take up land within these specially-defined areas in less quantity than 5,000 acres. He thought that to place the minimum, as the regulations proposed, at 100 acres would only result in perpetuating the evils of the past, in spoiling the country, and destroying the pastoral lessee's runs for no good purpose. He would, however, as he had said before, insist upon cultivation, within a given time, in addition to fencing and other improvements. He would compel the purchaser within any of these areas to cultivate a certain proportion of his selection, say one-tenth, within three years, in addition to fencing. He would go further and define what cultivation should mean, namely, the growth and production of corn or any description of cereal, or any tropical or sub-tropical product, such as rice or jute, or any article used in manufacture. With reference to the principle of non-alienation in the South-West division, he should be very glad, if possible, to see the same principle introduced, but, at

present, he was unable to see how it could be done. If any hon. member was able to show to the satisfaction of the House how it could possibly be done, he would have his support,—that was to say, if he could show how they could mark out all the agricultural land into areas, and declare such areas open to selection, leaving the rest of the country for pastoral purposes, with full security of tenure, any such a scheme as that would have his support. But he must confess he did not see how they were going to do it. With regard to the question of direct purchase, he might say that after some consideration he was inclined to agree with what fell from the hon. member Mr. Loton, that at the present time it would probably be unwise and impolitic to double the price of land outside these special areas. There were many reasons it seemed to him why this should not be done. It must be borne in mind, in the first place, that in addition to doubling the price of the land, we now proposed to insist upon improvements, which was a condition that no previous regulations contemplated. A man now could purchase land where he liked for ten shillings, without any conditions attached as to improvements; but, under these new regulations as to direct purchase, not only was it proposed to charge twenty shillings for the land, but also to compel the purchaser to fence it. The purchaser would also be limited to a certain quantity of land, whereas, before, he could select as much as he liked. We should have to pick out the best country for these special areas, and we had already alienated a large portion of our best lands to the railway Syndicates, so that to a very large extent the land we should have left would be land of a poor quality. Not only would land within the areas be taken up largely upon deferred payment, with conditions as to residence and improvements, there would also probably be taken up a considerable quantity of land of a second class character that could be taken up without the condition as to residence. Yet for the inferior country that remained, it was proposed to ask the lessees to pay double the price they were now paying, and also impose upon them conditions of improvement which previously did not exist. He

thought it would be wise to reconsider this question, and to leave the price of the land as it is, as regards direct purchase. He could see no reason why within these agricultural areas the condition as to residence should not be insisted upon. It was all very well to talk about the investment of capital and of second-hand improvements; he would ask how many places in Western Australia, after fifty years of settlement, were managed second-hand, for purposes of agriculture. He ventured to say there were not fifty farms in the whole colony so managed. He did not think that throughout the length and breadth of Western Australia agricultural pursuits were followed by those who were simply the agents of other people, to any extent. [Mr. HARPER: Nor throughout the whole of Australia.] We had not those large farming estates here that they had in older countries. The man who would really improve the land, and cultivate the land, and live upon it, was the man we wanted. [Mr. LOTON: Apply the same principle to the pastoral lessee.] He would not apply the same principle to the pastoral lessee, for the conditions were different. They all knew that pastoral pursuits were carried on second-hand to a great extent, and he would tell the hon. member why? Because those who invested their capital in such land, whether members of that House or not, knew very well that the land was only adapted for pastoral purposes. He should like to see the regulations as to conditional purchase extended to the present S.O.L. holders—that was to say, as regards the improvements to be made upon the land. Instead of compelling them to cultivate one-fourth, as was now done, he thought they should be permitted to come under the new regulations, allowing them to expend so much in improvements. He would not object to compelling them to expend a sum double the amount of the purchase money, for in one case we compelled the holder of the land to reside upon it, and in the other we didn't. There was one great blot undoubtedly in this residence clause, and that was the condition which precluded a man from transferring the land, by way of security, to enable him to obtain money for carrying out the necessary improvements. He remembered very well that a great deal

of time was given to this by the select committee last year, and it was considered a difficult matter to provide a satisfactory way of dealing with it. But he did not see why something of this sort might not be done: he noticed that the draft regulations provided that if any lessee should die or be declared a lunatic before the fulfilment of the prescribed conditions of residence and fencing, his land might, with the approval of the Commissioner, be held by his representatives, subject to the fulfilment by them of all unfulfilled conditions, except the conditions of residence. Why could not the same principle be introduced as regards land transferred by way of security? So long as the improvements were carried out and somebody resided on the land, it appeared to him there could be no objection to the land being transferred as security, and as security only. At any rate, he thought the difficulty might be got over with some little consideration. He noticed that nothing was allowed for a dwelling house as an improvement. He was inclined to advocate that buildings should be included in the improvements required under the regulations. Nothing showed a man's *bona fides* so much as the erection of a house on his land. With reference to the rents suggested in the four Northern portions of the colony, he himself should not have been disposed to advocate their reduction, more especially if the principle of security of tenure was going to be acknowledged. But seeing that this principle was not going to be acknowledged, he thought it would be desirable to reduce the proposed rents somewhat; and he should also be disposed to favorably consider the suggestion made by the hon. member for Geraldton, as to making a difference in the price of land within a hundred miles of the coast and land situated beyond that distance. He should also be inclined, provided security of tenure were granted, to compel a lessee not only to stock his run within a certain period, but also to expend a sum of money, and a considerable sum of money, in improving the land leased by him. He knew there would be a great deal of discussion in committee, and most of these points would be thoroughly threshed out, so that it was unnecessary he should trespass any fur-

ther upon the time of hon. members, beyond expressing a hope that their deliberations upon this most important subject would result in the production of a measure that would be a credit to that Council, and be received with satisfaction throughout the country, and tend to advance the best interests of the colony.

MR. CROWTHER said that after all that had been said upon these land regulations very little remained for him to say. It was no use his wasting any time in further threshing straws that had already been under the flails of so many other people; at the same time he thought that all hon. members, when such an important question as this came before them, should shadow forth their ideas with reference to it; and he craved the indulgence of the House while he endeavored to give his own views on the subject. To his mind the man of the greatest importance to be considered in connection with these or any other land regulations was the agriculturist; and we could not expect to have a thriving class of agriculturists in this colony unless the Government were prepared to make the land regulations, as regards special occupation holders, sufficiently liberal to enable a man to carry out improvements without any large expenditure of hard cash. The Commissioner of Crown Lands told them that the land regulations of this colony were very liberal regulations indeed—sixpence an acre, with twenty years to pay it. Now for his own part, he did not consider sixpence an acre, extending over twenty years, such very liberal terms as some hon. members seemed to imagine. Theoretically, it was all very fine, but if they looked at it from a practical point of view—if they looked at all the surroundings of that sixpence—the thing was not so liberal as it appeared at first sight. A man who came here to make a living out of the land would not care to have to spend his only sixpence in paying for the bare soil; he would want something to expend in making the soil fit for habitation in the first place, and then fit for cultivation. A man could not live by simply dropping him on the land, and telling him to look about him for twenty years. They might give a man 500 acres of the best land in the colony, and tell him to live and thrive upon it, to fence it

in three years, to sink wells upon it, to build upon it, and to cultivate it—all for sixpence an acre, and the result would be this: they would very soon have to hold an inquest upon that poor man. We subsidised steamers and what not; we spent large sums of money in providing telegraph and post office facilities, and every other convenience for people; and he really thought it would be wise policy on the part of the Government to subsidise farming. He was quite certain that hon. members thought he was only joking; but he never was more serious in his life. He was certain, after many years of careful thought, it would be a good thing for the Government to supply its own capital to some of these men to work with it, in improving the land, and let the money so advanced be a first charge upon the land. He was sure in his own mind it would pay the Government much better than subsidising steamers to subsidise the agricultural implements required by these men to carry out their improvements, and charge them a fair amount of interest. We might then hope to see the colony become a colony. No doubt these regulations had been put forward with the best intentions, and in the full belief that they were the very best that human wisdom could devise; and for that reason he did not like to say anything unkind about them. They heard a great deal about squatters rolling in wealth, indulging in all sorts of luxuries and extravagancies, and the Government thought it was about time they should handicap them a little, by doubling their rents. He should like to ask the Commissioner of Crown Lands to point out one solitary squatter in Western Australia who had made a fortune, or who was even making a good living out of growing sheep and wool. He had known men who had done very well, but not out of sheep-farming alone; they had been relying upon other more valuable industries. When people talked of grand pastoral lands at the North, making people rich and prosperous, they lost sight of the fact that, to pastoral pursuits, those who leased those lands had supplemented their incomes by following far more profitable pursuits, in the shape of pearl shell fishing; and, had it not been for those pearl shell fisheries, the North-West country and the North-West

settlers would not be what they were this day. He ventured to say that, at this very moment, when we talked about doubling the rents in that district, the number of sheep had decreased by fifty thousand or sixty thousand, in consequence of drought and other misfortunes, and there was no saying but that the present season may be followed by others equally disastrous. Yet this was the time chosen by a paternal Government to increase the burdens of these unfortunate settlers, by doubling their rents. He could not agree at all with what had fallen from his friend the junior member for Perth, who spoke of the people of the towns having to put up with taxation and other burdens, and being quite as much entitled to sympathy and commiseration as the poor sheep farmer. In support of this allegation the hon. member said, "Look at the price of meat." Well, he could tell the hon. member this: that only yesterday he had sold 1,140 sheep at 4½d. [Mr. SCOTT: You ought to have sold them for 2d.] The hon. member said he ought to have sold them for 2d. Well, when they got Responsible Government, they would be able to do so. The hon. member for Wellington said he had satisfied himself that if the settlers at the South could afford to pay 20s. for their land the settlers at the North could afford to pay twice 20s. The hon. member said he was satisfied of that from his own experience. If that was a truism, it was a strange thing that the hon. member did not stay where the odds in his favor were 4 to 1. It had been said that successful farming could not be carried on second-hand, that it was no good letting capitalists get the land with the view of putting other people to work it. He knew of one part of the colony at all events where about three thousand acres had been so let to tenant farmers, and they had done fairly well out of it. He alluded to the Greenough Flats; and, without now going into details, he thought it was quite possible for the Government of Western Australia to do what the Government of Greenough Flats and Dongarra had done—for he looked upon the late Mr. Shenton, the Burgeses, Vigors, and others as the rulers of that part of the colony. But they did not deal with their little kingdom

as the Government did in these days. Before they placed their subjects upon the land they built a decent house for them to live in, they supplied them with seed, they supplied them with the necessary implements, they supplied them with provisions until their own grew out of the soil; and having done all this for them, they sent them and their families into this new Canaan—and those men prospered. There may have been failures amongst them, but many of them became prosperous and men of means, and their sons were prosperous and thriving colonists at this day. Let the Government act on something like the same principle. It was useless placing the majority of the people who came out here to make a living out of the land, upon the land without helping them afterwards to help themselves. They might as well go to the trouble of building a blacksmith's shop for a man, and supply him with a bellows, and expect him to make a horse-shoe without giving him the iron. With regard to the clause which had been taken exception to by some hon. members, as likely to have the effect of preventing small holders of land from mortgaging their property, he did not look upon that clause in the same light. As soon as these men, as a rule, got hold of their deeds, and kept hold of them, they looked upon the land as their own bit of ground, and they went to work improving it with a good heart; but, as soon as a man lost possession of his land, all the steel was gone out of him. Moreover, when a man found that he could not get a thing, he generally did without it, and was content; but, if they opened the door for him to transfer and mortgage his property, he became dissatisfied until he got what he wanted, and his property went; and the man it went to—although he may have been his best friend—was, from that day forward, looked upon as his worst enemy. He was opposed—and in their own interests he was opposed—to any transfer or mortgaging of land by these people, to any loan and discount company or to any bank, unless it was a bank established by the Government. The hon. and junior member for Perth told them that unless a man had something like £300 to commence with, it would be futile for him to think of starting farming in this colony. He thought the hon. and junior mem-

ber was below the mark rather than over it, when they came to consider all the conditions which the Legislature in its wisdom imposed upon the man who wanted to make a living by farming in Western Australia. Having said so much about general principles, he should now just glance at a few of the proposed regulations, in the draft now before the House. Clause 21 provided that the Governor in Council may, by notice in the *Government Gazette*, reserve temporarily from sale any Crown lands within two miles on either side of any railway. He should like to know what the colony had gained by that in the past. If they were going to be guided by past experience, he should ask hon. members what benefit had accrued to the colony by the reservation from sale of the land alongside the railway from Guildford to York. He did not think an acre of it had been sold or taken up by anybody; whereas, if it had not been reserved, the probability was that a great deal of the country would have been taken up, and some good done by it. Clause 29 dealt with the land of insolvents, which had to be sold for the benefit of creditors. With regard to this clause he should like to ask this question: supposing one member of a firm of three became a bankrupt, would the other two members have power to hold the land as against the third, or would the assignee of the insolvent be empowered to sell the insolvent's portion of the land, and, if so, how would it be divided? The clauses dealing with public reserves and commonages were also somewhat mystifying. With regard to clause 40, dealing with special areas, he thought it was virtually decided by the select committee last year that unless we could have security of tenure provided for pastoral lessees, the country could not expect to prosper; but it appeared to him that this clause completely undermined that principle. He thought that if the Government alienated any land at all, it should be only alienated for some specific purpose; and, let that specific purpose be clearly defined, and carried out. With regard to clause 41, which restricted alienation within the Kimberley, North-West, Gascoyne, Eastern, and Eucla divisions, it appeared to him that, looking at the quantity of land already alienated, and

the extent of country which we had handed over to the railway syndicates, we need not care very much whether we allowed any more land to be selected or not, for in a few years we should have very little land of any good for selection. With regard to improvements, he thought the first improvement they should insist upon was that a man should build a house upon his land, and, having done so, that house should count among any other improvements which were recognised under the regulations. As to the penal clause for non-stocking (clause 73), who was to be the judge whether a run, say in the Kimberley district, was stocked or not? There were runs and runs; and, one part of the year a run might be fit to keep stock upon it, whereas, during another part of the year, it would be useless putting any stock upon it; and there ought to be some provision made whereby runholders might be allowed to shift their flocks from one lease to another. With regard to the question of classification, he thought we could never hope to do much good without classification. Nor did he see that there would be much difficulty about it. There were men in every district of the colony who knew the country well, almost every acre of it, and there would be no difficulty whatever in forming local boards for the purpose of classifying the lands of the district. There would be no more difficulty in finding fit persons to sit on such boards than there was to find persons to sit on school boards or road boards. These land boards could easily tell the Government what certain lands would carry, and there would be more satisfaction to everybody. Many people now paid for thousands of acres that were not worth a rap; but they were compelled to do so, simply in order that they might get hold of some little patch that really was worth something. In fact our whole system of land legislation was bad, and he felt sure that as regards the regulations now proposed, although they might prove satisfactory to the Government, they would not be so to the people. As to mineral lands, perhaps there was not much to complain of, though he thought there was room for one or two slight improvements. He was afraid that neither the Government nor that House fully appreciated the value of the colony's

mineral resources, and he thought it would be well if a little more attention were paid to the fostering and development of those resources, which he hoped to see some day flourish and prosper. In conclusion, while joining in the chorus of congratulations which had greeted the speech of the Commissioner of Crown Lands, to whom he begrudged none of the compliments that had been paid to him, he should like at the same time to remind the hon. gentleman that however able his speech and honest his purpose, there were other people in this colony who knew perhaps as much about this land question as the hon. gentleman himself did.

MR. GRANT, who was almost inaudible in the press gallery, was understood to advocate the claims of the pastoral lessees at the North, the pastoral industry being in his opinion the greatest industry of all. The hon. member was also understood to oppose the alienation of land as much as possible, and to support his position by reference to the agrarian doctrines enunciated by Henry George, and other doctrinaires. He pointed out that the pastoral lessees at the North did not hold their lands under the same favorable conditions as to pre-emptive rights as the lessees in other parts of the colony did; and with regard to the stocking clauses, he reminded the House of the climatic drawbacks and other vicissitudes which operated against the success of the pastoral industry in our Northern territory, necessitating lessees to take up large blocks in different parts of the district, to enable them to shift their stock according to the rainfall. With regard to the duration of leases, he pointed out that in Queensland lessees had a tenure of 21 and 28 years, and in South Australia 30 years, and much lower rentals than our own lessees had to pay. What was wanted for our Northern districts was security of tenure—a long and fixed tenure, as regards lands fit for pastoral purposes, and allow a portion of this part of our territory to be open for tropical culture. This would be the means of introducing capital into the colony. People were not so foolish as to come here to invest their money unless they had some security for their investments. It had been said that it was a shame to

allow a man to hold so much land as some lessees held in the North; but it must be borne in mind that a large portion of such land, owing to the aridity of the climate, was useless. They might have years of drought, and not a blade of grass to be seen upon it. This was a consideration which some hon. members lost sight of. It was necessary for lessees to hold immense areas of country, for which they had to pay rent, although a great deal of it could not be made use of; and the losses which pastoral lessees had to put up with were very serious. Probably there would be no less than 60,000 or 100,000 sheep lost this season in this North district of ours, unless they were favored with immediate rains. Taking all this into consideration, he thought they might fairly look for some security of tenure. Though he was opposed to a great deal in the proposed regulations, he thought that on the whole they were calculated to prove beneficial to the colony.

MR. RANDELL moved that progress be reported. He thought that the Surveyor General should have some time to prepare his reply to the various speeches which had been made, and the criticisms passed upon these regulations, and it was in the interest of that hon. gentleman that he made the present motion.

Motion agreed to.

The debate was then adjourned.

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

LEGISLATIVE COUNCIL,

Monday, 19th July, 1886.

Telephone Exchange between Perth and Fremantle—Clackline and Newcastle Branch Railway—Time of departure of Adelaide Steamship Co.'s Steamers from Albany—Supplementary Estimates, 1886, introduced—Opium Duty Bill: third reading—Adjournment.

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

PRAYERS.

TELEPHONE EXCHANGE BETWEEN PERTH AND FREMANTLE.

MR. SHENTON asked the Director of Public Works when it was intended to commence the construction of the proposed telephone exchange between Perth and Fremantle?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): The telephone exchange will be commenced as soon as the Inspector of Telephones, now engaged on the Albany Breaksea telegraph cable line, arrives in Perth. That line is now completed, and I expect him here by the next steamer. At the same time, I must inform the Council that we have so far, in answer to our advertisements, only received twenty-four applications from Perth and eight from Fremantle for telephone communication. This, as hon. members will understand, has considerably altered our calculations as to the rate at which the telephone exchange can be obtained.

CLACKLINE AND NEWCASTLE BRANCH RAILWAY.

MR. SHENTON, in accordance with notice, asked the Engineer-in-Chief when it was proposed to call tenders for the construction of the Eastern Railway between Clackline and Newcastle?

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright) replied that the trial surveys were completed, and that so soon as the permanent surveys were finished—which, he hoped, would be in about three weeks—steps would be at once taken to let the contract for the construction of the line.

DEPARTURE OF STEAMERS FROM ADELAIDE AND ARRIVAL AT ALBANY.

MR. SHENTON, in accordance with notice, moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to make arrangements, if practicable, with the Adelaide Steamship Company, whereby their steamers, on the trip from Adelaide to Fremantle, might reach Albany on the Wednesday in each month coinciding with the arrival of the outward P. & O. steamers;